

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 Appropriations Committee on Criminal and Civil Justice

BILL: SB 132

INTRODUCER: Senator Polsky

SUBJECT: Restoration of Voting Rights

DATE: February 3, 2026

REVISED: _____

	ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1.	<u>Wyant</u>	<u>Stokes</u>	<u>CJ</u>	Favorable
2.	<u>Kolich</u>	<u>Harkness</u>	<u>ACJ</u>	Pre-meeting
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 to the FCOR and the DMS. There may be an additional workload impact to the governmental entities required to provide monthly information related to the database. See Section V., Fiscal Impact Statement.

The bill takes effect on July 1, 2026.

II. Present Situation:

Florida Commission on Offender Review (FCOR)

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.¹

The FCOR has all of the following powers and duties, to:

- 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.
- Establish the terms and conditions of persons released on conditional release,² control release,³ and conditional medical release⁴ and determine whether a person has violated the conditions of release and take action with respect to such violation.⁵

Restoration of Voting Rights

Prior to 2018, the state constitution provided that “[n]o person convicted of a felony, or adjudicated in this or any other state to be mentally incompetent, shall be qualified to vote or hold office until restoration of civil rights or removal of disability.”⁶ In November of 2018, nearly 65 percent of Florida voters approved Amendment 4, a constitutional amendment that provided that “[e]xcept as provided in subsection (b)⁷ of this section, any disqualification from voting arising from a felony conviction shall terminate and voting rights shall be restored *upon completion of all terms of sentence* including parole or probation.”⁸

To implement the constitutional amendment, SB 7066 was passed during the 2019 session⁹ and provided that the term “completion of all terms of sentence” includes “any portion of a sentence that is contained in the four corners of the sentencing document” and further went on to specify

¹ Sections 947.01 and 947.02, F.S.

² Section 947.1405, F.S.

³ Section 947.146, F.S.

⁴ Section 947.149, F.S.

⁵ Section 947.13(1)(a)-(h), F.S.

⁶ Section 4, Art. VI, Fla. Const. (2018).

⁷ Section 4(b), Art. VI, Fla. Const. restricts individuals convicted of murder or a felony sexual offense from qualifying to vote until restoration of civil rights.

⁸ Section 4, Art. VI, Fla. Const.

⁹ Chapter 2019-162, Laws of Fla.

five categories of terms that are included in the sentencing document. Specifically, the law included full payment of restitution and fines or fees.¹⁰

Current law also provides that “[a] term required to be completed in accordance with this paragraph shall be deemed completed if the court modifies the original sentencing order to no longer require completion of such term. The requirement to pay any financial obligation specified in this paragraph is not deemed completed upon conversion to a civil lien.”¹¹

The Governor sought an advisory opinion to determine the meaning of the term “upon completion of all term of sentence,” to which the Court found, in part, that such term includes “all legal financial obligations, including fines, restitution, costs, and fees, ordered by a sentencing court.”¹²

Beginning on November 28, 2024, people with felony convictions who are unsure about their eligibility may request an advisory opinion from the Division of Elections (Division) within the Department of State. 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.¹³

When issuing an advisory opinion, the division applies 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.¹⁴

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.

¹⁰ Section 98.0751(2)5., F.S.

¹¹ Section 98.0751(2), F.S.

¹² Advisory Opinion to the Governor re Implementation of Amendment 4, The Voting Restoration Amendment, 288 So. 3d 1070 (Fla. 2020).

¹³ 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 29, 2026).

¹⁴ 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 29, 2026).

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

The bill provides that 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 Department of State, the Department of Corrections, 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 Department of Management Services (DMS), acting through the Florida Digital Service, is required to provide the 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 bill has an indeterminate negative fiscal impact to the FCOR to develop and maintain the database and potentially to the DMS for providing technical assistance. Additionally, there may be a workload impact to the DOS, DOC, clerks of the circuit courts, and county comptrollers to support the FCOR's monthly update of the database. The bill also requires the FCOR to provide a comprehensive plan prior to the establishment of the database. The development of the plan will have an indeterminate workload impact on the FCOR and the other stakeholders.

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.
