

By Senator Collins

14-00012A-25A

202518A\_\_

1                   A bill to be entitled  
2       An act relating to petition process; amending s.  
3       15.21, F.S.; conforming a cross-reference; amending s.  
4       16.061, F.S.; revising the criteria that the Attorney  
5       General uses when petitioning the Supreme Court for an  
6       advisory opinion related to a proposed revision or  
7       amendment to the State Constitution; amending s.  
8       97.021, F.S.; deleting the definition of the term  
9       "petition circulator"; amending s. 99.092, F.S.;  
10      decreasing the percentages used to calculate the  
11      filing fees and the amount of party assessment for  
12      candidates to public office; requiring the Division of  
13      Elections to create a uniform petition form for  
14      candidates to gather signatures for a candidate  
15      petition; requiring that the form solicit specified  
16      information; requiring that the form include a certain  
17      notice; amending s. 99.095, F.S.; authorizing a  
18      supervisor of elections to verify certain signatures  
19      only if a certain petition form is used; amending s.  
20      99.097, F.S.; conforming a cross-reference; amending  
21      s. 100.371, F.S.; requiring sponsors of an initiative  
22      amendment to register as political committees before  
23      circulating any initiative petition forms to voters;  
24      deleting obsolete language; requiring the division to  
25      assign initiative petitions a petition number and  
26      create a certain form; providing requirements for such  
27      form; requiring that the form contain a certain  
28      notice; deleting provisions relating to citizen  
29      challenges of petition circulator registration;

14-00012A-25A

202518A\_\_

30 deleting provisions relating to applications for  
31 registration of a petition circulator; requiring the  
32 division to adopt rules; deleting provisions requiring  
33 certain sponsors to submit signed and dated forms;  
34 specifying conditions for signatures on a form to be  
35 verified as valid by a supervisor; requiring the  
36 supervisor to retain signed petition forms instead of  
37 signature forms in a specified manner; requiring the  
38 supervisor to transmit copies of such signed petition  
39 forms promptly to the division upon request; requiring  
40 the supervisors of elections to post the actual cost  
41 of signature verification on their websites annually  
42 on a specified date; specifying that such costs  
43 include costs related to certain actions; requiring  
44 the Secretary of State to rescind a certificate of  
45 ballot position under specified conditions;  
46 authorizing any voter to challenge the issuance of  
47 certificates of ballot position; providing the process  
48 for such challenges; requiring the Secretary of State  
49 to submit a copy of initiative petitions to a  
50 specified panel; requiring the panel to complete a  
51 financial impact statement; requiring the panel to  
52 submit such statement to the Secretary of State;  
53 providing that the panel is not required to complete  
54 the statement under specified circumstances; deleting  
55 obsolete language; requiring that meetings of the  
56 panel be open to the public; requiring that the panel  
57 submit the financial impact statement to the Secretary  
58 of State immediately; authorizing the panel to redraft

14-00012A-25A

202518A\_\_

59 the statement within a specified timeframe; requiring  
60 the disclosure of certain material legal effects;  
61 conforming cross-references; requiring the panel to  
62 draft a certain initiative financial information  
63 statement; requiring the Secretary of State to make  
64 such statement available on his or her website;  
65 creating s. 100.373, F.S.; defining the term  
66 "circulated petition form"; authorizing voters to  
67 submit signed circulated petition forms at any office  
68 of the supervisor of elections in the county in which  
69 the voter is registered to vote; providing that a  
70 circulated petition form is valid only if the  
71 supervisor verifies specified information; requiring a  
72 voter to present a certain current and valid form of  
73 picture identification to the supervisor; requiring  
74 the supervisor to deem the petition submitted if the  
75 information on such identification matches the form  
76 and the person matches the identification produced;  
77 requiring supervisors to verify that the voter's  
78 signature on the circulated petition form matches the  
79 voter's signature on file in the Florida Voter  
80 Registration System; creating s. 100.375, F.S.;;  
81 defining the term "requested petition form"; requiring  
82 supervisors to accept requests for a petition form  
83 from a voter or, if instructed, the voter's immediate  
84 family or legal guardian; authorizing that requests be  
85 made in person, in writing, by telephone, or through  
86 the supervisor's website; requiring supervisors to  
87 cancel requests under specified conditions;

14-00012A-25A

202518A\_\_

88 authorizing that requests for petition forms may be  
89 mailed to certain addresses; requiring the voter, or  
90 his or her designee, to provide certain information  
91 for in-person or telephonic requests; requiring that  
92 requests be in writing if the petition form is to be  
93 mailed to an address other than one on file; providing  
94 requirements for such written requests; requiring the  
95 division to create a uniform application to request  
96 petition forms; requiring that such applications  
97 solicit and require specified information; defining  
98 the term "immediate family"; requiring the supervisor  
99 to record certain information and provide it in a  
100 specified format; defining the term "petition  
101 deadline"; requiring the supervisor to mail petition  
102 forms within specified timeframes; providing a  
103 deadline to request petition forms; requiring  
104 supervisors to provide a petition form by one of the  
105 means specified; prohibiting persons from picking up  
106 more than a specified number of petition forms;  
107 providing exceptions; requiring the supervisor to mail  
108 a certain notice in a specified circumstance;  
109 providing that only the materials necessary to submit  
110 a petition form be mailed or delivered; prohibiting a  
111 supervisor from sending a petition form to someone who  
112 did not request one; requiring the supervisor to  
113 enclose a certain mailing envelope with petition  
114 forms; requiring that such envelopes contain a certain  
115 voter's certificate; specifying the placement of the  
116 voter's certificate on the envelope; requiring that

14-00012A-25A

202518A\_\_

117 certain instructions be enclosed with each petition;  
118 providing construction; providing legislative intent;  
119 requiring the Department of State to work with  
120 specified entities to develop and implement procedures  
121 and technologies to make petition forms available in  
122 alternative formats; providing that requested petition  
123 forms are only valid if the supervisor verifies  
124 certain information; prohibiting an otherwise valid  
125 petition from being invalidated due to the voter's  
126 death after submission of such form; creating s.  
127 100.377, F.S.; authorizing that initiative petition  
128 forms approved by the Secretary of State may continue  
129 to be circulated; providing that certain initiative  
130 petitions or candidate petitions may be kept and  
131 counted under specified conditions; providing  
132 applicability; amending s. 101.161, F.S.; requiring  
133 that constitutional amendments define all terms of art  
134 and describe newly created rights, requirements,  
135 prohibitions, and authorizations; amending the  
136 inclusions on the ballot for every constitutional  
137 amendment proposed by initiative to conform to changes  
138 made by the act; conforming a cross-reference;  
139 amending s. 104.045, F.S.; providing criminal  
140 penalties for a person who submits a petition form or  
141 refrains from submitting a petition form for any  
142 initiative or candidate petition due to a corrupt  
143 offer or the acceptance of a pecuniary or other  
144 benefit; repealing s. 104.186, F.S., relating to  
145 initiative petition circulators and violations

14-00012A-25A

202518A\_\_

146 imposed; creating s. 106.031, F.S.; defining terms;  
147 requiring certain political committees and donors and  
148 entities to comply with specified provisions;  
149 requiring that a statement of organization include a  
150 certain attestation; requiring that specified reports  
151 have a certain affirmation; requiring specified  
152 persons to keep a certain record for a specified  
153 timeframe; providing criminal penalties for a person  
154 who fails to retain the record for such timeframe;  
155 requiring that certain reports include a certain  
156 attestation; requiring certain donors and entities to  
157 make a certain attestation to the Division of  
158 Elections within a specified timeframe; providing  
159 criminal penalties for a person who fails to make such  
160 attestation or makes a false attestation; providing  
161 criminal penalties for political committees that  
162 willfully submit certain statements or reports known  
163 to be incorrect, false, or incomplete; providing that  
164 civil penalties be imposed by the Florida Elections  
165 Commission for violations of specified provisions;  
166 authorizing the Attorney General to investigate, act  
167 upon, or dispose certain violations; authorizing  
168 criminal proceedings in a court of competent  
169 jurisdiction; authorizing treble penalties; requiring  
170 the division to adopt rules; amending s. 106.08, F.S.;  
171 providing criminal penalties for foreign nationals who  
172 make or offer to make certain contributions, foreign  
173 nationals who direct, dictate, or control any person  
174 to influence a citizen initiative by petition, certain

14-00012A-25A

202518A\_\_

175 political committees that knowingly solicit or accept  
176 expenditures from foreign nationals, or a foreign  
177 national who willfully violates specified provisions;  
178 authorizing the Attorney General to investigate, act  
179 upon, or dispose certain violations; authorizing  
180 criminal proceedings in a court of competent  
181 jurisdiction; authorizing treble penalties; amending  
182 s. 106.19, F.S.; deleting a provision relating to  
183 violations by political committees for using petition  
184 circulators; amending s. 212.055, F.S.; conforming a  
185 cross-reference; providing for severability; providing  
186 a directive to the Division of Law Revision; providing  
187 an effective date.

188

189 Be It Enacted by the Legislature of the State of Florida:

190

191 Section 1. Subsection (2) of section 15.21, Florida  
192 Statutes, is amended to read:

193 15.21 Initiative petitions; s. 3, Art. XI, State  
194 Constitution.—

195 (2) If the Secretary of State has submitted an initiative  
196 petition to the Attorney General pursuant to subsection (1) but  
197 the validity of the signatures for such initiative petition has  
198 expired pursuant to s. 100.371(6)(a) ~~s. 100.371(11)(a)~~ before  
199 securing ballot placement, the Secretary of State must promptly  
200 notify the Attorney General. The Secretary of State may resubmit  
201 the initiative petition to the Attorney General if the  
202 initiative petition is later circulated for placement on the  
203 ballot of a subsequent general election and the criteria under

14-00012A-25A

202518A\_\_

204 subsection (1) are satisfied.

205 Section 2. Subsection (1) of section 16.061, Florida  
206 Statutes, is amended to read:

207 16.061 Initiative petitions.—

208 (1) The Attorney General shall, within 30 days after  
209 receipt of a proposed revision or amendment to the State  
210 Constitution by initiative petition from the Secretary of State,  
211 petition the Supreme Court, requesting an advisory opinion  
212 regarding the compliance of the text of the proposed amendment  
213 or revision with s. 2, Art. I and s. 3, Art. XI of the State  
214 Constitution, whether the proposed amendment is facially invalid  
215 under the United States Constitution, the compliance of the text  
216 of the proposed constitutional amendment or revision with s.  
217 101.161, and the compliance of the proposed ballot title and  
218 substance with s. 101.161. The petition may enumerate any  
219 specific factual issues that the Attorney General believes would  
220 require a judicial determination.

221 Section 3. Subsection (28) of section 97.021, Florida  
222 Statutes, is amended to read:

223 97.021 Definitions.—For the purposes of this code, except  
224 where the context clearly indicates otherwise, the term:

225 ~~(28) "Petition circulator" means an entity or individual~~  
226 ~~who collects signatures for compensation for the purpose of~~  
227 ~~qualifying a proposed constitutional amendment for ballot~~  
228 ~~placement.~~

229 Section 4. Section 99.092, Florida Statutes, is amended to  
230 read:

231 99.092 Qualifying fee of candidate; notification of  
232 Department of State.—



14-00012A-25A

202518A\_\_

233 (1) Each person seeking to qualify for nomination or  
234 election to any office, except a person seeking to qualify by  
235 the petition process pursuant to s. 99.095 and except a person  
236 seeking to qualify as a write-in candidate, shall pay a  
237 qualifying fee, which shall consist of a filing fee and election  
238 assessment, to the officer with whom the person qualifies, and  
239 any party assessment levied, and shall attach the original or  
240 signed duplicate of the receipt for his or her party assessment  
241 or pay the same, in accordance with the provisions of s.  
242 103.121, at the time of filing his or her other qualifying  
243 papers. The amount of the filing fee is 1 ~~3~~ percent of the  
244 annual salary of the office. The amount of the election  
245 assessment is 1 percent of the annual salary of the office  
246 sought. The election assessment shall be transferred to the  
247 Elections Commission Trust Fund. The amount of the party  
248 assessment is 1 ~~2~~ percent of the annual salary. The annual  
249 salary of the office for purposes of computing the filing fee,  
250 election assessment, and party assessment shall be computed by  
251 multiplying 12 times the monthly salary, excluding any special  
252 qualification pay, authorized for such office as of July 1  
253 immediately preceding the first day of qualifying. No qualifying  
254 fee shall be returned to the candidate unless the candidate  
255 withdraws his or her candidacy before the last date to qualify.  
256 If a candidate dies prior to an election and has not withdrawn  
257 his or her candidacy before the last date to qualify, the  
258 candidate's qualifying fee shall be returned to his or her  
259 designated beneficiary, and, if the filing fee or any portion  
260 thereof has been transferred to the political party of the  
261 candidate, the Secretary of State shall direct the party to

14-00012A-25A

202518A\_\_

262 return that portion to the designated beneficiary of the  
263 candidate.

264 (2) The supervisor of elections shall, immediately after  
265 the last day for qualifying, submit to the Department of State a  
266 list containing the names, party affiliations, and addresses of  
267 all candidates and the offices for which they qualified.

268 (3) (a) The division shall create a uniform petition form on  
269 which signatures for a candidate petition will be affixed. The  
270 form must solicit and require all of the following information:

271 1. The full name of the voter.

272 2. The voter's residential address and county.

273 3. The voter's voter registration number or date of birth.

274 4. The voter's Florida driver license number, the voter's  
275 Florida identification card number, or the last four digits of  
276 the voter's social security number.

277 5. An attestation that the voter is a registered voter in  
278 this state and is petitioning the Secretary of State to place  
279 the candidate's name on the ballot.

280 6. The voter's signature and the date signed.

281 7. The candidate's name and party information and the title  
282 of the office sought by the candidate.

283 (b) The petition form must include a notice stating that  
284 the form becomes public record upon receipt by the supervisor of  
285 elections; that it is a first degree misdemeanor to knowingly  
286 sign the same candidate petition more than once; and that the  
287 form may not be validated if all requested information is not  
288 provided.

289 Section 5. Subsection (3) of section 99.095, Florida  
290 Statutes, is amended to read:

14-00012A-25A

202518A\_\_

291 99.095 Petition process in lieu of a qualifying fee and  
292 party assessment.—

293 (3) Each petition must be submitted before noon of the 28th  
294 day preceding the first day of the qualifying period for the  
295 office sought to the supervisor of elections of the county in  
296 which such petition was circulated. Each supervisor shall check  
297 the signatures on the petitions to verify their status as voters  
298 in the county, district, or other geographical area represented  
299 by the office sought. The supervisor may verify that the  
300 signature on a form is valid only if the petition form is a  
301 circulated petition form properly verified pursuant to s.  
302 100.373 or a requested petition form properly verified pursuant  
303 to s. 100.375. No later than the 7th day before the first day of  
304 the qualifying period, the supervisor shall certify the number  
305 of valid signatures.

306 Section 6. Paragraph (a) of subsection (4) of section  
307 99.097, Florida Statutes, is amended to read:

308 99.097 Verification of signatures on petitions.—

309 (4) (a) The supervisor must be paid in advance the sum of 10  
310 cents for each signature checked or the actual cost of checking  
311 such signature, whichever is less, by the candidate or, in the  
312 case of a petition to have a local issue placed on the ballot,  
313 by the person or organization submitting the petition. In the  
314 case of a petition to place a statewide issue on the ballot, the  
315 person or organization submitting the petition must pay the  
316 supervisor in advance the cost posted by the supervisor pursuant  
317 to s. 100.371(6) ~~s. 100.371(11)~~ for the actual cost of checking  
318 signatures to place a statewide issue on the ballot.

319 Section 7. Section 100.371, Florida Statutes, is amended to

14-00012A-25A

202518A\_\_

320 read:

321 100.371 Initiatives; procedure for placement on ballot.—

322 (1) Constitutional amendments proposed by initiative shall  
323 be placed on the ballot for the general election, provided the  
324 initiative petition has been filed with the Secretary of State  
325 no later than February 1 of the year the general election is  
326 held. A petition shall be deemed to be filed with the Secretary  
327 of State upon the date the secretary determines that valid and  
328 verified petition forms have been signed by the constitutionally  
329 required number and distribution of electors under this code.

330 (2) The sponsor of an initiative amendment shall, before  
331 circulating any initiative petition forms to voters ~~prior to~~  
332 ~~obtaining any signatures~~, register as a political committee  
333 pursuant to s. 106.03 and submit the text of the proposed  
334 amendment to the Secretary of State, ~~with the form on which the~~  
335 ~~signatures will be affixed, and shall obtain the approval of the~~  
336 ~~Secretary of State of such form. The Secretary of State shall~~  
337 ~~adopt rules pursuant to s. 120.54 prescribing the style and~~  
338 ~~requirements of such form.~~ Upon filing with the Secretary of  
339 State, the text of the proposed amendment and all forms filed in  
340 connection with this section must, upon request, be made  
341 available in alternative formats.

342 (3) (a) The division shall assign the initiative petition a  
343 petition number and create the form on which signatures for the  
344 initiative petition must be affixed. The petition form must  
345 prominently display the petition number, the ballot title, and  
346 the full text of the proposed amendment; must contain the date  
347 approved by the Secretary of State, a barcode associated with  
348 the initiative petition, and a serial number; and must solicit

14-00012A-25A

202518A\_\_

349 and require all of the following information:

350 1. The full name of the voter.

351 2. The voter's residential address and county.

352 3. The voter's voter registration number or date of birth.

353 4. The voter's Florida driver license number or Florida  
354 identification card number, or the last four digits of the  
355 voter's social security number.

356 5. An attestation that the voter is a registered Florida  
357 voter and is petitioning the Secretary of State to place the  
358 proposed amendment on the ballot.

359 6. The voter's signature and the date signed ~~A person may~~  
360 ~~not collect signatures or initiative petitions for compensation~~  
361 ~~unless the person is registered as a petition circulator with~~  
362 ~~the Secretary of State.~~

363 (b) The petition form must include a notice that states  
364 that the form becomes public record upon receipt by the  
365 supervisor; that it is a first degree misdemeanor to knowingly  
366 sign the same initiative petition more than once; and that the  
367 form may not be validated if all requested information is not  
368 provided ~~A citizen may challenge a petition circulator's~~  
369 ~~registration under this section by filing a petition in circuit~~  
370 ~~court. If the court finds that the respondent is not a~~  
371 ~~registered petition circulator, the court may enjoin the~~  
372 ~~respondent from collecting signatures or initiative petitions~~  
373 ~~for compensation until she or he is lawfully registered.~~

374 (4) ~~An application for registration must be submitted in~~  
375 ~~the format required by the Secretary of State and must include~~  
376 ~~the following:~~

377 (a) ~~The information required to be on the petition form~~

14-00012A-25A

202518A\_\_

378 ~~under s. 101.161, including the ballot summary and title as~~  
379 ~~approved by the Secretary of State.~~

380 ~~(b) The applicant's name, permanent address, temporary~~  
381 ~~address, if applicable, and date of birth.~~

382 ~~(c) An address in this state at which the applicant will~~  
383 ~~accept service of process related to disputes concerning the~~  
384 ~~petition process, if the applicant is not a resident of this~~  
385 ~~state.~~

386 ~~(d) A statement that the applicant consents to the~~  
387 ~~jurisdiction of the courts of this state in resolving disputes~~  
388 ~~concerning the petition process.~~

389 ~~(e) Any information required by the Secretary of State to~~  
390 ~~verify the applicant's identity or address.~~

391 ~~(5) All petitions collected by a petition circulator must~~  
392 ~~contain, in a format required by the Secretary of State, a~~  
393 ~~completed Petition Circulator's Affidavit which includes:~~

394 ~~(a) The circulator's name and permanent address;~~

395 ~~(b) The following statement, which must be signed by the~~  
396 ~~circulator:~~

397  
398 ~~By my signature below, as petition circulator, I~~  
399 ~~verify that the petition was signed in my presence.~~

400 ~~Under penalties of perjury, I declare that I have read~~  
401 ~~the foregoing Petition Circulator's Affidavit and the~~  
402 ~~facts stated in it are true.~~

403  
404 ~~(6) The division or the supervisor of elections shall make~~  
405 ~~hard copy petition forms or electronic portable document format~~  
406 ~~petition forms available to registered petition circulators. All~~

14-00012A-25A

202518A\_\_

407 ~~such forms must contain information identifying the petition~~  
408 ~~circulator to which the forms are provided. The division shall~~  
409 ~~maintain a database of all registered petition circulators and~~  
410 ~~the petition forms assigned to each. Each supervisor of~~  
411 ~~elections shall provide to the division information on petition~~  
412 ~~forms assigned to and received from petition circulators. The~~  
413 ~~information must be provided in a format and at times as~~  
414 ~~required by the division by rule. The division must update~~  
415 ~~information on petition forms daily and make the information~~  
416 ~~publicly available.~~

417 ~~(7) (a) A sponsor that collects petition forms or uses a~~  
418 ~~petition circulator to collect petition forms serves as a~~  
419 ~~fiduciary to the elector signing the petition form, ensuring~~  
420 ~~that any petition form entrusted to the petition circulator~~  
421 ~~shall be promptly delivered to the supervisor of elections~~  
422 ~~within 30 days after the elector signs the form. If a petition~~  
423 ~~form collected by any petition circulator is not promptly~~  
424 ~~delivered to the supervisor of elections, the sponsor is liable~~  
425 ~~for the following fines:~~

426 ~~1. A fine in the amount of \$50 for each petition form~~  
427 ~~received by the supervisor of elections more than 30 days after~~  
428 ~~the elector signed the petition form or the next business day,~~  
429 ~~if the office is closed. A fine in the amount of \$250 for each~~  
430 ~~petition form received if the sponsor or petition circulator~~  
431 ~~acted willfully.~~

432 ~~2. A fine in the amount of \$500 for each petition form~~  
433 ~~collected by a petition circulator which is not submitted to the~~  
434 ~~supervisor of elections. A fine in the amount of \$1,000 for any~~  
435 ~~petition form not submitted if the sponsor or petition~~

14-00012A-25A

202518A\_\_

436 ~~circulator acted willfully.~~

437 ~~(b) A showing by the sponsor that the failure to deliver~~  
438 ~~the petition form within the required timeframe is based upon~~  
439 ~~force majeure or impossibility of performance is an affirmative~~  
440 ~~defense to a violation of this subsection. The fines described~~  
441 ~~in this subsection may be waived upon a showing that the failure~~  
442 ~~to deliver the petition form promptly is based upon force~~  
443 ~~majeure or impossibility of performance.~~

444 ~~(8)~~ If the Secretary of State reasonably believes that a  
445 person or entity has committed a violation of this section, the  
446 secretary may refer the matter to the Attorney General for  
447 enforcement. The Attorney General may institute a civil action  
448 for a violation of this section or to prevent a violation of  
449 this section. An action for relief may include a permanent or  
450 temporary injunction, a restraining order, or any other  
451 appropriate order.

452 ~~(5)~~(9) The division shall adopt by rule a complaint form  
453 for an elector who claims to have had his or her signature  
454 misrepresented or, ~~forged, or not delivered to the supervisor.~~  
455 The division shall also adopt rules to ensure the integrity of  
456 the petition form gathering process, ~~including rules requiring~~  
457 ~~sponsors to account for all petition forms used by their agents.~~  
458 ~~Such rules may require a sponsor or petition circulator to~~  
459 ~~provide identification information on each petition form as~~  
460 ~~determined by the department as needed to assist in the~~  
461 ~~accounting of petition forms.~~

462 ~~(10)~~ The date on which an elector signs a petition form is  
463 ~~presumed to be the date on which the petition circulator~~  
464 ~~received or collected the petition form.~~



14-00012A-25A

202518A\_\_

465        (6) (a) ~~(11) (a)~~ An initiative petition form circulated for  
466 signature may not be bundled with or attached to any other  
467 petition. Each signature shall be dated when made and shall be  
468 valid until the next February 1 occurring in an even-numbered  
469 year for the purpose of the amendment appearing on the ballot  
470 for the general election occurring in that same year, provided  
471 all other requirements of law are met. ~~The sponsor shall submit~~  
472 ~~signed and dated forms to the supervisor of elections for the~~  
473 ~~county of residence listed by the person signing the form for~~  
474 ~~verification of the number of valid signatures obtained. If a~~  
475 ~~signature on a petition is from a registered voter in another~~  
476 ~~county, the supervisor shall notify the petition sponsor of the~~  
477 ~~misfiled petition.~~ The supervisor shall promptly verify the  
478 signatures within 60 days after receipt of the petition forms  
479 and payment of a fee for the actual cost of signature  
480 verification incurred by the supervisor. However, for petition  
481 forms submitted less than 60 days before February 1 of an even-  
482 numbered year, the supervisor shall promptly verify the  
483 signatures within 30 days after receipt of the form and payment  
484 of the fee for signature verification. The supervisor shall  
485 promptly record, in the manner prescribed by the Secretary of  
486 State, the date each form is received by the supervisor, and the  
487 date the signature on the form is verified as valid. The  
488 supervisor may verify that the signature on a form is valid only  
489 if:

- 490        1. The petition form is a circulated petition form properly  
491 verified pursuant to s. 100.373; or ~~The form contains the~~  
492 ~~original signature of the purported elector.~~
- 493        2. The petition form is a requested petition form properly

14-00012A-25A

202518A\_\_

494 ~~verified pursuant to s. 100.375 The purported elector has~~  
495 ~~accurately recorded on the form the date on which he or she~~  
496 ~~signed the form.~~

497 ~~3. The form sets forth the purported elector's name,~~  
498 ~~address, city, county, and voter registration number or date of~~  
499 ~~birth.~~

500 ~~4. The purported elector is, at the time he or she signs~~  
501 ~~the form and at the time the form is verified, a duly qualified~~  
502 ~~and registered elector in the state.~~

503 ~~5. The signature was obtained legally, including that if a~~  
504 ~~paid petition circulator was used, the circulator was validly~~  
505 ~~registered under subsection (3) when the signature was obtained.~~

506  
507 The supervisor shall retain all signed petition signature forms,  
508 separating forms verified as valid from those deemed invalid,  
509 for at least 1 year following the election for which the  
510 petition was circulated. Notwithstanding any other law, the  
511 supervisor shall promptly transmit copies of signed petition  
512 forms to the division upon request.

513 (b) Each supervisor shall post the actual cost of signature  
514 verification on his or her website and may increase such cost,  
515 as necessary, annually on March 1 ~~February 2 of each even-~~  
516 ~~numbered year.~~ The cost includes, but is not limited to, costs  
517 incurred processing and fulfilling requests, comparing  
518 signatures, and validating information on circulated and  
519 requested petition forms pursuant to ss. 100.373 and 100.375,  
520 respectively. The division shall also publish each county's  
521 current cost on its website. The division and each supervisor  
522 shall biennially review available technology aimed at reducing

14-00012A-25A

202518A\_\_

523 verification costs.

524 (c) On the last day of each month, or on the last day of  
525 each week from December 1 of an odd-numbered year through  
526 February 1 of the following year, each supervisor shall post on  
527 his or her website the total number of signatures submitted, the  
528 total number of invalid signatures, the total number of  
529 signatures processed, and the aggregate number of verified valid  
530 signatures and the distribution of such signatures by  
531 congressional district for each proposed amendment proposed by  
532 initiative, along with the following information specific to the  
533 reporting period: the total number of signed petition forms  
534 received, the total number of signatures verified, the  
535 distribution of verified valid signatures by congressional  
536 district, and the total number of verified petition forms  
537 forwarded to the Secretary of State.

538 (7) (a) ~~(12)~~ The Secretary of State shall determine from the  
539 signatures verified by the supervisors of elections the total  
540 number of verified valid signatures and the distribution of such  
541 signatures by congressional districts, and the division shall  
542 post such information on its website at the same intervals  
543 specified in paragraph (6) (c) ~~(11) (e)~~. Upon a determination that  
544 the requisite number and distribution of valid signatures have  
545 been obtained, the secretary shall issue a certificate of ballot  
546 position for that proposed amendment and shall assign a  
547 designating number pursuant to s. 101.161. The Secretary of  
548 State shall rescind the certificate of ballot position if:

549 1. An advisory opinion issued by the Supreme Court pursuant  
550 to s. 3(b)(10), Art. V of the State Constitution deems the  
551 initiative petition invalid; or

14-00012A-25A

202518A\_\_

552       2. The Secretary of State determines, before August 1 of  
553 the year the general election is held, that the initiative  
554 petition did not obtain the requisite number or distribution of  
555 valid signatures.

556       (b) The issuance of a certificate of ballot position  
557 pursuant to paragraph (a) may be contested in the circuit court  
558 by any voter. The contestant must file a complaint with the  
559 clerk of the circuit court for Leon County no later than the  
560 first Tuesday after the first Monday in January after the  
561 election for which the petition was circulated. The complaint  
562 must set forth the grounds on which the contestant intends to  
563 establish that the initiative petition did not obtain the  
564 requisite number or distribution of valid signatures.

565       (8) (a) ~~(13) (a)~~ At the same time the Secretary of State  
566 submits an initiative petition to the Attorney General pursuant  
567 to s. 15.21, the secretary shall submit a copy of the initiative  
568 petition to a panel composed of three persons appointed by the  
569 Governor ~~the Financial Impact Estimating Conference~~. Within 75  
570 days after receipt of a proposed revision or amendment to the  
571 State Constitution by initiative petition from the Secretary of  
572 State, the panel ~~Financial Impact Estimating Conference~~ shall  
573 complete a statement on the ~~an analysis and~~ financial impact to  
574 the state budget ~~statement~~ to be placed on the ballot ~~of the~~  
575 ~~estimated increase or decrease in any revenues or costs to state~~  
576 ~~or local governments and the overall impact to the state budget~~  
577 ~~resulting from the proposed initiative. The 75-day time limit is~~  
578 tolled when the Legislature is in session. The panel ~~Financial~~  
579 ~~Impact Estimating Conference~~ shall submit the financial impact  
580 statement to the ~~Attorney General and~~ Secretary of State. If the

14-00012A-25A

202518A\_\_

581 initiative petition has been submitted to the panel ~~Financial~~  
582 ~~Impact Estimating Conference~~ but the validity of signatures has  
583 expired and the initiative petition no longer qualifies for  
584 ballot placement at the ensuing general election, the Secretary  
585 of State must notify the panel ~~Financial Impact Estimating~~  
586 ~~Conference~~. The panel ~~Financial Impact Estimating Conference~~ is  
587 not required to complete a ~~an analysis and~~ financial impact  
588 statement for an initiative petition that fails to meet the  
589 requirements of subsection (1) for placement on the ballot  
590 before the 75-day time limit, including any tolling period,  
591 expires. The initiative petition may be resubmitted to the panel  
592 ~~Financial Impact Estimating Conference~~ if the initiative  
593 petition meets the requisite criteria for a subsequent general  
594 election cycle. ~~A new Financial Impact Estimating Conference~~  
595 ~~shall be established at such time as the initiative petition~~  
596 ~~again satisfies the criteria in s. 15.21(1).~~

597 (b) ~~Immediately upon receipt of a proposed revision or~~  
598 ~~amendment from the Secretary of State, the coordinator of the~~  
599 ~~Office of Economic and Demographic Research shall contact the~~  
600 ~~person identified as the sponsor to request an official list of~~  
601 ~~all persons authorized to speak on behalf of the named sponsor~~  
602 ~~and, if there is one, the sponsoring organization at meetings~~  
603 ~~held by the Financial Impact Estimating Conference. All other~~  
604 ~~persons shall be deemed interested parties or proponents or~~  
605 ~~opponents of the initiative. The Financial Impact Estimating~~  
606 ~~Conference shall provide an opportunity for any representatives~~  
607 ~~of the sponsor, interested parties, proponents, or opponents of~~  
608 ~~the initiative to submit information and may solicit information~~  
609 ~~or analysis from any other entities or agencies, including the~~

14-00012A-25A

202518A\_\_

610 ~~Office of Economic and Demographic Research.~~

611 ~~(e) All meetings of the panel Financial Impact Estimating~~  
612 ~~Conference shall be open to the public. The panel shall prepare~~  
613 ~~The President of the Senate and the Speaker of the House of~~  
614 ~~Representatives, jointly, shall be the sole judge for the~~  
615 ~~interpretation, implementation, and enforcement of this~~  
616 ~~subsection.~~

617 ~~1. The Financial Impact Estimating Conference is~~  
618 ~~established to review, analyze, and estimate the financial~~  
619 ~~impact of amendments to or revisions of the State Constitution~~  
620 ~~proposed by initiative. The Financial Impact Estimating~~  
621 ~~Conference shall consist of four principals: one person from the~~  
622 ~~Executive Office of the Governor; the coordinator of the Office~~  
623 ~~of Economic and Demographic Research, or his or her designee;~~  
624 ~~one person from the professional staff of the Senate; and one~~  
625 ~~person from the professional staff of the House of~~  
626 ~~Representatives. Each principal shall have appropriate fiscal~~  
627 ~~expertise in the subject matter of the initiative. A Financial~~  
628 ~~Impact Estimating Conference may be appointed for each~~  
629 ~~initiative.~~

630 ~~2. Principals of the Financial Impact Estimating Conference~~  
631 ~~shall reach a consensus or majority concurrence on a clear and~~  
632 ~~unambiguous financial impact statement, no more than 150 words~~  
633 ~~in length, and immediately submit the statement to the Secretary~~  
634 ~~of State Attorney General. Nothing in this subsection prohibits~~  
635 ~~the panel Financial Impact Estimating Conference from setting~~  
636 ~~forth a range of potential impacts in the financial impact~~  
637 ~~statement. Any financial impact statement that a court finds not~~  
638 ~~to be in accordance with this section shall be remanded solely~~

14-00012A-25A

202518A\_\_

639 ~~to the Financial Impact Estimating Conference for redrafting.~~  
 640 The panel may ~~Financial Impact Estimating Conference shall~~  
 641 redraft the financial impact statement before the 75th day  
 642 before the election within 15 days.

643 ~~3. If the Supreme Court has rejected the initial submission~~  
 644 ~~by the Financial Impact Estimating Conference and no redraft has~~  
 645 ~~been approved by the Supreme Court by 5 p.m. on the 75th day~~  
 646 ~~before the election, the following statement shall appear on the~~  
 647 ~~ballot: "The impact of this measure, if any, has not been~~  
 648 ~~determined at this time."~~

649 ~~(c)-(d)~~ The financial impact statement must be separately  
 650 contained and be set forth after the ballot summary and  
 651 disclosure of material legal effects as required in s.  
 652 101.161(1).

653 1. If the financial impact statement projects a net  
 654 negative impact on the state budget, the ballot must include the  
 655 statement required by s. 101.161(1)(c) ~~s. 101.161(1)(b)~~.

656 2. If the financial impact statement projects a net  
 657 positive impact on the state budget, the ballot must include the  
 658 statement required by s. 101.161(1)(d) ~~s. 101.161(1)(e)~~.

659 3. If the financial impact statement estimates an  
 660 indeterminate financial impact or if the members of the panel  
 661 ~~Financial Impact Estimating Conference~~ are unable to agree on  
 662 the statement required by this subsection, the ballot must  
 663 include the statement required by s. 101.161(1)(e) ~~s.~~  
 664 ~~101.161(1)(d)~~.

665 ~~(d)1.(e)1. Any financial impact statement that the Supreme~~  
 666 ~~Court finds not to be in accordance with this subsection shall~~  
 667 ~~be remanded solely to the Financial Impact Estimating Conference~~

14-00012A-25A

202518A\_\_

668 ~~for redrafting, provided the court's advisory opinion is~~  
669 ~~rendered at least 75 days before the election at which the~~  
670 ~~question of ratifying the amendment will be presented. The~~  
671 ~~Financial Impact Estimating Conference shall prepare and adopt a~~  
672 ~~revised financial impact statement no later than 5 p.m. on the~~  
673 ~~15th day after the date of the court's opinion.~~

674       2. ~~If, by 5 p.m. on the 75th day before the election, the~~  
675 ~~Supreme Court has not issued an advisory opinion on the initial~~  
676 ~~financial impact statement prepared by the Financial Impact~~  
677 ~~Estimating Conference for an initiative amendment that otherwise~~  
678 ~~meets the legal requirements for ballot placement, the financial~~  
679 ~~impact statement shall be deemed approved for placement on the~~  
680 ~~ballot.~~

681       3. In addition to the financial impact statement required  
682 by this subsection, the panel ~~Financial Impact Estimating~~  
683 ~~Conference~~ shall draft an initiative financial information  
684 statement. The initiative financial information statement should  
685 describe in greater detail than the financial impact statement  
686 any projected increase or decrease in revenues or costs that the  
687 state or local governments would likely experience if the ballot  
688 measure were approved. If appropriate, the initiative financial  
689 information statement may include both estimated dollar amounts  
690 and a description placing the estimated dollar amounts into  
691 context. The initiative financial information statement must  
692 include both a summary of not more than 500 words and additional  
693 detailed information that includes the assumptions that were  
694 made to develop the financial impacts, workpapers, and any other  
695 information deemed relevant by the Financial Impact Estimating  
696 Conference.



14-00012A-25A

202518A\_\_

697       ~~2.4.~~ The Department of State shall have printed, and shall  
698 furnish to each supervisor of elections, a copy of the summary  
699 from the initiative financial information statements. The  
700 supervisors shall have the summary from the initiative financial  
701 information statements available at each polling place and at  
702 the main office of the supervisor of elections upon request.

703       ~~3.5.~~ The Secretary of State ~~and the Office of Economic and~~  
704 ~~Demographic Research~~ shall make available on the Internet each  
705 initiative financial information statement in its entirety. In  
706 addition, each supervisor of elections whose office has a  
707 website shall post the summary from each initiative financial  
708 information statement on the website. Each supervisor shall  
709 include a copy of each summary from the initiative financial  
710 information statements and the Internet addresses for the  
711 information statements on the Secretary of State's website ~~and~~  
712 ~~the Office of Economic and Demographic Research's websites~~ in  
713 the publication or mailing required by s. 101.20.

714       ~~(9)-(14)~~ The Department of State may adopt rules in  
715 accordance with s. 120.54 to carry out the provisions of  
716 subsections (1)-(8) ~~(1)-(14)~~.

717       ~~(10)-(15)~~ No provision of this code shall be deemed to  
718 prohibit a private person exercising lawful control over  
719 privately owned property, including property held open to the  
720 public for the purposes of a commercial enterprise, from  
721 excluding from such property persons seeking to engage in  
722 activity supporting or opposing initiative amendments.

723       Section 8. Section 100.373, Florida Statutes, is created to  
724 read:

725       100.373 Circulated petition forms; verification.-

14-00012A-25A

202518A\_\_

726       (1) For the purposes of this chapter, the term "circulated  
727 petition form" means an initiative petition form circulated  
728 pursuant to s. 100.371, or a candidate petition form circulated  
729 pursuant to s. 99.095, which has not been requested pursuant to  
730 s. 100.375.

731       (2) A voter may submit a signed circulated petition form at  
732 any supervisor of elections office located within the county in  
733 which the voter is registered to vote. A circulated petition  
734 form is valid only if the supervisor verifies that:

735       (a) The voter presenting the circulated petition form is  
736 identified and his or her signature is verified pursuant to  
737 subsection (3);

738       (b) The voter accurately recorded on the form the date on  
739 which he or she signed the form;

740       (c) The form accurately sets forth the voter's name,  
741 address, city, county, and voter registration number or date of  
742 birth;

743       (d) The form accurately sets forth the voter's driver  
744 license number, the voter's Florida identification card number,  
745 or the last four digits of the voter's social security number;  
746 and

747       (e) The voter is, at the time he or she signs the form and  
748 at the time the form is verified, an active and duly qualified  
749 and registered voter in this state.

750       (3) (a) The supervisor shall require the voter to present  
751 one of the following forms of current and valid picture  
752 identification:

753       1. Florida driver license.

754       2. Florida identification card issued by the Department of

14-00012A-25A

202518A\_\_

755 Highway Safety and Motor Vehicles.

756 3. United States passport.

757 4. United States Uniformed Services or Merchant Marine  
758 identification.

759 5. Veteran health identification card issued by the United  
760 States Department of Veterans Affairs.

761 6. License to carry a concealed weapon or firearm issued  
762 pursuant to s. 790.06.

763 7. Employee identification card issued by any branch,  
764 department, agency, or entity of the Federal Government, the  
765 state, a county, or a municipality.

766 (b) If the information on the picture identification  
767 matches the information on the circulated petition form and the  
768 supervisor is satisfied that the person presenting the  
769 circulated petition form is the person shown on the picture  
770 identification, the supervisor must deem the petition form  
771 submitted. The supervisor shall then verify that the signature  
772 on the circulated petition form matches a signature on file for  
773 the voter in the Florida Voter Registration System.

774 Section 9. Section 100.375, Florida Statutes, is created to  
775 read:

776 100.375 Requested petition forms; verification.—

777 (1) DEFINITION.—For purposes of this chapter, the term  
778 “requested petition form” means an initiative petition form  
779 created pursuant to s. 100.371, or a candidate petition form  
780 created pursuant to s. 99.095, which is requested pursuant to  
781 this section.

782 (2) REQUEST.—

783 (a) A supervisor shall accept a request for a petition form

14-00012A-25A

202518A\_\_

784 only from a voter or, if directly instructed by the voter, a  
785 member of the voter's immediate family or the voter's legal  
786 guardian. A request may be made in person, in writing, by  
787 telephone, or through the supervisor's website. The supervisor  
788 shall cancel a request for a petition form when any first-class  
789 mail or nonforwardable mail sent by the supervisor to the voter  
790 is returned as undeliverable. If the voter requests a petition  
791 form thereafter, the voter must provide or confirm his or her  
792 current residential address.

793 (b) The supervisor may accept a request for a petition form  
794 to be mailed to a voter's address on file in the Florida Voter  
795 Registration System from the voter, or, if directly instructed  
796 by the voter, from a member of the voter's immediate family or  
797 the voter's legal guardian. If an in-person or a telephonic  
798 request is made, the voter must provide the voter's Florida  
799 driver license number, the voter's Florida identification card  
800 number, or the last 4 digits of the voter's social security  
801 number. If the petition form is requested to be mailed to an  
802 address other than the voter's address on file in the Florida  
803 Voter Registration System, the request must be made in writing.  
804 A written request must be signed by the voter and include the  
805 voter's Florida driver license number, the voter's Florida  
806 identification card number, or the last 4 digits of the voter's  
807 social security number. The division shall create a uniform  
808 application to request a candidate or initiative petition form.  
809 The application must solicit and require the following  
810 information:

811 1. The full name of the voter for whom the petition form is  
812 requested;

14-00012A-25A

202518A\_\_

- 813       2. The voter's residential address and county and the  
814 voter's mailing address if different than the voter's  
815 residential address;
- 816       3. The voter's voter registration number or date of birth;
- 817       4. The voter's Florida driver license number, the voter's  
818 Florida identification card number, or last 4 digits of the  
819 voter's social security number;
- 820       5. The requester's name, if applicable;
- 821       6. The requester's residential address, if applicable;
- 822       7. The requester's Florida driver license number, the  
823 requester's Florida identification card number, or the last 4  
824 digits of the requester's social security number, if applicable;
- 825       8. The requester's relationship to the voter, if  
826 applicable;
- 827       9. An affidavit stating that the requester is authorized by  
828 the voter to request a petition form on the voter's behalf, if  
829 applicable;
- 830       10. The voter's signature and the date signed or the  
831 requester's signature and the date signed; and
- 832       11. If the petition form requested is for an initiative  
833 petition, the ballot title and initiative petition number  
834 assigned by the division.
- 835       (c) For the purposes of this section, the term "immediate  
836 family" refers to the following, as applicable:
- 837       1. The voter's spouse, parent, child, grandparent,  
838 grandchild, or sibling, or the parent, child, grandparent,  
839 grandchild, or sibling of the voter's spouse.
- 840       2. The designee's spouse, parent, child, grandparent,  
841 grandchild, or sibling, or the parent, child, grandparent,

14-00012A-25A

202518A\_\_

842 grandchild, or sibling of the designee's spouse.

843 (3) PETITION FORM REQUEST INFORMATION.—For each request for  
844 a petition form received, the supervisor shall record the  
845 following information and provide such information in an  
846 electronic format as required by division rule:

847 (a) The date the request was made;

848 (b) The initiative petition number, if any;

849 (c) The identity of the voter's designee making the  
850 request, if applicable;

851 (d) The voter's Florida driver license number, voter's  
852 Florida identification card number, or last 4 digits of the  
853 voter's social security number provided with a written request;

854 (e) The date the petition form was delivered to the voter  
855 or the voter's designee or the date the petition form was  
856 delivered to the post office or other carrier;

857 (f) The address to which the petition form was mailed or  
858 the identity of the voter's designee to whom the petition form  
859 was delivered, if applicable;

860 (g) The date the petition form was received by the  
861 supervisor;

862 (h) The absence of the voter's signature and the Voter's  
863 Certificate, if applicable;

864 (i) Whether the Voter's Certificate contains a signature  
865 that does not match a signature on file for the voter in the  
866 Florida Voter Registration System; and

867 (j) Any other information the supervisor deems necessary.

868 (4) DELIVERY OF PETITION FORMS.—

869 (a) For the purposes of this section, the term "petition  
870 deadline" means:

14-00012A-25A

202518A\_\_

871 1. In the case of an initiative petition, the 30th day  
872 preceding February 1 of the year the general election is held.

873 2. In the case of a candidate petition, the 28th day  
874 preceding the first day of the qualifying period for the office  
875 sought.

876 (b) The supervisor shall mail petition forms within 5  
877 business days after receiving a request for such forms. However,  
878 the supervisor shall mail petition forms that are requested  
879 pursuant to this section on or before July 1, 2025, and no later  
880 than July 5, 2025.

881 (c) The deadline to submit a request for a petition form to  
882 be mailed is 5 p.m. local time on the 10th day before the  
883 petition deadline.

884 (d) Upon request for a petition form, the supervisor shall  
885 provide a petition form to each voter who has made a request for  
886 such petition form, by one of the following means:

887 1. By nonforwardable, return-if-undeliverable mail to the  
888 voter's current mailing address on file with the supervisor or  
889 any other address the voter specifies in the request. The  
890 envelopes must be prominently marked "Do Not Forward."

891 2. By personal delivery to the voter up to 5 p.m. on the  
892 third day before the petition deadline upon presentation of the  
893 identification required by s. 101.043.

894 3. By delivery to the voter's designee up to 5 p.m. on the  
895 third day before the petition deadline. Any voter may designate  
896 in writing a person to pick up the petition form for the voter;  
897 however, the person designated may not pick up more than 2  
898 petition forms per petition, other than the designee's own  
899 petition form, except that additional petition forms may be

14-00012A-25A

202518A\_\_

900 picked up for members of the designee's immediate family. The  
901 designee shall provide to the supervisor the written  
902 authorization by the voter, the designee's picture  
903 identification and a completed affidavit. The designee shall  
904 state in the affidavit that the designee is authorized by the  
905 voter to pick up the petition form and must indicate if the  
906 voter is a member of the designee's immediate family, and, if  
907 so, the relationship. The department shall prescribe the form of  
908 the affidavit. If the supervisor is satisfied that the designee  
909 is authorized to pick up the petition form and that the  
910 signature of the voter on the written authorization matches the  
911 signature of the voter on file, the supervisor must give the  
912 petition form to the designee for delivery to the voter.

913 (e) If a requested petition form is mailed to an address  
914 other than the voter's address on file in the Florida Voter  
915 Registration System or delivered to a designee, the supervisor  
916 must mail a notice letter to the voter's address on file with  
917 the Florida Voter Registration System.

918 (5) MATERIALS.—Only the materials necessary to submit a  
919 petition form may be mailed or delivered with any petition form.

920 (6) PROHIBITION.—A supervisor may not send a petition form  
921 to a voter unless the voter has requested a petition form in the  
922 manner authorized under this section.

923 (7) MAILING ENVELOPE.—

924 (a) The supervisor shall enclose with each petition form a  
925 mailing envelope that must be addressed to the supervisor and  
926 also bear on the back side a certificate in substantially the  
927 following form:

928



14-00012A-25A

202518A\_\_

929 Note: Please Read Instructions Carefully Before  
930 Completing Petition Form and Completing Voter's Certificate.

931  
932 VOTER'S CERTIFICATE

933 I, . . . ., do solemnly swear or affirm that I am a qualified  
934 and registered voter of . . . . County, Florida, and that I have  
935 not and will not submit more than one petition form for this  
936 initiative. I understand that if I commit or attempt to commit  
937 any fraud in connection with a petition, submit a fraudulent  
938 petition form, or submit more than one petition form for the  
939 same initiative, I can be convicted of a misdemeanor of the  
940 first degree and fined up to \$1,000 and/or imprisoned for up to  
941 a year. I also understand that failure to sign this certificate  
942 will invalidate my petition form.

943 ... (Date)...

944 ... (Voter's Signature)...

945 ... (E-Mail Address)...

946 ... (Home Telephone Number)...

947 ... (Mobile Telephone Number)...

948  
949 (b) Each return mailing envelope must bear the voter's name  
950 and any encoded mark used by the supervisor's office.

951 (c) A mailing envelope may not bear any indication of the  
952 political affiliation of a voter.

953 (8) PLACEMENT OF THE VOTER'S CERTIFICATE.—The certificate  
954 must be arranged on the back of the mailing envelope so that the  
955 line for the signature of the voter is across the seal of the  
956 envelope; however, no statement shall appear on the envelope  
957 which indicates that a signature of the voter must cross the

14-00012A-25A

202518A\_\_

958 seal of the envelope. The voter shall execute the certificate on  
959 the envelope.

960 (9) INSTRUCTIONS.—The supervisor shall enclose with each  
961 petition form separate printed instructions in substantially the  
962 following form; however, where the instructions appear in  
963 capitalized text, the text of the printed instructions must be  
964 in boldface type:

965

966 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING  
967 PETITION FORM.

968

969 1. VERY IMPORTANT. In order to ensure that your petition  
970 form will be counted, it should be completed and returned as  
971 soon as possible so that it can reach the supervisor of  
972 elections of your county of residence no later than 5 p.m. on  
973 [INSERT PETITION DEADLINE].

974 2. Place your completed petition form into the enclosed  
975 mailing envelope, which is addressed to the supervisor.

976 3. Seal the mailing envelope and completely fill out the  
977 Voter's Certificate on the back of the mailing envelope.

978 4. VERY IMPORTANT. In order for your petition form to be  
979 counted, you must sign your name on the line above (Voter's  
980 Signature). A petition form will not be counted if the signature  
981 on the petition form does not match the signature on record. The  
982 signature on file at the time the supervisor of elections in  
983 your county of residence receives your petition form is the  
984 signature that will be used to verify your signature on the  
985 Voter's Certificate. If you need to update your signature for  
986 this election, send your signature update on a voter

14-00012A-25A

202518A\_\_

987 registration application to your supervisor of elections so that  
988 it is received before your petition form is received.

989 5. Mail, deliver, or have delivered the completed mailing  
990 envelope. Be sure there is sufficient postage if mailed. THE  
991 COMPLETED MAILING ENVELOPE MUST BE DELIVERED TO THE OFFICE OF  
992 THE SUPERVISOR OF ELECTIONS OF YOUR COUNTY OF RESIDENCE.

993 6. FELONY NOTICE. It is a felony under Florida law to  
994 accept any gift, payment, or gratuity in exchange for your  
995 submission of a petition form. It is also a felony under Florida  
996 law to submit a petition form using a false identity or false  
997 address, or under any other circumstances making your petition  
998 form false or fraudulent.

999 7. DEADLINE NOTICE. To ensure that your petition form  
1000 counts, your supervisor of elections must receive your petition  
1001 form by 5 p.m. [INSERT PETITION DEADLINE]. If you wait to mail  
1002 your petition form, it might not count. To prevent this from  
1003 occurring, please mail or turn in your petition form as soon as  
1004 possible.

1005  
1006 (10) REQUEST NOT TO PRECLUDE SUBMISSION OF A CIRCULATED  
1007 PETITION FORM.—The provisions of this chapter may not be  
1008 construed to prohibit a voter who has requested a petition form  
1009 pursuant to this section from submitting a circulated petition  
1010 form pursuant to s. 100.373, provided that the voter submits no  
1011 more than one signed petition form for the same initiative or  
1012 candidate petition.

1013 (11) ACCOMMODATION OF DISABILITIES.—It is the intent of the  
1014 Legislature that submitting petition forms be by methods that  
1015 are fully accessible to all voters, including voters having a

14-00012A-25A

202518A\_\_

1016 disability. The department shall work with the supervisors and  
1017 the disability community to develop and implement procedures and  
1018 technologies that include processes for providing petition  
1019 forms, upon request, in alternative formats that allow all  
1020 voters to submit a petition form without the assistance of  
1021 another person.

1022 (12) VERIFICATION.—A requested petition form is valid only  
1023 if the supervisor verifies that:

1024 (a) The petition form was returned in a mailing envelope  
1025 delivered by the supervisor pursuant to subsection (7) and the  
1026 voter completed the voter certificate;

1027 (b) The signature on the petition form matches a signature  
1028 on file for the voter in the Florida Voter Registration System;

1029 (c) The voter accurately recorded on the form the date on  
1030 which the voter signed the form;

1031 (d) The form accurately sets forth the voter's name,  
1032 address, city, county, and voter registration number or date of  
1033 birth;

1034 (e) The form accurately sets forth the voter's Florida  
1035 driver license number, the voter's Florida identification card  
1036 number, or the last 4 digits of the voter's social security  
1037 number; and

1038 (f) The voter is, at the time he or she signs the form and  
1039 at the time the form is verified, an active and duly qualified  
1040 and registered voter in this state.

1041 (13) POSTHUMOUS VERIFICATION.—An otherwise valid petition  
1042 form may not be invalidated because the voter died after  
1043 submitting the petition.

1044 Section 10. Section 100.377, Florida Statutes, is created

14-00012A-25A

202518A\_\_

1045 to read:

1046 100.377 Signatures gathered for initiative petition; effect  
1047 of this act.-Any initiative petition form approved by the  
1048 Secretary of State before the effective date of this act may  
1049 continue to be circulated. Any signature gathered on an  
1050 authorized form for an initiative petition or candidate petition  
1051 submitted to a supervisor of elections before the effective date  
1052 of this act may be kept and counted, if otherwise valid, and  
1053 that form is not required to be circulated and verified pursuant  
1054 to s. 100.373 or requested and verified pursuant to s. 100.375.  
1055 However, any signature submitted to a supervisor of elections  
1056 after the effective date of this act is subject to the  
1057 provisions of this act.

1058 Section 11. Subsection (1) of section 101.161, Florida  
1059 Statutes, is amended to read:

1060 101.161 Referenda; ballots.-

1061 (1) A constitutional amendment proposed by initiative must  
1062 define all terms of art and describe all newly created rights,  
1063 requirements, prohibitions, and authorizations. Whenever a  
1064 constitutional amendment or other public measure is submitted to  
1065 the vote of the people, a ballot summary of such amendment or  
1066 other public measure shall be printed in clear and unambiguous  
1067 language on the ballot after the list of candidates, followed by  
1068 the word "yes" and also by the word "no," and shall be styled in  
1069 such a manner that a "yes" vote will indicate approval of the  
1070 proposal and a "no" vote will indicate rejection. The ballot  
1071 summary of the amendment or other public measure and the ballot  
1072 title to appear on the ballot shall be embodied in the  
1073 constitutional revision commission proposal, constitutional

14-00012A-25A

202518A\_\_

1074 convention proposal, taxation and budget reform commission  
 1075 proposal, or enabling resolution or ordinance. The ballot  
 1076 summary of the amendment or other public measure shall be an  
 1077 explanatory statement, not exceeding 75 words in length, of the  
 1078 chief purpose of the measure. In addition, for every  
 1079 constitutional amendment proposed by initiative, the ballot  
 1080 shall include, following the ballot summary, in the following  
 1081 order:

1082 (a) A disclosure prepared by the Attorney General  
 1083 describing the material legal effects of the proposed amendment  
 1084 and identifying each provision of the State Constitution and  
 1085 Florida Statutes which may be repealed in full or in part.

1086 (b) A separate financial impact statement concerning the  
 1087 measure prepared by a panel composed of three persons appointed  
 1088 by the Governor ~~the Financial Impact Estimating Conference~~ in  
 1089 accordance with s. 100.371(8) ~~s. 100.371(13)~~.

1090 (c) ~~(b)~~ If the financial impact statement projects a net  
 1091 negative impact on the state budget, the following statement in  
 1092 bold print:

1093  
 1094 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO  
 1095 HAVE A NET NEGATIVE IMPACT ON THE STATE BUDGET. THIS  
 1096 IMPACT MAY RESULT IN HIGHER TAXES OR A LOSS OF  
 1097 GOVERNMENT SERVICES IN ORDER TO MAINTAIN A BALANCED  
 1098 STATE BUDGET AS REQUIRED BY THE CONSTITUTION.

1099  
 1100 (d) 1. ~~(e) 1.~~ If the financial impact statement projects a net  
 1101 positive impact on the state budget resulting in whole or in  
 1102 part from additional tax revenue, the following statement in

14-00012A-25A

202518A\_\_

1103 bold print:

1104  
1105 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO  
1106 HAVE A NET POSITIVE IMPACT ON THE STATE BUDGET. THIS  
1107 IMPACT MAY RESULT IN GENERATING ADDITIONAL REVENUE OR  
1108 AN INCREASE IN GOVERNMENT SERVICES.

1109  
1110 2. If the financial impact statement projects a net  
1111 positive impact on the state budget for reasons other than those  
1112 specified in subparagraph 1., the following statement in bold  
1113 print:

1114  
1115 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO  
1116 HAVE A NET POSITIVE IMPACT ON THE STATE BUDGET. THIS  
1117 IMPACT MAY RESULT IN LOWER TAXES OR AN INCREASE IN  
1118 GOVERNMENT SERVICES.

1119  
1120 (e)~~(d)~~ If the financial impact statement is indeterminate  
1121 or the members of the panel ~~Financial Impact Estimating~~  
1122 ~~Conference~~ are unable to agree on the financial impact  
1123 statement, the following statement in bold print:

1124  
1125 THE FINANCIAL IMPACT OF THIS AMENDMENT CANNOT BE  
1126 DETERMINED DUE TO AMBIGUITIES AND UNCERTAINTIES  
1127 SURROUNDING THE AMENDMENT'S IMPACT.

1128  
1129 The ballot title shall consist of a caption, not exceeding 15  
1130 words in length, by which the measure is commonly referred to or  
1131 spoken of. This subsection does not apply to constitutional

14-00012A-25A

202518A\_\_

1132 amendments or revisions proposed by joint resolution.

1133 Section 12. Section 104.045, Florida Statutes, is amended  
1134 to read:

1135 104.045 Vote selling.—Any person who:

1136 (1) Corruptly offers to vote for or against, or to refrain  
1137 from voting for or against, any candidate in any election, or to  
1138 submit a petition form or refrain from submitting a petition  
1139 form for any initiative or candidate petition, in return for  
1140 pecuniary or other benefit; or

1141 (2) Accepts a pecuniary or other benefit in exchange for a  
1142 promise to vote for or against, or to refrain from voting for or  
1143 against, any candidate in any election, or to submit a petition  
1144 form or refrain from submitting a petition form for any  
1145 initiative or candidate petition,

1146

1147 is guilty of a felony of the third degree, punishable as  
1148 provided in s. 775.082, s. 775.083, or s. 775.084.

1149 Section 13. Section 104.186, Florida Statutes, is repealed.

1150 Section 14. Section 106.031, Florida Statutes, is created  
1151 to read:

1152 106.031 Reports and filings related to political committees  
1153 organized to sponsor a constitutional amendment proposed by  
1154 citizen initiative; penalties.—

1155 (1) As used in this section, the term

1156 (a) “Foreign national” has the same meaning as in s.  
1157 106.08(12)(a)1.

1158 (b) “Preliminary activity” includes, but is not limited to,  
1159 conducting a poll, drafting ballot petition language, conducting  
1160 a focus group, making telephone calls, and travelling.



14-00012A-25A

202518A\_\_

1161       (2) Any political committee that is organized to sponsor a  
1162 constitutional amendment proposed by initiative shall also  
1163 comply with the requirements of this section and this chapter.

1164       (3) Any donor or entity that makes a contribution or  
1165 independent expenditure to a political committee organized to  
1166 sponsor a constitutional amendment proposed by initiative shall  
1167 also comply with the requirements of this section and this  
1168 chapter.

1169       (4) The statement of organization required in s.  
1170 106.03(1)(a) must include a statement attesting that no  
1171 preliminary activity was funded by foreign nationals, whether  
1172 directly or indirectly.

1173       (5) All reports required to be filed pursuant to s. 106.07  
1174 must affirm that the political committee has not solicited or  
1175 accepted contributions or expenditures from a foreign national.

1176       (6) Any person who makes an independent expenditure to a  
1177 political committee organized to sponsor a citizen initiative  
1178 petition shall also keep a record of the transaction for 5 years  
1179 from the date of the independent expenditure. A person who fails  
1180 to retain the records for a period of 5 years commits a  
1181 misdemeanor of the third degree, punishable as provided in s.  
1182 775.082 or s. 775.083.

1183       (7) Any report required pursuant to s. 106.07 must attest  
1184 that each donor who made a contribution is not a foreign  
1185 national and that each donor who made a contribution has not  
1186 knowingly or willfully accepted funds aggregating in excess of  
1187 \$100,000 from a foreign national in the 4-year period preceding  
1188 the date the contribution is made.

1189       (8) Each donor or entity that made an independent

14-00012A-25A

202518A\_\_

1190 expenditure shall attest to the division within 48 hours after  
1191 making one or more independent expenditures that it has not  
1192 knowingly and willfully accepted funds aggregating in excess of  
1193 \$100,000 from a foreign national in the 4-year period preceding  
1194 the date the contribution is made and that it will not do so  
1195 through the election where the initiative is to appear on the  
1196 ballot. A donor or entity that fails to make an attestation to  
1197 the division within 48 hours after the contribution is made or  
1198 makes a false attestation to the division commits a misdemeanor  
1199 of the third degree punishable as provided in s. 775.082 or s.  
1200 775.083.

1201 (9) Any political committee that willfully submits a false  
1202 statement or report required under this section while knowing  
1203 that such report is incorrect, false, or incomplete commits a  
1204 misdemeanor of the first degree, punishable as provided in s.  
1205 775.082 or s. 775.083.

1206 (10) Any political committee that violates this section is  
1207 liable for a civil fine of up to \$5,000 to be determined by the  
1208 Florida Elections Commission.

1209 (11) Any donor or entity that made an independent  
1210 expenditure that violates this section is liable for a civil  
1211 fine of up to \$5,000, to be determined by the Florida Elections  
1212 Commission.

1213 (12) The Attorney General may investigate, act upon, or  
1214 dispose of alleged criminal violations of this section. Criminal  
1215 proceedings for violations of this section may be brought in the  
1216 appropriate court of competent jurisdiction. In addition to  
1217 other penalties provided, the court may assess a penalty up to  
1218 three times the amount allowed in s. 775.083.

14-00012A-25A

202518A\_\_

1219       (13) The division shall adopt rules to administer this  
1220 section.

1221       Section 15. Subsection (12) of section 106.08, Florida  
1222 Statutes, is amended to read:

1223       106.08 Contributions; limitations on.—

1224       (12) (a) 1. For purposes of this subsection, the term  
1225 “foreign national” means:

1226       a. A foreign government;

1227       b. A foreign political party;

1228       c. A foreign corporation, partnership, association,  
1229 organization, or other combination of persons organized under  
1230 the laws of or having its principal place of business in a  
1231 foreign country;

1232       d. A person with foreign citizenship; or

1233       e. A person who is not a citizen or national of the United  
1234 States and is not lawfully admitted to the United States for  
1235 permanent residence.

1236       2. The term does not include:

1237       a. A person who is a dual citizen or dual national of the  
1238 United States and a foreign country.

1239       b. A domestic subsidiary of a foreign corporation,  
1240 partnership, association, organization, or other combination of  
1241 persons organized under the laws of or having its principal  
1242 place of business in a foreign country if:

1243       (I) The donations and disbursements used toward a  
1244 contribution or an expenditure are derived entirely from funds  
1245 generated by the subsidiary’s operations in the United States;  
1246 and

1247       (II) All decisions concerning donations and disbursements

14-00012A-25A

202518A\_\_

1248 used toward a contribution or an expenditure are made by  
1249 individuals who either hold United States citizenship or are  
1250 permanent residents of the United States. For purposes of this  
1251 sub-sub-subparagraph, decisions concerning donations and  
1252 disbursements do not include decisions regarding the  
1253 subsidiary's overall budget for contributions or expenditures in  
1254 connection with an election.

1255 (b) A foreign national may not make or offer to make,  
1256 directly or indirectly, a contribution or expenditure in  
1257 connection with any election held in the state. A foreign  
1258 national who willfully makes or offers to make, directly or  
1259 indirectly, a contribution to any election in this state commits  
1260 a felony of the third degree, punishable as provided in s.  
1261 775.082 or s. 775.083.

1262 (c) A foreign national who directs, dictates, controls, or  
1263 directly or indirectly participates in the decisionmaking  
1264 process of any person with regard to that person's activities to  
1265 influence a citizen initiative by petition, such as decisions  
1266 concerning the making of contributions or expenditures to  
1267 influence a citizen initiative by petition, commits a felony of  
1268 the third degree, punishable as provided in s. 775.082 or s.  
1269 775.083.

1270 (d) A political committee organized to sponsor a citizen  
1271 initiative by petition which knowingly solicits or accepts any  
1272 expenditure from a foreign national commits a felony of the  
1273 third degree, punishable as provided in s. 775.082 or s.  
1274 775.083.

1275 (e) A foreign national who willfully violates any part of  
1276 this subsection or a political committee that willfully violates

14-00012A-25A

202518A\_\_

1277 any part of this subsection may be subject to a fine of at least  
1278 \$5,000 and up to \$50,000, to be determined by the Florida  
1279 Elections Commission.

1280 (f) The Attorney General may investigate, act upon, or  
1281 dispose of alleged criminal violations of this subsection.  
1282 Criminal proceedings for violations of this subsection may be  
1283 brought in the appropriate court of competent jurisdiction. In  
1284 addition to other penalties provided, the court may assess a  
1285 penalty of up to three times the amount allowed in s. 775.083.

1286 Section 16. Subsection (3) of section 106.19, Florida  
1287 Statutes, is amended to read:

1288 106.19 Violations by candidates, persons connected with  
1289 campaigns, and political committees.—

1290 ~~(3) A political committee sponsoring a constitutional~~  
1291 ~~amendment proposed by initiative which submits a petition form~~  
1292 ~~gathered by a paid petition circulator which does not provide~~  
1293 ~~the name and address of the paid petition circulator on the form~~  
1294 ~~is subject to the civil penalties prescribed in s. 106.265.~~

1295 Section 17. Paragraph (c) of subsection (1) of section  
1296 212.055, Florida Statutes, is amended to read:

1297 212.055 Discretionary sales surtaxes; legislative intent;  
1298 authorization and use of proceeds.—It is the legislative intent  
1299 that any authorization for imposition of a discretionary sales  
1300 surtax shall be published in the Florida Statutes as a  
1301 subsection of this section, irrespective of the duration of the  
1302 levy. Each enactment shall specify the types of counties  
1303 authorized to levy; the rate or rates which may be imposed; the  
1304 maximum length of time the surtax may be imposed, if any; the  
1305 procedure which must be followed to secure voter approval, if

14-00012A-25A

202518A\_\_

1306 required; the purpose for which the proceeds may be expended;  
 1307 and such other requirements as the Legislature may provide.  
 1308 Taxable transactions and administrative procedures shall be as  
 1309 provided in s. 212.054.

1310 (1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM  
 1311 SURTAX.—

1312 (c)1. The proposal to adopt a discretionary sales surtax as  
 1313 provided in this subsection and to create a trust fund within  
 1314 the county accounts shall be placed on the ballot in accordance  
 1315 with law and must be approved in a referendum held at a general  
 1316 election in accordance with subsection (10).

1317 2. If the proposal to adopt a surtax is by initiative, the  
 1318 petition sponsor must, at least 180 days before the proposed  
 1319 referendum, comply with all of the following:

1320 a. Provide a copy of the final resolution or ordinance to  
 1321 the Office of Program Policy Analysis and Government  
 1322 Accountability. The Office of Program Policy Analysis and  
 1323 Government Accountability shall procure a certified public  
 1324 accountant in accordance with subsection (11) for the  
 1325 performance audit.

1326 b. File the initiative petition and its required valid  
 1327 signatures with the supervisor of elections. The supervisor of  
 1328 elections shall verify signatures and retain signature forms in  
 1329 the same manner as required for initiatives under s. 100.371(6)  
 1330 ~~s. 100.371(11)~~.

1331 3. The failure of an initiative sponsor to comply with the  
 1332 requirements of subparagraph 2. renders any referendum held  
 1333 void.

1334 Section 18. If any provision of this act or its application

14-00012A-25A

202518A\_\_

1335 to any person or circumstance is held invalid, the invalidity  
1336 does not affect other provisions or applications of this act  
1337 which can be given effect without the invalid provision or  
1338 application, and to this end the provisions of this act are  
1339 severable.

1340 Section 19. The Division of Law Revision is directed to  
1341 replace the phrase "the effective date of this act" wherever it  
1342 occurs in this act with the date this act becomes a law.

1343 Section 20. This act shall take effect upon becoming a law.