

The Florida Senate
BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Criminal Justice

BILL: SB 132

INTRODUCER: Senator Polsky

SUBJECT: Restoration of Voting Rights

DATE: January 23, 2026 REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Wyant</u>	<u>Stokes</u>	<u>CJ</u>	<u>Favorable</u>
2. _____	_____	<u>ACJ</u>	_____
3. _____	_____	<u>FP</u>	_____

I. Summary:

SB 132 amends s. 20.32, F.S., to require the Florida Commission on Offender Review (FCOR) to develop and maintain a database that contains specified information to assist a person in determining whether he or she has met certain requirements to have his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution. The bill requires the database to be available to the public on an Internet website by July 1, 2029, and to update the database monthly thereafter.

Further, the bill requires the FCOR to publish clear instructions that a person, who has been disqualified from voting based on a felony conviction other than murder or a felony sexual offense, may be able to follow to have his or her voting rights restored and to register to vote.

The bill requires the Department of State (DOS), the Department of Corrections (DOC), the clerks of the circuit courts, the county comptrollers, and the Board of Executive Clemency to provide the FCOR with monthly reports to support such data collection. Additionally, the Department of Management Services (DMS), acting through the Florida Digital Service, must provide technical assistance necessary for the FCOR to develop and maintain the database.

The bill provides a person who registers to vote or who votes in reasonable reliance on information contained in the database indicating his or her voting rights have been restored has an affirmative right to register and to vote and may not be charged with a violation of any criminal law of this state related to fraudulently voting or registering to vote.

The bill may have an indeterminate fiscal impact on the Florida Commission on Offender Review. See *Section V. Fiscal Impact Statement*.

The bill takes effect on July 1, 2026.

II. Present Situation:

In November 2018, nearly 65% of Florida voters approved Amendment 4, a constitutional amendment that automatically restored voting rights to most Floridians with past convictions who had completed the terms of their sentence. In June 2019, Governor DeSantis signed SB 7066 into law, prohibiting such people from voting until they pay off certain legal financial obligations imposed by a court.¹

In August 2019, the Governor sought an advisory opinion regarding the meaning of “upon completion of all terms of sentence” asking whether the phrase “all terms of sentence” encompasses legal financial obligations such as fines, restitution, court costs and fees. The Supreme Court of Florida issued an opinion that the phrase “all terms of sentence” has an ordinary meaning that the voters would have understood to refer not only to durational periods but also to all legal financial obligations imposed in conjunction with an adjudication of guilt.²

A person has the option to petition a court to terminate, upon consent of the person or entity owed, a financial obligation or convert such obligation to community service. If converted, the terms of the sentence are deemed complete when the person completes the community service.³

The State Constitution provides that no person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, is qualified to vote or hold office until restoration of civil rights or removal of disability. Any disqualification from voting arising from a felony conviction must be terminated and voting rights must be restored upon completion of all terms of sentence including parole or probation. However, a person convicted of murder or a felony sexual offense is not qualified to vote until restoration of civil rights.⁴

Upon a felony conviction, the civil rights of such person must be suspended in Florida until such rights are restored by a full pardon,⁵ conditional pardon,⁶ or restoration of civil rights⁷ granted pursuant to s. 8, Art. IV of the State Constitution and s. 98.0751, F.S.⁸

¹ The Brennan Center for Justice, *Voting Rights Restoration Efforts in Florida*, updated Nov. 18, 2024, available at: <https://www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-florida> (last visited January 16, 2026).

² Advisory Opinion to the Governor re Implementation of Amendment 4, The Voting Restoration Amendment, 288 So. 3d 1070 (Fla. 2020).

³ Section 98.0751(2)(a)5.e., F.S.

⁴ Section 4, Art. VI, the Florida Constitution.

⁵ A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms. Florida Commission on Offender Review, *Types of Clemency*, available at: <https://www.fcor.state.fl.us/clemency> (last visited January 16, 2026).

⁶ An example of a conditional pardon is a pardon without firearm authority which releases a person from punishment and forgives guilty. It entitles an applicant all of the rights of citizen enjoyed prior to a conviction except the specific authority to own, possess, or use firearms. *Id.*

⁷ The restoration of civil rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed prior to the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirement or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders. *Id.*

⁸ Section 944.292, F.S.

Any person who has been convicted of a felony may be entitled to the restoration of all the rights of citizenship if the person has:⁹

- Received a full pardon from the Board of Executive Clemency;
- Served the maximum term of the sentence imposed upon him or her; or
- Been granted his or her final release by the FCOR.

The DOC must inform and educate inmates and offenders on community supervision about the restoration of civil rights and the restoration of voting rights resulting from the removal of the disqualification to vote. Each month, the DOC must send to the FCOR a list of the names of inmates who have been released from incarceration and offenders who have been terminated from supervision who may be eligible for restoration of civil rights.¹⁰

Beginning November 28, 2024, people with felony convictions who are unsure about their eligibility may request an advisory opinion from the Division of Elections (Division) in the DOS. The Division must respond within 90 days to indicate whether a person is eligible or ineligible to register and to vote. Individuals can submit a form as a .PDF attachment by email to dos.generalcounsel@dos.myflorida.com or by mail or in person.¹¹

When issuing an advisory opinion, the Division will apply the standards in s. 98.075(5), F.S., to determine whether a felon is eligible to register or vote. Therefore, if the felon has provided the required information and if the Division finds no credible and reliable information to indicate the felon is ineligible to register or to vote, the Division will issue an opinion stating that the felon is eligible.¹²

The FCOR consists of three commissioners directly appointed by the Governor and Cabinet. The appointments must be certified to the Senate by the Governor and Cabinet for confirmation.¹³ The FCOR has the powers and duties to:¹⁴

- Determine what persons must be placed on parole.
- Fix the time and conditions of parole.
- Determine whether a person has violated parole and take action with respect to such violation.
- Make such investigations as may be necessary.
- Report to the Board of Executive Clemency the circumstances, the criminal records, and the social, physical, mental, and psychiatric conditions and histories of persons under consideration by the board for pardon, commutation of sentence, or remission of fine, penalty, or forfeiture.

⁹ Section 940.05, F.S.

¹⁰ Section 940.061, F.S.

¹¹ The Brennan Center for Justice, *Voting Rights Restoration Efforts in Florida*, updated Nov. 18, 2024, available at: <https://www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-florida> (last visited January 16, 2026).

¹² Florida Department of State, Division of Elections, *Felon Voting Rights*, updated July 10, 2024, available at: <https://dos.fl.gov/elections/for-voters/voter-registration/felon-voting-rights/> (last visited January 16, 2026).

¹³ Sections 947.01, and 947.02, F.S.

¹⁴ Section 947.13(1)(a)-(h), F.S.

- Establish the terms and conditions of persons released on conditional release,¹⁵ control release,¹⁶ and conditional medical release¹⁷ and determine whether a person has violated the conditions of release and take action with respect to such violation.

III. Effect of Proposed Changes:

The bill amends s. 20.32, F.S., to require the FCOR to develop and maintain a database to assist a person in determining whether he or she has met certain requirements to have his or her voting rights restored pursuant to s. 4, Art. VI of the State Constitution. The database must contain for each such person, all of the following information:

- His or her name and any other personal identifying information.
- The remaining length of any term of supervision, including, but not limited to, probation, community control, or parole, ordered by a court as a part of his or her sentence.
- The remaining amount of any restitution owed to a victim as ordered by a court as part of his or her sentence.
- The remaining amount due of any fines or fees that were initially ordered by a court as a part of his or her sentence or as a condition of any form of supervision, including, but not limited to, probation, community control, or parole.
- The completion status of any other term ordered by a court as a part of his or her sentence.
- Any other information needed to determine whether he or she has met the requirements for restoration of voting rights under s. 98.0751, F.S.

The bill requires the database to be available to the public on an Internet website by July 1, 2029, and to update the database monthly thereafter. Further, the bill requires the FCOR to publish clear instructions that a person, who has been disqualified from voting based on a felony conviction other than murder or a felony sexual offense, may be able to follow to have his or her voting rights restored and to register to vote.

The bill requires the FCOR to provide a comprehensive plan to the Governor, the President of the Senate, and the Speaker of the House of Representatives by July 1, 2027, which must include all of the following:

- The governmental entities from which and the methods by which the FCOR will collect, centralize, analyze, and secure the information required to be included in the database.
- A description of any infrastructure and services, including, but not limited to, software, hardware, and information technology services, which may be necessary to create and maintain the database.
- The anticipated number of additional employees necessary for:
 - The FCOR to develop and maintain the database.
 - A governmental entity to provide the information required.
 - The Florida Digital Service to provide the assistance required.
- The anticipated initial cost to develop the database; the annual cost to maintain the database; and the annual appropriation required to fund the anticipated costs incurred by the FCOR, each governmental entity, and the Florida Digital Service.

¹⁵ Section 947.1405, F.S.

¹⁶ Section 947.146, F.S.

¹⁷ Section 947.149, F.S.

- Any legal authority necessary for the FCOR to develop and maintain the database.
- Draft legislation to implement the comprehensive plan.

The bill provides a person who registers to vote or who votes in reasonable reliance on information contained in the database indicating his or her voting rights have been restored has an affirmative right to register and to vote and may not be charged with a violation of any criminal law of this state related to fraudulently voting or registering to vote.

The bill requires the DOS, the DOC, the clerks of the circuit courts, the county comptrollers, and the Board of Executive Clemency to provide the FCOR with monthly reports to support such data collection. The DMS, acting through the Florida Digital Service, must provide technical assistance necessary for the FCOR to develop and maintain the database.

The DMS is authorized to adopt rules to provide such technical assistance, and the FCOR must adopt rules for implementation.

The bill takes effect on July 1, 2026.

IV. Constitutional Issues:

A. Municipality/County Mandates Restrictions:

None.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The FCOR may need additional employees to develop and maintain the database. Additionally, data collection may require other entities listed in the bill to increase their number of employees.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends section 20.32 of the Florida Statutes.

IX. Additional Information:**A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

B. Amendments:

None.

This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.
