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A bill to be entitled  
An act relating to elections; amending s. 20.10, F.S.; requiring that the Secretary of State be elected, rather than appointed, and serve a specified term; specifying when such election must occur; amending s. 20.32, F.S.; requiring the Florida Commission on Offender Review to develop and maintain a database for a specified purpose; specifying database requirements; requiring specified entities to provide specified information to the commission on a monthly basis; requiring the Department of Management Services, acting through the Florida Digital Service, to provide technical assistance to the commission in developing and maintaining the database; authorizing the Department of Management Services to adopt rules; requiring the commission to make the database publicly available on a website by a specified date; requiring the commission to update the database monthly; requiring the commission to publish certain instructions on the website; requiring the commission to submit a certain comprehensive plan to the Governor and the Legislature by a specified date; specifying requirements for the comprehensive plan; providing that certain persons who register to vote may not be charged with certain violations as a result of such

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26 registration or voting; requiring the Division of  
27 Elections and the supervisors of elections to complete  
28 the necessary steps to reregister individuals under  
29 specified conditions; requiring the division and  
30 supervisors to send certain mail to individuals under  
31 specified conditions; requiring the information in the  
32 statewide database to be updated weekly rather than  
33 monthly during a specified timeframe; requiring the  
34 commission to adopt rules; amending s. 97.021, F.S.;  
35 defining terms; revising the definition of the term  
36 "election"; providing construction; repealing s.  
37 97.022, F.S., relating to the Office of Election  
38 Crimes and Security; repealing s. 97.0291, F.S.,  
39 relating to prohibiting the use of private funds for  
40 election-related expenses; creating s. 97.0556, F.S.;  
41 authorizing a person who meets certain requirements to  
42 register to vote for the early voting period or  
43 election day at an early voting site or his or her  
44 polling place and cast a ballot immediately  
45 thereafter; amending s. 97.057, F.S.; authorizing the  
46 Department of Highway Safety and Motor Vehicles to  
47 preregister certain individuals to vote; providing  
48 that driver license or identification card  
49 applications, driver license or identification card  
50 renewal applications, and applications for changes of

51 address for existing driver licenses or identification  
52 cards submitted to the department serve as voter  
53 registration applications; providing that an applicant  
54 is deemed to have consented to the use of his or her  
55 signature for voter registration purposes unless a  
56 declination is made; requiring that specified  
57 applications include a voter registration component,  
58 subject to approval by the Department of State;  
59 providing requirements for the voter registration  
60 component; requiring the Department of Highway Safety  
61 and Motor Vehicles to transmit voter registration  
62 information electronically to the Department of State  
63 within a specified timeframe; requiring the Department  
64 of State to provide such information to supervisors of  
65 elections; deleting a provision prohibiting persons  
66 providing voter registration services for a driver  
67 license office from making changes to an applicant's  
68 party affiliation without the applicant's consent and  
69 separate signature; requiring the Department of  
70 Highway Safety and Motor Vehicles to ensure that all  
71 registration services comply with state and federal  
72 laws; requiring the Department of Highway Safety and  
73 Motor Vehicles, as soon as practicable, to notify the  
74 Department of State of any change to a driver license  
75 number or identification card number; requiring the

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76       Department of State to transmit such changes to the  
77       appropriate supervisor; requiring such supervisors to  
78       update registration records and provide notice by mail  
79       of such change to the registrant; prohibiting a change  
80       in a driver license or an identification card number  
81       from being the sole basis that prevents an otherwise  
82       eligible citizen from casting his or her ballot;  
83       deleting obsolete language; making technical changes;  
84       amending s. 97.0575, F.S.; revising the information a  
85       third-party voter registration organization is  
86       required to provide to the Division of Elections of  
87       the Department of State; deleting a provision that  
88       provides for the expiration of such organization's  
89       registration at the conclusion of the general election  
90       cycle for which the organization is registered;  
91       deleting provisions requiring such organizations to  
92       provide a specified receipt in a uniform format to  
93       applicants; revising the timeframe within which such  
94       organizations must deliver completed applications to  
95       the division or a supervisor of elections; revising  
96       certain penalties; revising the aggregate limit of  
97       such penalties; requiring that fines be remitted to  
98       specified supervisors of elections; requiring such  
99       supervisors to expend monies collected from such fines  
100      for specified purposes; deleting criminal and

101 administrative penalties; deleting provisions  
102 requiring the division to adopt certain rules;  
103 deleting provisions that prohibit providing applicants  
104 a pre-filled voter registration application and the  
105 specified fine for such action; deleting provisions  
106 for retroactive application; creating part III of ch.  
107 97, F.S., entitled "Florida Voting Rights Act";  
108 creating s. 97.21, F.S.; prohibiting local  
109 governments, state agencies, and state officials from  
110 implementing, imposing, or enforcing election  
111 policies, practices, or actions that result in, will  
112 result in, or are intended to result in specified  
113 disparities or impairments; providing that it is not a  
114 violation if such entities demonstrate, by a specified  
115 evidentiary standard, certain conditions; providing  
116 that it is always a violation if specified  
117 circumstances exist; prohibiting local governments  
118 from employing methods of election that have the  
119 effect, will likely have the effect, or are motivated  
120 in part by the intent of diluting the vote of  
121 protected class members; providing the requirements to  
122 establish a violation; providing relevant factors to  
123 evaluate the totality of circumstances related to  
124 voter suppression and vote dilution; providing  
125 construction; providing that such factors are most

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126 probative under a specified condition; providing  
127 circumstances used to determine whether elections in  
128 the local government exhibit racially polarized  
129 voting; providing construction; providing  
130 circumstances that are never relevant to violations of  
131 specified provisions; providing that a state interest  
132 in preventing voter fraud or bolstering voter  
133 confidence in the integrity of elections is relevant  
134 under specified circumstances; providing that evidence  
135 concerning the intent of electors, elected officials,  
136 and public officials is not required to prove such  
137 violations; providing that voting habits of protected  
138 class members may be relevant to certain violations;  
139 requiring a prospective plaintiff, before filing a  
140 certain action against a local government, to send a  
141 notification letter, by specified means, to the local  
142 government; prohibiting a party from filing an action  
143 under specified circumstances; authorizing a local  
144 government to adopt a specified resolution within a  
145 specified timeframe; providing that, under certain  
146 circumstances, a proposed remedy in such resolution  
147 may be approved by the Florida Voting Rights Act  
148 Commission if certain conditions are met; authorizing  
149 a party that sent a notification letter to submit a  
150 claim for reimbursement from the local government

151 under specified circumstances; providing requirements  
152 for such claim; authorizing the party or local  
153 government to file an action for declaratory judgment  
154 for a clarification of rights under certain  
155 circumstances; authorizing a party to bring a cause of  
156 action for a specified violation under specified  
157 circumstances; requiring certain local governments to  
158 take certain action; requiring the commission to post  
159 notification letters and resolutions on its website  
160 under certain circumstances; authorizing the  
161 commission to adopt certain rules; prohibiting local  
162 governments from asserting specified defenses;  
163 authorizing specified entities to file certain  
164 enforcement actions; prohibiting certain entities from  
165 being compelled to disclose the identity of a member;  
166 providing construction; creating s. 97.22, F.S.;  
167 creating the Florida Voting Rights Act Commission  
168 within the Department of State; providing that the  
169 commission is a separate budget entity and must submit  
170 a budget in accordance with specified provisions;  
171 requiring the commission to have its own staff;  
172 providing that the commission is not subject to  
173 control, supervision, or direction by the Department  
174 of State; providing for the composition of the  
175 commission; providing that commissioners serve

176        staggered terms; requiring that commissioners be  
177        compensated at a specified hourly rate; requiring the  
178        formation of a nominating committee; providing for the  
179        appointment and removal of nominating committee  
180        members; requiring the nominating committee to select  
181        a chair; requiring that commissioners be selected  
182        using a specified process; requiring that upon initial  
183        formation of the commission, a specified number of  
184        commissioners be selected by lot and randomly assigned  
185        term lengths for purposes of achieving staggered  
186        terms; providing for filling vacancies on the  
187        commission; authorizing the commission to take  
188        specified actions in any action or investigation to  
189        enforce specified provisions; authorizing the  
190        commission to hire staff and make expenditures for a  
191        specified purpose; authorizing the commission to adopt  
192        rules; creating s. 97.23, F.S.; requiring the  
193        commission to enter into agreements with one or more  
194        postsecondary educational institutions to create the  
195        Florida Voting and Elections Database and Institute  
196        for specified purposes; requiring the parties to the  
197        agreement to enter into a memorandum of understanding  
198        that includes the process for selecting a director of  
199        the database and institute; requiring the database and  
200        institute to provide a center for specified purposes;

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201 authorizing the database and institute to perform  
202 specified actions; requiring the database and  
203 institute to make election and voting data records for  
204 a specified timeframe available to the public at no  
205 cost and to maintain such records in an electronic  
206 format; requiring the database and institute to use  
207 certain methodologies when preparing estimates;  
208 specifying the data and records that must be  
209 maintained; requiring state agencies and local  
210 governments to timely provide any information  
211 requested by the director of the database and  
212 institute; requiring local governments to transmit  
213 specified information to the database and institute  
214 within a certain timeframe; requiring specified  
215 entities to provide data, statistics, and other  
216 information annually to the database and institute;  
217 authorizing specified entities to file enforcement  
218 actions; providing construction; prohibiting certain  
219 entities from being compelled to disclose the identity  
220 of a member for a certain purpose; providing that  
221 enforcement actions may be filed in accordance with  
222 the Florida Rules of Civil Procedure or in a specified  
223 venue; requiring the database and institute to  
224 annually publish a certain report within a specified  
225 timeframe; requiring the database and institute to

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226 provide nonpartisan technical assistance to specified  
227 entities; providing that a rebuttable presumption  
228 exists that data, estimates, or other information from  
229 the database and institute is valid; creating s.  
230 97.24, F.S.; defining terms; requiring the Florida  
231 Voting Rights Act Commission to designate languages  
232 other than English for which language assistance must  
233 be provided by a local government, if certain  
234 conditions exist; providing the circumstances under  
235 which the commission must designate languages other  
236 than English for voting and elections; requiring the  
237 commission to publish specified information annually  
238 on its website and distribute such information to  
239 local governments; requiring local governments to  
240 provide language assistance for specified purposes if  
241 the commission makes a certain determination;  
242 requiring that certain materials be provided in such  
243 language; requiring that certain information be given  
244 orally to voters; requiring that translated materials  
245 be of a certain quality, convey a specified intent and  
246 meaning, and may not rely solely on automatic  
247 translation services; requiring that live translation  
248 be used if available; requiring the commission to  
249 establish a specified review process; providing  
250 requirements for such review process; authorizing

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251 specified entities to file enforcement actions;  
252 prohibiting certain entities from being compelled to  
253 disclose the identity of a member for a certain  
254 purpose; providing construction; requiring that  
255 enforcement actions be filed in accordance with the  
256 Florida Rules of Civil Procedure or in a specified  
257 venue; creating s. 97.25, F.S.; providing that the  
258 enactment or implementation of a covered policy by a  
259 covered jurisdiction is subject to preclearance by the  
260 commission; specifying actions by a local government  
261 which are covered policies; requiring that if a  
262 covered jurisdiction does not make changes to its  
263 method of election, such method is deemed a covered  
264 policy that must be submitted to the commission;  
265 specifying which local governments are covered  
266 jurisdictions; requiring the commission to determine  
267 and publish annually on its website a list of local  
268 governments that are covered jurisdictions; requiring  
269 a covered jurisdiction, if seeking preclearance, to  
270 submit the covered policy to the commission in  
271 writing; requiring the commission to review the  
272 covered policy and grant or deny preclearance;  
273 providing that the covered jurisdiction bears the  
274 burden of proof in the preclearance process; providing  
275 that the commission may deny preclearance only if it

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276 makes certain determinations; providing that if  
277 preclearance is denied, the covered policy may not be  
278 enacted or implemented; requiring the commission to  
279 provide a written explanation for a denial;  
280 authorizing a covered jurisdiction to immediately  
281 enact or implement a covered policy if granted  
282 preclearance; providing that such determination is not  
283 admissible and may not be considered by a court in a  
284 subsequent action challenging the covered policy;  
285 providing that a covered policy is deemed precleared  
286 and may be implemented or enacted by the covered  
287 jurisdiction if the commission fails to approve or  
288 deny the covered policy within specified timeframes;  
289 requiring the commission to grant or deny preclearance  
290 within specified timeframes; authorizing the  
291 commission to invoke a specified number of extensions  
292 of a specified timeframe to determine preclearance;  
293 providing that a denial of preclearance may be  
294 appealed only by the covered jurisdiction in a  
295 specified venue; authorizing specified entities to  
296 enjoin the enactment or implementation of specified  
297 policies and to seek sanctions against covered  
298 jurisdictions in specified circumstances; authorizing  
299 specified entities to file enforcement actions;  
300 prohibiting certain entities from being compelled to

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301 disclose the identity of a member for a certain  
302 purpose; providing construction; specifying that  
303 enforcement actions must be filed in accordance with  
304 the Florida Rules of Civil Procedure or in a specified  
305 venue; requiring the commission to adopt rules;  
306 creating s. 97.26, F.S.; prohibiting a person from  
307 engaging in acts of intimidation, deception, or  
308 obstruction, or any other tactic that has the effect  
309 or will reasonably have the effect, of interfering  
310 with another person's right to vote; specifying acts  
311 that are deemed violations; providing a rebuttable  
312 presumption; providing an exception; authorizing  
313 specified entities to file a civil action alleging a  
314 violation of specified provisions; prohibiting certain  
315 entities from being compelled to disclose the identity  
316 of a member for a certain purpose; providing  
317 construction; specifying that actions must be filed in  
318 accordance with the Florida Rules of Civil Procedure  
319 or in a specified venue; requiring the court to order  
320 specified remedies; creating s. 97.27, F.S.; providing  
321 construction; providing applicability; creating s.  
322 97.28, F.S.; requiring the court to order appropriate  
323 remedies for violations of the act; specifying  
324 appropriate remedies; requiring the court to consider  
325 remedies proposed by specified parties; prohibiting

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326 the court from giving deference to a remedy proposed  
327 by the state or local government; providing that the  
328 court is empowered to require local governments to  
329 implement certain remedies under specified conditions;  
330 requiring the court to grant a temporary injunction or  
331 other preliminary relief requested under specified  
332 conditions; requiring the court to award attorney fees  
333 and litigation costs to the prevailing party in  
334 actions to enforce specified provisions; providing  
335 that a party is deemed to prevail if certain  
336 conditions are met; prohibiting the court from  
337 awarding costs for the prevailing party under  
338 specified circumstances; amending s. 98.045, F.S.;  
339 conforming a cross-reference; amending s. 98.255,  
340 F.S.; revising the standards the Department of State  
341 is required to prescribe by rule for nonpartisan voter  
342 education; requiring that supervisors provide public-  
343 facing voter information in plain language to be  
344 understood by certain persons; amending s. 100.371,  
345 F.S.; providing that a certain notice may be returned  
346 to the supervisor of elections instead of the Office  
347 of Elections Crime and Security; requiring that such  
348 notice contain specified information relating to the  
349 supervisor of elections; requiring supervisors to  
350 transmit a copy of such notice to the Division of

351       Elections; requiring supervisors to notify the  
352       Department of State instead of the Office of Election  
353       Crimes and Security if a specified percentage of  
354       petition forms are deemed invalid; requiring the  
355       department instead of the Office of Election Crimes  
356       and Security to conduct a certain preliminary  
357       investigation; authorizing the Secretary of State  
358       instead of the Office of Election Crimes and Security  
359       to report findings to the statewide prosecutor; making  
360       conforming changes; creating s. 100.51, F.S.;  
361       establishing General Election Day as a paid holiday;  
362       providing that a voter may absent himself or herself  
363       from service or employment at a specific time on  
364       General Election Day and may not be penalized or have  
365       salary or wages deducted for such absence; creating s.  
366       101.016, F.S.; requiring the Division of Elections to  
367       maintain a secure election equipment reserve for  
368       specified purposes; requiring that such reserve  
369       include specified equipment; authorizing the division  
370       to contract with specified entities rather than  
371       physically maintain such reserve; providing contract  
372       requirements; requiring the division to annually  
373       submit a specified report to the Governor and the  
374       Legislature, beginning on a specified date; repealing  
375       s. 101.019, F.S., relating to the prohibition against

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376 ranked-choice voting; amending s. 101.048, F.S.;  
377 providing that a voter may cast a provisional ballot  
378 at any precinct in the county in which the voter  
379 claims to be registered; making technical changes;  
380 amending s. 101.572, F.S.; deleting provisions on the  
381 public inspection of ballots and ballot cards and  
382 notification to candidates; amending s. 101.62, F.S.;  
383 providing that a request for a vote-by-mail ballot is  
384 valid until the voter cancels the request; revising  
385 the timeframe during which the supervisor must mail  
386 vote-by-mail ballots before election day; deleting  
387 requirements for a person designated by a voter to  
388 pick up the voter's vote-by-mail ballot; providing for  
389 extension of deadlines under certain conditions;  
390 amending s. 101.64, F.S.; requiring supervisors of  
391 elections to enclose a postage prepaid mailing  
392 envelope with each vote-by-mail ballot; providing that  
393 vote-by-mail ballot voter certificates may be signed  
394 with the last four digits of the voter's social  
395 security number; making technical changes; amending s.  
396 101.65, F.S.; revising the instructions that must be  
397 provided with a vote-by-mail ballot; amending s.  
398 101.68, F.S.; requiring supervisors of elections to  
399 compare the signature or last four digits of the  
400 social security number on a voter's certificate with

401 the signature or last four digits of the social  
402 security number in the registration books or precinct  
403 register when canvassing a vote-by-mail ballot;  
404 requiring a canvassing board to compare the signature  
405 or last four digits of the social security number on a  
406 voter's certificate or vote-by-mail ballot cure  
407 affidavit with the signature or last four digits of  
408 the social security number in the registration books  
409 or precinct register when canvassing a vote-by-mail  
410 ballot and to determine the validity of such ballot;  
411 deleting the authorization for certain persons to file  
412 a protest against the canvass of a ballot; revising  
413 the instructions on a cure affidavit; amending s.  
414 101.69, F.S.; deleting a provision providing that  
415 specified secure ballot intake stations be used only  
416 during specified timeframes and be monitored by an  
417 employee of the supervisor's office; requiring that  
418 secure ballot intake stations be monitored by the  
419 supervisor's office during specified timeframes  
420 instead of continuously monitored in person by an  
421 employee; deleting a provision authorizing a certain  
422 civil penalty; making technical changes; repealing s.  
423 104.0616, F.S., relating to violations regarding vote-  
424 by-mail ballots and voting; amending s. 104.155, F.S.;  
425 deleting a provision prohibiting a person from raising

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426        his or her ignorance regarding citizenship as a  
427        defense to specified violations; amending ss. 104.42  
428        and 921.0022, F.S.; conforming provisions to changes  
429        made by the act; providing effective dates.

430

431        WHEREAS, Harry T. and Harriette V. Moore were the first  
432        true civil rights activists of the modern civil rights era in  
433        this state, and

434        WHEREAS, the Moores, and the organizations they helped  
435        found and lead, were instrumental in registering more than  
436        100,000 black voters in this state, and

437        WHEREAS, the Moores paid the ultimate price for the  
438        freedoms they fought to secure for their community when members  
439        of the Ku Klux Klan bombed their home in Mims on Christmas Day  
440        in 1951, and

441        WHEREAS, at the time of their death, Florida had the most  
442        registered black voters, outpacing any other state in the South,  
443        and

444        WHEREAS, the purpose of this act is to encourage maximum  
445        participation of all eligible voters in this state's electoral  
446        process, and

447        WHEREAS, electoral systems that deny race, color, or  
448        language minority groups an equal opportunity to elect  
449        candidates of their choice and influence the outcome of an  
450        election are inconsistent with the right to equal treatment

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451 before the law as provided in Articles I and II of the State  
452 Constitution, as well as protections found in the 14th and 15th  
453 Amendments to the United States Constitution, and

454 WHEREAS, this act expands voting rights granted under the  
455 federal Voting Rights Act of 1965 and reaffirms the well-  
456 established principle of "one person, one vote," and

457 WHEREAS, following decisions by the United States Supreme  
458 Court in *Shelby County v. Holder* and *Brnovich v. Democratic  
459 National Committee*, the landmark Voting Rights Act of 1965 has  
460 been severely diminished in its ability to protect the freedom  
461 and opportunity of black and brown voters to participate fully  
462 in the political process of our democratic republic, and

463 WHEREAS, this act builds on the historical work of the  
464 named and nameless Floridians who fought for their right to the  
465 elective franchise, NOW, THEREFORE,

466

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

468

469 **Section 1. Effective upon becoming a law, subsection (1)  
470 of section 20.10, Florida Statutes, is amended to read:**

471 20.10 Department of State.—There is created a Department  
472 of State.

473 (1) The head of the Department of State is the Secretary  
474 of State. The Secretary of State shall be elected at the  
475 statewide general election at which the Governor, Lieutenant

476     Governor, and Cabinet officers are elected, as provided in s. 5,  
477     Art. IV of the State Constitution, and shall serve a term of 4  
478     years beginning on the first Tuesday after the first Monday in  
479     January of the year following such election appointed by the  
480     Governor, subject to confirmation by the Senate, and shall serve  
481     at the pleasure of the Governor. The Secretary of State shall  
482     perform the functions conferred by the State Constitution upon  
483     the custodian of state records.

484     **Section 2. Subsection (4) is added to section 20.32,**  
485     **Florida Statutes, to read:**

486         20.32 Florida Commission on Offender Review.—

487         (4) (a) For the purpose of assisting a person who has been  
488         disqualified from voting based on a felony conviction, other  
489         than a conviction for murder or a felony sexual offense, in  
490         determining whether he or she has met the requirements under s.  
491         98.0751 to have his or her voting rights restored pursuant to s.  
492         4, Art. VI of the State Constitution, the commission shall  
493         develop and maintain a database that contains for each such  
494         person all of the following information:

495             1. His or her name and any other personal identifying  
496             information.

497             2. The remaining length of any term of supervision,  
498             including, but not limited to, probation, community control, or  
499             parole, ordered by a court as part of his or her sentence.

500             3. The remaining amount of any restitution he or she owes

501 to a victim as ordered by a court as part of his or her  
502 sentence.

503 4. The remaining amount due of all fines or fees that were  
504 initially ordered by a court as part of his or her sentence or  
505 as a condition of any form of supervision, including, but not  
506 limited to, probation, community control, or parole.

507 5. The completion status of any other term ordered by a  
508 court as a part of his or her sentence.

509 6. Any other information needed to determine whether he or  
510 she has met the requirements for restoration of voting rights  
511 under s. 98.0751.

512 (b) The Department of State, the Department of  
513 Corrections, the clerks of the circuit court, the county  
514 comptrollers, and the Board of Executive Clemency shall provide  
515 to the commission on a monthly basis any information required  
516 under paragraph (a).

517 (c) The Department of Management Services, acting through  
518 the Florida Digital Service, shall provide any technical  
519 assistance necessary for the commission to develop and maintain  
520 the database. The Department of Management Services may adopt  
521 rules governing the provision of such assistance.

522 (d) By July 1, 2028, the commission shall make the  
523 database available on a public website. The commission shall  
524 update the database monthly with the information received from  
525 each governmental entity under paragraph (b). The commission

526 shall publish on the website clear instructions that a person  
527 who has been disqualified from voting based on a felony  
528 conviction, other than for murder or a felony sexual offense,  
529 may follow to have his or her voting rights restored and to  
530 register to vote.

531 (e) By July 1, 2027, the commission shall provide a  
532 comprehensive plan to the Governor, the President of the Senate,  
533 and the Speaker of the House of Representatives which includes  
534 all of the following:

535 1. The governmental entities from which and the methods by  
536 which the commission shall collect, centralize, analyze, and  
537 secure the information required to be included in the database.

538 2. A description of any infrastructure and services,  
539 including, but not limited to, software, hardware, and  
540 information technology services, which may be necessary to  
541 create and maintain the database.

542 3. The anticipated number of additional employees  
543 necessary for:

544 a. The commission to develop and maintain the database.  
545 b. A governmental entity to provide the information  
546 required under paragraph (b).

547 c. The Florida Digital Service to provide the assistance  
548 required under paragraph (c).

549 4. The anticipated initial cost to develop the database;  
550 the annual cost to maintain the database; and the annual

551 appropriation required to fund the anticipated costs incurred by  
552 the commission, each governmental entity, and the Florida  
553 Digital Service.

554 5. Any legal authority necessary for the commission to  
555 develop and maintain the database.

556 6. Draft legislation to implement the comprehensive plan.

557 (f) Notwithstanding any other law, a person who registers  
558 to vote or who votes in reasonable reliance on information  
559 contained in the database indicating that his or her voting  
560 rights have been restored pursuant to s. 4, Art. VI of the State  
561 Constitution has an affirmative right to register and to vote  
562 and may not be charged with a violation of any criminal law of  
563 this state related to fraudulently voting or registering to  
564 vote.

565 (g) If an individual was registered to vote before his or  
566 her felony conviction met the requirements under s. 98.0751 to  
567 have his or her voting rights restored pursuant to s. 4, Art. VI  
568 of the State Constitution, the Division of Elections and the  
569 individual's supervisor of elections shall, as soon as  
570 practicable, complete the necessary steps to automatically  
571 reregister such individual to vote at his or her most recent  
572 address. This process must be noted in the statewide database.

573 (h) If an individual meets the requirements under s.  
574 98.0751 to have his or her voting rights restored pursuant to s.  
575 4, Art. VI of the State Constitution, but was not registered to

576 vote before his or her conviction, the Division of Elections and  
577 the individual's supervisor of elections shall send by United  
578 States mail to the individual's most current address information  
579 on how to register to vote, including a copy of the current  
580 voter registration form. This process must be noted in the  
581 statewide database.

582 (i) Within 120 days before a general election until the  
583 voter registration deadline for that election, information on  
584 the statewide database must be updated weekly rather than  
585 monthly.

586 (j) The commission shall adopt rules to implement this  
587 subsection.

588 **Section 3. Section 97.021, Florida Statutes, is amended to**  
589 **read:**

590 97.021 Definitions.—For the purposes of this code, except  
591 where the context clearly indicates otherwise, the term:

592 (1) "Absent elector" means any registered and qualified  
593 voter who casts a vote-by-mail ballot.

594 (2) "Absent uniformed services voter" means:

595 (a) A member of a uniformed service on active duty who, by  
596 reason of such active duty, is absent from the place of  
597 residence where the member is otherwise qualified to vote;

598 (b) A member of the merchant marine who, by reason of  
599 service in the merchant marine, is absent from the place of  
600 residence where the member is otherwise qualified to vote; or

601 (c) A spouse or dependent of a member referred to in  
602 paragraph (a) or paragraph (b) who, by reason of the active duty  
603 or service of the member, is absent from the place of residence  
604 where the spouse or dependent is otherwise qualified to vote.

605 (3) "Address of legal residence" means the legal  
606 residential address of the elector and includes all information  
607 necessary to differentiate one residence from another,  
608 including, but not limited to, a distinguishing apartment,  
609 suite, lot, room, or dormitory room number or other identifier.

610 (4) "Alternative formats" has the meaning ascribed in the  
611 Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 42  
612 U.S.C. ss. 12101 et seq., including specifically the technical  
613 assistance manuals promulgated thereunder, as amended.

614 (5) "Automatic tabulating equipment" means an apparatus  
615 that automatically examines, counts, and records votes.

616 (6) "Ballot" or "official ballot" when used in reference  
617 to:

618 (a) "Electronic or electromechanical devices" means a  
619 ballot that is voted by the process of electronically  
620 designating, including by touchscreen, or marking with a marking  
621 device for tabulation by automatic tabulating equipment or data  
622 processing equipment.

623 (b) "Marksense ballots" means that printed sheet of paper,  
624 used in conjunction with an electronic or electromechanical vote  
625 tabulation voting system, containing the names of candidates, or

626 a statement of proposed constitutional amendments or other  
627 questions or propositions submitted to the electorate at any  
628 election, on which sheet of paper an elector casts his or her  
629 vote.

630 (7) "Candidate" means any person to whom any one or more  
631 of the following applies:

632 (a) Any person who seeks to qualify for nomination or  
633 election by means of the petitioning process.

634 (b) Any person who seeks to qualify for election as a  
635 write-in candidate.

636 (c) Any person who receives contributions or makes  
637 expenditures, or gives his or her consent for any other person  
638 to receive contributions or make expenditures, with a view to  
639 bringing about his or her nomination or election to, or  
640 retention in, public office.

641 (d) Any person who appoints a treasurer and designates a  
642 primary depository.

643 (e) Any person who files qualification papers and  
644 subscribes to a candidate's oath as required by law.

645  
646 However, this definition does not include any candidate for a  
647 political party executive committee.

648 (8) Database and institute means the Florida Voting and  
649 Elections Database and Institute.

650 (9) "Department" means the Department of State.

651        (10)~~(9)~~ "Division" means the Division of Elections of the  
652 Department of State.

653        (11)~~(10)~~ "Early voting" means casting a ballot prior to  
654 election day at a location designated by the supervisor of  
655 elections and depositing the voted ballot in the tabulation  
656 system.

657        (12)~~(11)~~ "Early voting area" means the area designated by  
658 the supervisor of elections at an early voting site at which  
659 early voting activities occur, including, but not limited to,  
660 lines of voters waiting to be processed, the area where voters  
661 check in and are processed, and the area where voters cast their  
662 ballots.

663        (13)~~(12)~~ "Early voting site" means those locations  
664 specified in s. 101.657 and the building in which early voting  
665 occurs.

666        (14)~~(13)~~ "Election" means any primary election, special  
667 primary election, special election, general election, county  
668 election, municipal election, referendum, or presidential  
669 preference primary election, or any other local or state  
670 election.

671        (15)~~(14)~~ "Election board" means the clerk and inspectors  
672 appointed to conduct an election.

673        (16)~~(15)~~ "Election costs" shall include, but not be  
674 limited to, expenditures for all paper supplies such as  
675 envelopes, instructions to voters, affidavits, reports, ballot

676 cards, ballot booklets for vote-by-mail voters, postage, notices  
677 to voters; advertisements for registration book closings,  
678 testing of voting equipment, sample ballots, and polling places;  
679 forms used to qualify candidates; polling site rental and  
680 equipment delivery and pickup; data processing time and  
681 supplies; election records retention; and labor costs, including  
682 those costs uniquely associated with vote-by-mail ballot  
683 preparation, poll workers, and election night canvass.

684 (17) "Election policy or practice" includes any  
685 qualification to be an elector, prerequisite to voting, or  
686 method of election, as well as any law, statute, ordinance,  
687 resolution, charter code or provision, regulation, rule, policy,  
688 practice, procedure, standard, or action with respect to voting  
689 or the administration or schedule of elections.

690 (18) ~~(16)~~ "Elector" is synonymous with the word "voter" or  
691 "qualified elector or voter," except where the word is used to  
692 describe presidential electors.

693 (19) "Federal Voting Rights Act" means the Federal Voting  
694 Rights Act of 1965, 52 U.S.C. s. 10301 et seq., as amended.

695 (20) "FLVRA Commission" means the Florida Voting Rights  
696 Act Commission.

697 (21) ~~(17)~~ "General election" means an election held on the  
698 first Tuesday after the first Monday in November in the even-  
699 numbered years, for the purpose of filling national, state,  
700 county, and district offices and for voting on constitutional

701 amendments not otherwise provided for by law.

702 (22) "Government enforcement action" means any denial of  
703 administrative or judicial preclearance by the state or the  
704 Federal Government; pending litigation filed by a state or  
705 federal entity; or final judgment or adjudication, consent  
706 decree, or other similar formal action.

707 (23) "Legislative body" means the commission, council,  
708 school board, or other similar body, by whatever name known, of  
709 local government.

710 (24) ~~(18)~~ "Lists of registered electors" means names and  
711 associated information of registered electors maintained by the  
712 department in the statewide voter registration system or  
713 generated or derived from the statewide voter registration  
714 system. Lists may be produced in printed or electronic format.

715 (25) "Local government" means any county, municipality,  
716 school district, special district, supervisor of elections or  
717 other governmental entity that administers elections, or any  
718 other political subdivision in this state in which elections are  
719 conducted.

720 (26) ~~(19)~~ "Member of the Merchant Marine" means an  
721 individual, other than a member of a uniformed service or an  
722 individual employed, enrolled, or maintained on the Great Lakes  
723 for the inland waterways, who is:

724 (a) Employed as an officer or crew member of a vessel  
725 documented under the laws of the United States, a vessel owned

726 by the United States, or a vessel of foreign-flag registry under  
727 charter to or control of the United States; or

728 (b) Enrolled with the United States for employment or  
729 training for employment, or maintained by the United States for  
730 emergency relief service, as an officer or crew member of such  
731 vessel.

732 (27) "Method of election" means the method by which  
733 candidates are elected to a governmental body of a local  
734 government and includes any at-large, district-based, share-  
735 based, or other method of election, as well as any districting  
736 or redistricting plan used to elect candidates to the  
737 governmental body. Methods of election include:

738 (a) "At-large method of election" means a method of  
739 election in which candidates are voted on by all voters in the  
740 local government's jurisdiction, voters are allowed or required  
741 to cast as many votes as there are seats to fill, and voters may  
742 not cast more than one vote for a given candidate.

743 (b) "District-based method of election" means a method of  
744 election in which the local government is divided into  
745 districts, each district is represented by a single  
746 representative, and a candidate is voted on only by voters  
747 residing in his or her district.

748 (c) "Other method of election" means a method of election  
749 other than an at-large, district-based, or share-based method of  
750 election, or any combination of methods of election.

751        (d) "Share-based method of election" means a method of  
752        election in which more than one candidate is to be elected and  
753        different groups of voters may each elect their preferred  
754        candidates to the seats to fill based on their relative share of  
755        the votes cast. Share-based methods of election include, but are  
756        not limited to, the single transferable vote, cumulative voting,  
757        limited voting, and party-list or state-list systems.

758        (28) (20) "Minor political party" is any group as specified  
759        in s. 103.095 which on January 1 preceding a primary election  
760        does not have registered as members 5 percent of the total  
761        registered electors of the state.

762        (29) (21) "Newspaper of general circulation" means a  
763        newspaper printed in the language most commonly spoken in the  
764        area within which it circulates and which is readily available  
765        for purchase by all inhabitants in the area of circulation, but  
766        does not include a newspaper intended primarily for members of a  
767        particular professional or occupational group, a newspaper the  
768        primary function of which is to carry legal notices, or a  
769        newspaper that is given away primarily to distribute  
770        advertising.

771        (30) (22) "Nominal value" means having a retail value of  
772        \$10 or less.

773        (31) (23) "Nonpartisan office" means an office for which a  
774        candidate is prohibited from campaigning or qualifying for  
775        election or retention in office based on party affiliation.

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776        (32) ~~(24)~~ "Office that serves persons with disabilities" means any state office that takes applications either in person or over the telephone from persons with disabilities for any program, service, or benefit primarily related to their disabilities.

781        (33) "Organization" means a person other than an individual.

783        (34) ~~(25)~~ "Overseas voter" means:

784        (a) An absent uniformed services voter who, by reason of active duty or service, is absent from the United States on the date of the election involved;

787        (b) A person who resides outside the United States and is qualified to vote in the last place in which the person was domiciled before leaving the United States; or

790        (c) A person who resides outside the United States and, but for such residence, would be qualified to vote in the last place in which the person was domiciled before leaving the United States.

794        (35) ~~(26)~~ "Overvote" means that the elector marks or designates more names than there are persons to be elected to an office or designates more than one answer to a ballot question, and the tabulator records no vote for the office or question.

798        (36) ~~(27)~~ "Persons with disabilities" means individuals who have a physical or mental impairment that substantially limits one or more major life activities.

801        (37) (28) "Petition circulator" means an entity or  
802 individual who collects signatures for the purpose of qualifying  
803 a proposed constitutional amendment for ballot placement. The  
804 term does not include a person who collects, delivers, or  
805 otherwise physically possesses no more than 25 signed petition  
806 forms in addition to his or her own signed petition form or a  
807 signed petition form belonging to the person's spouse, or the  
808 parent, child, grandparent, grandchild, or sibling of the person  
809 or the person's spouse.

810        (38) (29) "Polling place" is the building which contains  
811 the polling room where ballots are cast.

812        (39) (30) "Polling room" means the actual room in which  
813 ballots are cast on election day and during early voting.

814        (40) (31) "Primary election" means an election held  
815 preceding the general election for the purpose of nominating a  
816 party nominee to be voted for in the general election to fill a  
817 national, state, county, or district office.

818        (41) "Protected class" means a class of citizens who are  
819 members of a race, color, or language minority group, as defined  
820 in this subsection or under the federal Voting Rights Act, as  
821 amended, provided that any subsequent amendment applies only to  
822 the extent that it affords greater protection.

823        (a) For the purposes of this subsection, the term  
824 "language minority group" means a group based on the best  
825 available data that may include information from the United

826     States Census Bureau American Community Survey or data of  
827     comparable quality collected by a governmental entity:

828         1. Of more than 2 percent, but no fewer than 200 citizens  
829         of voting age in a jurisdiction who speak a language other than  
830         English and are limited English proficient individuals; or  
831         2. Of more than 4,000 citizens of voting age in a  
832         jurisdiction who speak a language other than English and are  
833         limited English proficient individuals.

834         (b) An eligible citizen may not be denied or abridged the  
835         right to vote. Any election standard, practice, or procedure may  
836         not be applied in a manner that discriminates against, or has  
837         the effect of diminishing the ability of, any member of a  
838         protected class to participate equally in the political process.

839         (42) (32) "Provisional ballot" means a conditional ballot,  
840         the validity of which is determined by the canvassing board.

841         (43) (33) "Public assistance" means assistance provided  
842         through the food assistance program under the federal  
843         Supplemental Nutrition Assistance Program; the Medicaid program;  
844         the Special Supplemental Food Program for Women, Infants, and  
845         Children; and the Temporary Cash Assistance Program.

846         (44) (34) "Public office" means any federal, state, county,  
847         municipal, school, or other district office or position which is  
848         filled by vote of the electors.

849         (45) (35) "Qualifying educational institution" means any  
850         public or private educational institution receiving state

851 financial assistance which has, as its primary mission, the  
852 provision of education or training to students who are at least  
853 18 years of age, provided such institution has more than 200  
854 students enrolled in classes with the institution and provided  
855 that the recognized student government organization has  
856 requested this designation in writing and has filed the request  
857 with the office of the supervisor of elections in the county in  
858 which the institution is located.

859 (46) "Racially polarized voting" means voting in which the  
860 candidate or electoral choice preferred by protected class  
861 members diverges from the candidate or electoral choice  
862 preferred by voters who are not protected class members.

863 (47) (36) "Special election" is a special election called  
864 for the purpose of voting on a party nominee to fill a vacancy  
865 in the national, state, county, or district office.

866 (48) (37) "Special primary election" is a special  
867 nomination election designated by the Governor, called for the  
868 purpose of nominating a party nominee to be voted on in a  
869 general or special election.

870 (49) (38) "Supervisor" means the supervisor of elections.

871 (50) (39) "Tactile input device" means a device that  
872 provides information to a voting system by means of a voter  
873 touching the device, such as a keyboard, and that complies with  
874 the requirements of s. 101.56062(1) (k) and (l).

875 (51) (40) "Third-party registration organization" means any

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876 person, entity, or organization soliciting or collecting voter  
877 registration applications. A third-party voter registration  
878 organization does not include:

879 (a) A person who seeks only to register to vote or collect  
880 voter registration applications from that person's spouse,  
881 child, or parent; or

882 (b) A person engaged in registering to vote or collecting  
883 voter registration applications as an employee or agent of the  
884 division, supervisor of elections, Department of Highway Safety  
885 and Motor Vehicles, or a voter registration agency.

886 (52) (41) "Undervote" means that the elector does not  
887 properly designate any choice for an office or ballot question,  
888 and the tabulator records no vote for the office or question.

889 (53) (42) "Uniformed services" means the Army, Navy, Air  
890 Force, Marine Corps, Space Force, and Coast Guard, the  
891 commissioned corps of the Public Health Service, and the  
892 commissioned corps of the National Oceanic and Atmospheric  
893 Administration.

894 (54) "Vote" or "voting" includes any action necessary to  
895 cast a ballot and make such ballot effective in any election or  
896 primary election, which actions include, but are not limited to,  
897 registering to vote, requesting a vote-by-mail ballot, and any  
898 other action required by law as a prerequisite to casting a  
899 ballot and having such ballot counted, canvassed, or certified  
900 properly and included in the appropriate totals of votes cast

901 with respect to candidates for election or nomination and to  
902 referendum questions.

903 (55) (43) "Voter interface device" means any device that  
904 communicates voting instructions and ballot information to a  
905 voter and allows the voter to select and vote for candidates and  
906 issues. A voter interface device may not be used to tabulate  
907 votes. Any vote tabulation must be based upon a subsequent scan  
908 of the marked marksense ballot or the voter-verifiable paper  
909 output after the voter interface device process has been  
910 completed.

911 (56) (44) "Voter registration agency" means any office that  
912 provides public assistance, any office that serves persons with  
913 disabilities, any center for independent living, or any public  
914 library.

915 (57) (45) "Voter registration official" means any  
916 supervisor of elections or individual authorized by the  
917 Secretary of State to accept voter registration applications and  
918 execute updates to the statewide voter registration system.

919 (58) (46) "Voting booth" or "booth" means that booth or  
920 enclosure wherein an elector casts his or her ballot for  
921 tabulation by an electronic or electromechanical device.

922 (59) (47) "Voting system" means a method of casting and  
923 processing votes that functions wholly or partly by use of  
924 electromechanical or electronic apparatus or by use of marksense  
925 ballots and includes, but is not limited to, the procedures for

926 casting and processing votes and the programs, operating  
927 manuals, supplies, printouts, and other software necessary for  
928 the system's operation.

929

930 Terms used in this code which are not defined in this section  
931 but are used in the federal Voting Rights Act and interpreted in  
932 relevant case law, including, but not limited to, "political  
933 process" and "prerequisite to voting," must be construed in a  
934 manner consistent with such usage and interpretation.

935 **Section 4.** Section 97.022, Florida Statutes, is repealed.

936 **Section 5.** Section 97.0291, Florida Statutes, is repealed.

937 **Section 6. Section 97.0556, Florida Statutes, is created**  
938 **to read:**

939 97.0556 Same-day voter registration.—A person who meets  
940 the qualifications specified in s. 97.041 to register to vote  
941 for the early voting period, or at his or her polling place on  
942 election day, and who provides the information required under s.  
943 97.052 for the uniform statewide voter registration application,  
944 may register at an early voting site or at his or her polling  
945 place and immediately thereafter cast a ballot.

946 **Section 7. Section 97.057, Florida Statutes, is amended to**  
947 **read:**

948 97.057 Voter registration by the Department of Highway  
949 Safety and Motor Vehicles.—

950 (1) (a) Each of the following serves as an application The

951 ~~Department of Highway Safety and Motor Vehicles shall provide~~  
952 ~~the opportunity to preregister to vote, register to vote, or to~~  
953 ~~update a voter registration record when submitted to the~~  
954 ~~Department of Highway Safety and Motor Vehicles to each~~  
955 ~~individual who comes to an office of that department to:~~

956       1.~~(a) An application for, or renewal of, Apply for or~~  
957 ~~renew a driver license;~~

958       2.~~(b) An application for, or renewal of, Apply for or~~  
959 ~~renew an identification card pursuant to chapter 322; or~~

960       3.~~(c) An application for a change of an address on an~~  
961 ~~existing driver license or identification card.~~

962       (b) Unless the applicant declines to register or  
963 ~~preregister to vote, he or she is deemed to have consented to~~  
964 ~~the use of the signature from his or her driver license or~~  
965 ~~identification card application for voter registration purposes.~~

966       (2) An application for a driver license or an  
967 ~~identification card must include a voter registration component.~~  
968 ~~The voter registration component must be approved by the~~  
969 ~~Department of State and must include all of the following:~~

970       (a) The minimum amount of information necessary to prevent  
971 ~~duplicate voter registrations and to preserve the ability of the~~  
972 ~~department and supervisors of elections to assess the~~  
973 ~~eligibility of the applicant and administer voter registration~~  
974 ~~and other provisions of this code.~~

975       (b) A statement setting forth voter eligibility

976 requirements.

977 (c) An explanation that the applicant is consenting to the  
978 use of his or her signature from the applicant's driver license  
979 or identification card application for voter registration  
980 purposes. By consenting to the use of his or her signature, the  
981 applicant is deemed to have subscribed to the oaths required by  
982 s. 3, Art. VI of the State Constitution and s. 97.051 and to  
983 have sworn and affirmed that the voter registration information  
984 contained in the application is true under penalty for false  
985 swearing pursuant to s. 104.011.

986 (d) An option that allows the applicant to choose or  
987 update a party affiliation. An applicant who is initially  
988 registering to vote and does not exercise such option must be  
989 sent a notice by the supervisor of elections in accordance with  
990 s. 97.053(5)(b).

991 (e) An option that allows the applicant to decline to  
992 register to vote or preregister to vote. The Department of  
993 Highway Safety and Motor Vehicles shall note any such  
994 declination in its records and forward the declination to the  
995 Department of State. A declination may be used only for voter  
996 registration purposes and is confidential and exempt from public  
997 records requirements as provided in s. 97.0585.

998 (3) The Department of Highway Safety and Motor Vehicles  
999 shall:

1000 (a) Develop a voter registration component for

1001 applications which meets the requirements set forth in  
1002 subsection (2).

1003 (b) Electronically transmit the voter registration  
1004 component of an applicant's driver license or identification  
1005 card application to the Department of State within 24 hours  
1006 after receipt. Upon receipt of the voter registration component,  
1007 the Department of State shall provide the information to the  
1008 supervisor of the county in which the applicant is registering  
1009 or preregistering to vote or updating his or her voter  
1010 registration record.

1011 (2) The Department of Highway Safety and Motor Vehicles  
1012 shall:

1013 (a) Notify each individual, orally or in writing, that:  
1014 1. Information gathered for the completion of a driver  
1015 license or identification card application, renewal, or change  
1016 of address can be automatically transferred to a voter  
1017 registration application;

1018 2. If additional information and a signature are provided,  
1019 the voter registration application will be completed and sent to  
1020 the proper election authority;

1021 3. Information provided can also be used to update a voter  
1022 registration record, except that party affiliation will not be  
1023 changed unless the individual designates a change in party  
1024 affiliation and separately consents to such change in writing;

1025 4. All declinations will remain confidential and may be

1026 used only for voter registration purposes; and

1027 5. The particular driver license office in which the  
1028 person applies to register to vote or updates a voter  
1029 registration record will remain confidential and may be used  
1030 only for voter registration purposes.

1031 (b) Require a driver license examiner to inquire orally  
1032 or, if the applicant is hearing impaired, inquire in writing  
1033 whether the applicant wishes to register to vote or update a  
1034 voter registration record during the completion of a driver  
1035 license or identification card application, renewal, or change  
1036 of address.

1037 1. If the applicant chooses to register to vote or to  
1038 update a voter registration record:

1039 a. All applicable information received by the Department  
1040 of Highway Safety and Motor Vehicles in the course of filling  
1041 out the forms necessary under subsection (1) must be transferred  
1042 to a voter registration application.

1043 b. The additional necessary information must be obtained  
1044 by the driver license examiner and must not duplicate any  
1045 information already obtained while completing the forms required  
1046 under subsection (1).

1047 c. A voter registration application with all of the  
1048 applicant's voter registration information required to establish  
1049 the applicant's eligibility pursuant to s. 97.041 must be  
1050 presented to the applicant to review and verify the voter

1051 registration information received and provide an electronic  
1052 signature affirming the accuracy of the information provided.

1053 d. The voter registration application may not be used to  
1054 change the party affiliation of the applicant unless the  
1055 applicant designates a change in party affiliation and provides  
1056 a separate signature consenting to the party affiliation change.

1057 e. After verifying the voter registration information and  
1058 providing his or her electronic signature, the applicant must be  
1059 provided with a printed receipt that includes such information  
1060 and documents any change in party affiliation.

1061 2. If the applicant declines to register to vote, update  
1062 the applicant's voter registration record, or change the  
1063 applicant's address by either orally declining or by failing to  
1064 sign the voter registration application, the Department of  
1065 Highway Safety and Motor Vehicles must note such declination on  
1066 its records and shall forward the declination to the statewide  
1067 voter registration system.

1068 (3) For the purpose of this section, the Department of  
1069 Highway Safety and Motor Vehicles, with the approval of the  
1070 Department of State, shall prescribe:

1071 (a) A voter registration application that is the same in  
1072 content, format, and size as the uniform statewide voter  
1073 registration application prescribed under s. 97.052; and

1074 (b) A form that will inform applicants under subsection  
1075 (1) of the information contained in paragraph (2)(a).

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1076       (4) The Department of Highway Safety and Motor Vehicles  
1077 must electronically transmit completed voter registration  
1078 applications within 24 hours after receipt to the statewide  
1079 voter registration system. Completed paper voter registration  
1080 applications received by the Department of Highway Safety and  
1081 Motor Vehicles shall be forwarded within 5 days after receipt to  
1082 the supervisor of the county where the office that processed or  
1083 received that application is located.

1084       (5) The Department of Highway Safety and Motor Vehicles  
1085 must send, with each driver license renewal extension  
1086 application authorized pursuant to s. 322.18(8), a uniform  
1087 statewide voter registration application, the voter registration  
1088 application prescribed under paragraph (3)(a), or a voter  
1089 registration application developed especially for the purposes  
1090 of this subsection by the Department of Highway Safety and Motor  
1091 Vehicles, with the approval of the Department of State, which  
1092 must meet the requirements of s. 97.052.

1093       (4)-(6) A person providing voter registration services for  
1094 a driver license office may not:

1095       (a) Make any change to an applicant's party affiliation  
1096 unless the applicant provides a separate signature consenting to  
1097 the party affiliation change or discuss or seek to influence an  
1098 applicant's political preference or party registration;

1099       (b) Display any political preference or party allegiance;

1100       (c) Make any statement to an applicant or take any action

1101 the purpose or effect of which is to discourage the applicant  
1102 from registering to vote; or

1103 (d) Disclose any applicant's voter registration  
1104 information except as needed for the administration of voter  
1105 registration.

1106 (5)(7) The Department of Highway Safety and Motor Vehicles  
1107 shall collect data determined necessary by the Department of  
1108 State for program evaluation and reporting to the Election  
1109 Assistance Commission pursuant to federal law.

1110 (6)(8) The Department of Highway Safety and Motor Vehicles  
1111 shall ~~must~~ ensure that all voter registration services provided  
1112 by driver license offices are in compliance with all state and  
1113 federal laws ~~the Voting Rights Act of 1965~~.

1114 (7)(9) The Department of Highway Safety and Motor Vehicles  
1115 shall retain complete records of voter registration information  
1116 received, processed, and submitted to the Department of State  
1117 ~~statewide voter registration system~~ by the Department of Highway  
1118 Safety and Motor Vehicles. The retention of such ~~These~~ records  
1119 is ~~shall~~ be for the explicit purpose of supporting audit and  
1120 accounting controls established to ensure accurate and complete  
1121 electronic transmission of records between the Department of  
1122 ~~State statewide voter registration system~~ and the Department of  
1123 Highway Safety and Motor Vehicles.

1124 (8)(10) The Department of State shall provide the  
1125 Department of Highway Safety and Motor Vehicles with an

1126 electronic database of street addresses valid for use as the  
1127 address of legal residence as required in s. 97.053(5). The  
1128 Department of Highway Safety and Motor Vehicles shall compare  
1129 the address provided by the applicant against the database of  
1130 valid street addresses. If the address provided by the applicant  
1131 does not match a valid street address in the database, the  
1132 applicant will be asked to verify the address provided. The  
1133 Department of Highway Safety and Motor Vehicles may ~~shall~~ not  
1134 reject any application for voter registration for which a valid  
1135 match cannot be made.

1136 (9)-(11) The Department of Highway Safety and Motor  
1137 Vehicles shall enter into an agreement with the Department of  
1138 State to match information in the statewide voter registration  
1139 system with information in the database of the Department of  
1140 Highway Safety and Motor Vehicles to the extent required to  
1141 verify the accuracy of the driver license number, Florida  
1142 identification number, or last four digits of the social  
1143 security number provided on applications for voter registration  
1144 as required in s. 97.053.

1145 (10)-(12) The Department of Highway Safety and Motor  
1146 Vehicles shall enter into an agreement with the Commissioner of  
1147 Social Security as required by the Help America Vote Act of 2002  
1148 to verify the last four digits of the social security number  
1149 provided in applications for voter registration as required in  
1150 s. 97.053.

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1151        (11) ~~(13)~~ The Department of Highway Safety and Motor  
1152        Vehicles shall ~~must~~ assist the Department of State in regularly  
1153        identifying changes in residence address on the driver license  
1154        or identification card of a voter. The Department of State shall  
1155        ~~must~~ report each such change to the appropriate supervisor of  
1156        elections who must change the voter's registration records in  
1157        accordance with s. 98.065(4).

1158        (12) The Department of Highway Safety and Motor Vehicles  
1159        shall notify the Department of State as soon as practicable, but  
1160        no later than 30 days, after any change to a voter's driver  
1161        license number or identification card number. The Department of  
1162        State shall transmit each such change to the appropriate  
1163        supervisor of elections, who shall update the voter's  
1164        registration records accordingly and provide notice of the  
1165        change to the registrant by mail. Under no circumstances may a  
1166        change to a voter's driver license or identification card number  
1167        be used as the sole basis to prevent an otherwise eligible  
1168        citizen from casting his or her ballot.

1169        ~~(14) The Department of Highway Safety and Motor Vehicles~~  
1170        ~~shall ensure that information technology processes and updates~~  
1171        ~~do not alter an applicant's party affiliation without the~~  
1172        ~~written consent of the applicant.~~

1173        **Section 8. Section 97.0575, Florida Statutes, is amended**  
1174        **to read:**

1175        97.0575 Third-party voter registration organizations.—

1176 (1) Before engaging in any voter registration activities,  
1177 a third-party voter registration organization must register and  
1178 provide to the division, in an electronic format, the following  
1179 information:

1180 (a) The names of the officers of the organization and the  
1181 name and permanent address of the organization.

1182 (b) The name and address of the organization's registered  
1183 agent in this ~~the~~ state.

1184 (c) The names, permanent addresses, and temporary  
1185 addresses, if any, of each registration agent who registers  
1186 ~~registering~~ persons to vote in this state ~~for compensation~~ on  
1187 behalf of the organization. This paragraph does not apply to  
1188 persons who only solicit applications and do not collect or  
1189 handle voter registration applications.

1190 (d) Beginning ~~November 6, 2024~~, the specific general  
1191 election cycle for which the third-party voter registration  
1192 organization is ~~registering persons to vote~~.

1193 (e) An affirmation that each person collecting or handling  
1194 voter registration applications on behalf of the third-party  
1195 voter registration organization has not been convicted of a  
1196 felony violation of the Election Code, a felony violation of an  
1197 offense specified in s. 825.103, a felony offense specified in  
1198 s. 98.0751(2)(b) or (c), or a felony offense specified in  
1199 chapter 817, chapter 831, or chapter 837. A third-party voter  
1200 registration organization is liable for a fine in the amount of

1201 ~~\$50,000 for each such person who has been convicted of a felony~~  
1202 ~~violation of the Election Code, a felony violation of an offense~~  
1203 ~~specified in s. 825.103, a felony offense specified in s.~~  
1204 ~~98.0751(2)(b) or (c), or a felony offense specified in chapter~~  
1205 ~~817, chapter 831, or chapter 837 who is collecting or handling~~  
1206 ~~voter registration applications on behalf of the third-party~~  
1207 ~~voter registration organization.~~

1208 (f) ~~An affirmation that each person collecting or handling~~  
1209 ~~voter registration applications on behalf of the third-party~~  
1210 ~~voter registration organization is a citizen of the United~~  
1211 ~~States of America. A third-party voter registration organization~~  
1212 ~~is liable for a fine in the amount of \$50,000 for each such~~  
1213 ~~person who is not a citizen and is collecting or handling voter~~  
1214 ~~registration applications on behalf of the third-party voter~~  
1215 ~~registration organization.~~

1216 (2) ~~Beginning November 6, 2024, the registration of a~~  
1217 ~~third-party voter registration organization automatically~~  
1218 ~~expires at the conclusion of the specific general election cycle~~  
1219 ~~for which the third-party voter registration organization is~~  
1220 ~~registered.~~

1221 (3) The division or the supervisor of elections shall make  
1222 voter registration forms available to third-party voter  
1223 registration organizations. All such forms must contain  
1224 information identifying the organization to which the forms are  
1225 provided. The division shall maintain a database of all third-

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1226 party voter registration organizations and the voter  
1227 registration forms assigned to the third-party voter  
1228 registration organization. Each supervisor of elections shall  
1229 provide to the division information on voter registration forms  
1230 assigned to and received from third-party voter registration  
1231 organizations. The information must be provided in a format and  
1232 at times as required by the division by rule. The division shall  
1233 update information on third-party voter registrations daily and  
1234 make the information publicly available.

1235 ~~(4) A third-party voter registration organization that~~  
1236 ~~collects voter registration applications shall provide a receipt~~  
1237 ~~to an applicant upon accepting possession of his or her~~  
1238 ~~application. The division shall adopt by rule a uniform format~~  
1239 ~~for the receipt by October 1, 2023. The format must include, but~~  
1240 ~~need not be limited to, the name of the applicant, the date the~~  
1241 ~~application is received, the name of the third-party voter~~  
1242 ~~registration organization, the name of the registration agent,~~  
1243 ~~the applicant's political party affiliation, and the county in~~  
1244 ~~which the applicant resides.~~

1245 (3) (a) ~~(5)~~ A third-party voter registration organization  
1246 that collects voter registration applications serves as a  
1247 fiduciary to the applicant and shall ensure that any voter  
1248 registration application entrusted to the organization,  
1249 irrespective of party affiliation, race, ethnicity, or gender,  
1250 is promptly delivered to the division or the supervisor of

1251 elections ~~in the county in which the applicant resides~~ within 14  
1252 ~~10~~ days after the application is completed by the applicant, but  
1253 not after registration closes for the next ensuing election. If  
1254 a voter registration application collected by any third-party  
1255 voter registration organization is not promptly delivered to the  
1256 division or supervisor of elections ~~in the county in which the~~  
1257 ~~applicant resides~~, the third-party voter registration  
1258 organization is liable for the following fines:

1259 1. A fine in the amount of ~~\$50 per each day late, up to~~  
1260 ~~\$2,500,~~ for each application received by the division or ~~the~~  
1261 supervisor of elections ~~in the county in which the applicant~~  
1262 ~~resides~~ more than 14 ~~10~~ days after the applicant delivered the  
1263 completed voter registration application to the third-party  
1264 voter registration organization, if the organization or any  
1265 person, entity, or agent acting on its behalf acted willfully. A  
1266 ~~fine in the amount of \$2,500 for each application received if~~  
1267 ~~the third-party voter registration organization or person,~~  
1268 ~~entity, or agency acting on its behalf acted willfully.~~

1269 2. A fine in the amount of ~~\$100 per each day late, up to~~  
1270 ~~\$5,000,~~ for each application collected by a third-party voter  
1271 registration organization, or any person, entity, or agent  
1272 acting on its behalf, before book closing for any given election  
1273 for federal or state office and received by the division or the  
1274 supervisor of elections in the county in which the applicant  
1275 ~~resides~~ after the book-closing deadline for such election. A

1276 fine in the amount of \$5,000 for each application received if  
1277 the third-party voter registration organization or any person,  
1278 entity, or agency acting on its behalf acted willfully.

1279 3. A fine in the amount of \$500 for each application  
1280 collected by a third-party voter registration organization, or  
1281 any person, entity, or agent acting on its behalf, which is not  
1282 submitted to the division or supervisor of elections ~~in the~~  
1283 county in which the applicant resides. A fine in the amount of  
1284 \$5,000 for any application not submitted if the third-party  
1285 voter registration organization or person, entity, or agency  
1286 acting on its behalf acted willfully.

1287  
1288 The aggregate fine ~~that~~ which may be assessed pursuant to this  
1289 paragraph against a third-party voter registration organization,  
1290 including affiliate organizations, for violations committed in a  
1291 calendar year is \$1,000 ~~\$250,000~~.

1292 (b) A showing by the third-party voter registration  
1293 organization that the failure to deliver the voter registration  
1294 application within the required timeframe is based upon force  
1295 majeure or impossibility of performance shall be an affirmative  
1296 defense to a violation of this subsection. The secretary may  
1297 waive the fines described in this subsection upon a showing that  
1298 the failure to deliver the voter registration application  
1299 promptly is based upon force majeure or impossibility of  
1300 performance.

1301       (c) All fines collected under this section must be  
1302       referred by the department to the supervisor of elections of the  
1303       county in which the violation occurred. The supervisor shall  
1304       expend monies collected from such fines exclusively for  
1305       nonpartisan voter participation initiatives and voter  
1306       registration outreach, including voter education, community  
1307       registration drives, and to offset costs associated with the  
1308       prepayment of postage on vote-by-mail return envelopes, provided  
1309       that all vote-by-mail ballots for the election include prepaid  
1310       postage.

1311       (6) If a person collecting voter registration applications  
1312       on behalf of a third party voter registration organization  
1313       alters the voter registration application of any other person,  
1314       without the other person's knowledge and consent, in violation  
1315       of s. 104.012(4) and is subsequently convicted of such offense,  
1316       the applicable third party voter registration organization is  
1317       liable for a fine in the amount of \$5,000 for each application  
1318       altered.

1319       (7) If a person collecting voter registration applications  
1320       on behalf of a third party voter registration organization  
1321       copies a voter's application or retains a voter's personal  
1322       information, such as the voter's Florida driver license number,  
1323       Florida identification card number, social security number, or  
1324       signature, for any reason other than to provide such application  
1325       or information to the third party voter registration

1326 organization in compliance with this section, the person commits  
1327 a felony of the third degree, punishable as provided in s.  
1328 775.082, s. 775.083, or s. 775.084.

1329 (4) ~~(8)~~ If the Secretary of State reasonably believes that  
1330 a person has committed a violation of this section, the  
1331 secretary may refer the matter to the Attorney General for  
1332 enforcement. The Attorney General may institute a civil action  
1333 for a violation of this section or to prevent a violation of  
1334 this section. An action for relief may include a permanent or  
1335 temporary injunction, a restraining order, or any other  
1336 appropriate order.

1337 (9) ~~The division shall adopt by rule a form to elicit  
1338 specific information concerning the facts and circumstances from  
1339 a person who claims to have been registered to vote by a third-  
1340 party voter registration organization but who does not appear as  
1341 an active voter on the voter registration rolls. The division  
1342 shall also adopt rules to ensure the integrity of the  
1343 registration process, including controls to ensure that all  
1344 completed forms are promptly delivered to the division or a  
1345 supervisor in the county in which the applicant resides.~~

1346 (5) ~~(10)~~ The date on which an applicant signs a voter  
1347 registration application is presumed to be the date on which the  
1348 third-party voter registration organization received or  
1349 collected the voter registration application.

1350 (11) ~~A third-party voter registration organization may not~~

1351 mail or otherwise provide a voter registration application upon  
1352 which any information about an applicant has been filled in  
1353 before it is provided to the applicant. A third-party voter  
1354 registration organization that violates this section is liable  
1355 for a fine in the amount of \$50 for each such application.

1356 (12) The requirements of this section are retroactive for  
1357 any third-party voter registration organization registered with  
1358 the department as of July 1, 2023, and must be complied with  
1359 within 90 days after the department provides notice to the  
1360 third-party voter registration organization of the requirements  
1361 contained in this section. Failure of the third-party voter  
1362 registration organization to comply with the requirements within  
1363 90 days after receipt of the notice shall automatically result  
1364 in the cancellation of the third-party voter registration  
1365 organization's registration.

1366 **Section 9. Part III of chapter 97, Florida Statutes,**  
1367 consisting of sections 97.21-97.28, Florida Statutes, is created  
1368 and entitled "Florida Voting Rights Act."

1369 **Section 10. Section 97.21, Florida Statutes, is created to**  
1370 **read:**

1371 97.21 Prohibitions on voter suppression and vote  
1372 dilution.—

1373 (1) PROHIBITING VOTER SUPPRESSION.—  
1374 (a) A local government, state agency, or state official  
1375 may not implement, impose, or enforce any election policy or

1376 practice, or take any other action or fail to take any action,  
1377 which results in, will result in, or is intended to result in  
1378 any of the following:

1379 1. A material disparity in voter participation, access to  
1380 voting opportunities, or the opportunity or ability to  
1381 participate in the political process between protected class  
1382 members and other members of the electorate.

1383 2. Based on the totality of the circumstances, an  
1384 impairment of the equal opportunity or ability of protected  
1385 class members to participate in any stage of the political  
1386 process.

1387 (b) It is not a violation of paragraph (a) if a local  
1388 government, state agency, or state official demonstrates by  
1389 clear and convincing evidence that:

1390 1. The election policy or practice is necessary, beyond  
1391 consideration of administrative convenience, generalized cost  
1392 savings, or speculative concerns, to further significantly an  
1393 important and particularized governmental interest; and

1394 2. There is no reasonable alternative election policy or  
1395 practice that results in a smaller disparity between protected  
1396 class members and other members of the electorate.

1397 (c) Notwithstanding paragraph (b), a violation always  
1398 exists under paragraph (a) if:

1399 1. The local government, state agency, or state official  
1400 takes action intended to result in a material disparity; or

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1401       2. The material disparity results from:

1402       a. The closure, relocation, or consolidation of, or  
1403       failure to provide, one or more polling places, early voting  
1404       sites, or secure ballot intake stations; or the reassignment of  
1405       voters to precincts or polling places or of precincts to polling  
1406       places;

1407       b. The local government's selection of or change to the  
1408       time or date of an election;

1409       c. The local government conducting elections on dates that  
1410       do not align with federal or state elections;

1411       d. The date the local government selects for a special  
1412       election, and there exists an alternate date in a reasonable  
1413       timeframe in which the disparity would be materially less  
1414       significant; or

1415       e. The failure to schedule a special election as soon as  
1416       practicable, but in no event later than 14 days after the  
1417       occurrence of the vacancy, if more than 12 months remain in the  
1418       term of office and protected class members are generally able to  
1419       elect candidates of their choice.

1420       (2) PROHIBITING VOTE DILUTION.—

1421       (a) A local government may not employ an at-large method  
1422       of election, a district-based method of election, a share-based  
1423       method of election, or any other method of election for any  
1424       office which has the effect, will likely have the effect, or is  
1425       motivated in part by the intent of diluting the vote of

1426 protected class members.

1427 (b) To establish a violation under paragraph (a), it must  
1428 be established that:

1429 1.a. Elections in the local government exhibit racially  
1430 polarized voting resulting in an impairment of the equal  
1431 opportunity or ability of protected class members to nominate or  
1432 elect candidates of their choice; or

1433 b. Based on the totality of the circumstances, the equal  
1434 opportunity or ability of protected class members to nominate or  
1435 elect candidates of their choice is impaired; and

1436 2. Another method of election or changes to the existing  
1437 method of election which could be constitutionally adopted or  
1438 ordered under s. 97.28 would likely mitigate the impairment. For  
1439 the purpose of satisfying such requirement, it is not necessary  
1440 for the total number or share of protected class members to  
1441 exceed any numerical threshold in any district or in the local  
1442 government as a whole.

1443 (3) GUIDELINES AND RELEVANT CIRCUMSTANCES FOR EVALUATING  
1444 VOTER SUPPRESSION AND VOTE DILUTION.—

1445 (a) 1. To evaluate the totality of circumstances under  
1446 subparagraph (1) (a) 2. or sub subparagraph (2) (b) 1.b., the  
1447 following factors may be relevant:

1448 a. The history of discrimination;  
1449 b. The extent to which the protected class members have  
1450 been elected to office;

1451        c. The use of any election policy or practice that may  
1452        enhance the dilutive effective of a method of election in the  
1453        local government.

1454        d. The extent to which protected class members or  
1455        candidates experienced any history of unequal access to  
1456        election-administration or campaign finance processes that  
1457        determine which candidates will receive access to the ballot or  
1458        receive financial or other support in a given election for an  
1459        office of the local government;

1460        e. The extent to which protected class members have  
1461        historically made expenditures as defined in s. 106.011 at lower  
1462        rates than other voters;

1463        f. The extent to which protected class members vote at  
1464        lower rates than other voters;

1465        g. The extent to which protected class members are  
1466        disadvantaged or otherwise bear the effects of public or private  
1467        discrimination in areas that may hinder their ability to  
1468        participate effectively in any stage of the political process,  
1469        such as education, employment, health, criminal justice,  
1470        housing, transportation, land use, or environmental protection;

1471        h. The use of overt or subtle racial appeals in political  
1472        campaigns by governmental officials or in connection with the  
1473        adoption or maintenance of the election policy or practice;

1474        i. The extent to which candidates face hostility or  
1475        barriers while campaigning due to their membership in a

1476 protected class;

1477 j. The lack of responsiveness by elected officials to the  
1478 particular needs of protected class members or a community of  
1479 protected class members;

1480 k. Whether the election policy or practice was designed to  
1481 advance, and does materially advance, a valid and substantial  
1482 state interest; and

1483 1. Other factors deemed relevant.

1484 2. A set number or combination of the factors in  
1485 subparagraph 1. is not required to determine that a violation  
1486 occurred.

1487 3. Evidence of these factors is most probative if it  
1488 relates to the local government in which the alleged violation  
1489 occurred, but still holds probative value if it relates to the  
1490 geographic region in which the local government is located or to  
1491 this state.

1492 (b) To determine whether elections in the local government  
1493 exhibit racially polarized voting under sub-subparagraph  
1494 (2) (b) 1.a.:

1495 1. Racially polarized voting must be assessed based on  
1496 relevant election results, which may include, but are not  
1497 limited to, elections for offices of the local government;  
1498 elections held by the local government for other offices, such  
1499 as state or federal offices; ballot measures; and other  
1500 electoral choices that bear on the rights and privileges of the

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1501     protected class.

1502        a. A set number or combination of elections may not be  
1503 required to establish the existence of racially polarized  
1504 voting.

1505        b. Evidence of nonpolarized voting in elections for  
1506 offices outside the local government may not preclude a finding  
1507 of racially polarized voting based on elections for offices of  
1508 the local government.

1509        c. Nonstatistical or nonquantitative evidence may not  
1510 preclude a finding of racially polarized voting based on  
1511 statistical or quantitative evidence.

1512        d. Low turnout or registration rates among protected class  
1513 members may not preclude a finding of racially polarized voting.

1514        2. Racially polarized voting may be assessed based only on  
1515 the combined electoral preferences of members of a protected  
1516 class or classes. There is no requirement that the electoral  
1517 preferences of each protected class or any subgroup within a  
1518 protected class be separately polarized from those of other  
1519 voters.

1520        3. The causes of or reasons for racially polarized voting,  
1521 including partisan explanations or discriminatory intent, are  
1522 not relevant.

1523        (c)1. If evaluating whether a violation of subsection (1)  
1524 or subsection (2) is present, the following circumstances are  
1525 never relevant to such a violation:

1526        a. The total number or share of protected class members on  
1527        whom the election policy or practice does not impose a material  
1528        burden;

1529        b. The degree to which the election policy or practice has  
1530        a long pedigree or was in widespread use at some earlier date;

1531        c. The use of an identical or similar election policy or  
1532        practice in other jurisdictions; and

1533        d. The availability of forms of voting unimpacted by the  
1534        election policy or practice.

1535        2. A state interest in preventing voter fraud or  
1536        bolstering voter confidence in the integrity of elections is not  
1537        relevant to an evaluation of whether a violation of subsection  
1538        (1) or subsection (2) occurred unless there is substantial  
1539        evidence of a number of instances that criminal activity by  
1540        individual electors has occurred in the local government and the  
1541        connection between the election policy or practice and a state  
1542        interest in preventing voter fraud or bolstering voter  
1543        confidence in the integrity of elections is supported by  
1544        substantial evidence.

1545        3. Evidence concerning the intent of electors, elected  
1546        officials, or public officials to discriminate against protected  
1547        class members is not required under subsections (1) and (2).

1548        4. Whether protected class members typically elect  
1549        candidates of their choice to the governmental body of a local  
1550        government in approximate proportion to their total number or

1551 share of the population may be relevant under subsection (2).

1552 (4) Before filing an action against a local government  
1553 pursuant to this section, a prospective plaintiff must send, by  
1554 certified mail, return receipt requested, a notification letter  
1555 to the local government asserting that the local government may  
1556 be in violation of the provisions of this act. Such letter must  
1557 be referred to as an "FLVRA notification letter."

1558 (a) Except as noted in paragraph (e), a party may not file  
1559 an action against a local government pursuant to this section  
1560 earlier than 50 days after sending an FLVRA notification letter  
1561 to the local government.

1562 (b) Before receiving an FLVRA notification letter, or not  
1563 later than 50 days after any FLVRA notification letter is sent  
1564 to a local government, a local government may adopt a resolution  
1565 that must be referred to as an "FLVRA resolution" and that does  
1566 all of the following:

1567 1. Identifies a potential violation of this section by the  
1568 local government.

1569 2. Identifies a specific remedy to the potential  
1570 violation.

1571 3. Affirms the local government's intent to enact and  
1572 implement the remedy for the potential violation.

1573 4. Sets forth specific measures the local government will  
1574 take to enact and implement the remedy.

1575 5. Provides a schedule for the enactment and

1576 implementation of the remedy.

1577 (c) Except as noted in paragraph (e), a party that has  
1578 sent an FLVRA notification letter may not file an action  
1579 pursuant to this section earlier than 90 days after the adoption  
1580 of an FLVRA resolution.

1581 (d) If the remedy identified in an FLVRA resolution is  
1582 barred by state or local law, or a legislative body of a local  
1583 government lacks authority under state or local law to enact or  
1584 implement a remedy identified in an FLVRA resolution within 90  
1585 days after the adoption of such resolution, or if the local  
1586 government is a covered jurisdiction under s. 97.25, the local  
1587 government may nonetheless enact and implement the remedy  
1588 identified in such resolution upon approval of the FLVRA  
1589 Commission, which may provide approval only if it finds that the  
1590 local government may be in violation of this act, the proposed  
1591 remedy would address a potential violation, and implementation  
1592 of the proposed remedy is feasible. The approval of a remedy by  
1593 the FLVRA Commission does not bar an action to challenge the  
1594 remedy.

1595 (e) If, pursuant to this subsection, a local government  
1596 enacts or implements a remedy or the FLVRA Commission approves a  
1597 proposed remedy, a party that sent an FLVRA notification letter  
1598 may submit a claim for reimbursement from the local government  
1599 for the costs associated with producing and sending such  
1600 notification letter. The party must submit the claim in writing

1601 and substantiate the claim with financial documentation,  
1602 including a detailed invoice for any demography services or  
1603 analysis of voting patterns in the local government. If a party  
1604 and local government fail to agree to a reimbursement amount,  
1605 either the party or local government may file an action for a  
1606 declaratory judgment for a clarification of rights.

1607 (f) Notwithstanding this subsection, a party may bring a  
1608 cause of action for a violation of this section under any of the  
1609 following circumstances:

1610 1. The action is commenced within 1 year after the  
1611 adoption of a challenged method of election, ordinance,  
1612 resolution, rule, policy, standard, regulation, procedure, or  
1613 law.

1614 2. The prospect of obtaining relief under this section  
1615 would be futile.

1616 3. Another party has submitted a notification letter under  
1617 this subsection alleging a substantially similar violation and  
1618 that party is eligible to bring a cause of action under this  
1619 subsection.

1620 4. Following the party's submission of an FLVRA  
1621 notification letter, the local government has adopted an FLVRA  
1622 resolution that identifies a remedy that would not cure the  
1623 violation identified in the notification letter.

1624 5. The party is seeking preliminary relief with respect to  
1625 an upcoming election in accordance with s. 97.28.

1626        (g) Any local government that receives an FLVRA  
1627 notification letter or adopts an FLVRA resolution must provide a  
1628 copy to the FLVRA Commission within 1 day after receipt or  
1629 adoption. The FLVRA Commission shall promptly, but not later  
1630 than 1 business day after receipt, post all FLVRA notification  
1631 letters and FLVRA resolutions on its website. The FLVRA  
1632 Commission may adopt rules identifying other materials and  
1633 information that must be provided to the FLVRA Commission by  
1634 local governments, as well as procedures for transmittal of  
1635 materials and information from local governments to the FLVRA  
1636 Commission.

1637        (5) A local government may not assert the doctrine of  
1638 laches as a defense to claims brought under this section. A  
1639 local government may not assert that plaintiffs have failed to  
1640 comply with any notice, exhaustion, or other procedural  
1641 requirements under state law, other than the requirements in  
1642 this section, as a defense to claims brought under this section.

1643        (6) An individual or entity aggrieved by a violation of  
1644 this section, the Attorney General, or the FLVRA Commission may  
1645 file an action alleging a violation of this section to enforce  
1646 compliance with this section. An entity aggrieved by a violation  
1647 of this section includes, but is not limited to, any entity  
1648 whose membership includes individuals aggrieved by a violation  
1649 of this section or whose mission would be frustrated by a  
1650 violation of this section, including, but not limited to, an

1651 entity that would expend or divest resources to fulfill its  
1652 mission as a result of such violation or must expend greater  
1653 resources or efforts to advocate before an elected body that is  
1654 less responsive to the entity or its members due to the alleged  
1655 violation. An entity may not be compelled to disclose the  
1656 identity of any specific member to pursue a claim on behalf of  
1657 its members. This subsection must be liberally construed to  
1658 confer standing as broadly as the State Constitution allows.  
1659 Such a claim may be filed pursuant to the Florida Rules of Civil  
1660 Procedure or in the Second Judicial Circuit of Florida. Members  
1661 of two or more protected classes that are politically cohesive  
1662 in a local government may jointly file an action. In an action  
1663 involving a districting plan, any individual who resides in the  
1664 defendant jurisdiction and is a member of the affected class or  
1665 classes, whether he or she resides in any particular district,  
1666 may challenge the districting plan as a whole.

1667 **Section 11. Section 97.22, Florida Statutes, is created to**  
1668 **read:**

1669 97.22 Florida Voting Rights Act Commission.—  
1670 (1) There is created the Florida Voting Rights Act (FLVRA)  
1671 Commission within the Department of State. The FLVRA Commission  
1672 is a separate budget entity, as provided in the General  
1673 Appropriations Act, and shall prepare and submit a budget  
1674 request in accordance with chapter 216. The commission is  
1675 responsible for administering the Florida Voting Rights Act. The

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1676 commission shall have its own staff, including management,  
1677 research, and enforcement personnel, and is not subject to  
1678 control, supervision, or direction by the Department of State.

1679 (2) (a) The FLVRA Commission shall be composed of five  
1680 commissioners, each of whom shall serve a staggered 5-year term.  
1681 Commissioners must be compensated for their actual time spent on  
1682 the commission's business at an hourly rate equivalent to the  
1683 rate of an assistant attorney general.

1684 1. A nominating committee shall identify qualified  
1685 candidates to serve as commissioners. The nominating committee  
1686 shall be composed of nominating organizations that are selected  
1687 as follows:

1688 a. Organizations may apply to the Secretary of State to be  
1689 certified as organizational nominators for 5-year terms, after  
1690 which the organizations may be recertified. The Secretary of  
1691 State must certify any organization that applies to be an  
1692 organizational nominator if it meets all of the following  
1693 qualifications:

1694 (I) Has demonstrated commitment to the purposes of this  
1695 act and to securing the voting rights of protected class  
1696 members, such as referencing such class members in the  
1697 organization's mission statement, involvement in numerous voting  
1698 rights cases brought in this state on behalf of members of  
1699 protected classes, or advocacy in support of this act.

1700 (II) Is registered as a nonprofit corporation with the

1701 Secretary of State.

1702 (III) Has been in continuous operation as a nonprofit  
1703 organization under s. 501(c) (3) of the Internal Revenue Code or  
1704 as a nonprofit corporation registered with the Secretary of  
1705 State for at least 10 years.

1706 b. If the Secretary of State fails to timely certify an  
1707 organization that satisfies the qualifications specified in sub-  
1708 subparagraph a. following the organization's application as an  
1709 organizational nominator, the organization may file an action  
1710 against the Secretary of State for a declaratory judgment  
1711 certifying the organization as an organizational nominator.

1712 2. An organizational nominator may be removed for cause by  
1713 a majority vote of all fellow nominators.

1714 3. If there are fewer than 16 organizational nominators  
1715 certified by the Secretary of State, the nominating committee  
1716 must be composed of all such organizational nominators. If there  
1717 are 16 or more organizational nominators certified by the  
1718 Secretary of State, the nominating committee must be composed of  
1719 15 organizational nominators randomly selected from all the  
1720 nominators by lot on an annual basis.

1721 4. The nominating committee shall select its own chair to  
1722 preside over meetings and votes.

1723 (b) Commissioners shall be selected as follows:

1724 1. The nominating committee shall solicit applications  
1725 from individuals to serve on the FLVRA Commission from across

1726 this state. A commissioner must satisfy all of the following  
1727 criteria:

1728 a. Is a resident of this state.

1729 b. Has experience representing or advocating on behalf of  
1730 members of protected classes.

1731 c. Has not served in elected office within the preceding 5  
1732 years.

1733 d. Is not currently serving in any governmental office or  
1734 holding any political party office.

1735 2. The nominating committee shall maintain a qualified  
1736 candidate pool composed of 30 candidates to serve on the FLVRA  
1737 Commission. Individuals may be added to the qualified applicant  
1738 pool only upon a vote of three-fifths of the nominating  
1739 committee.

1740 3. All members of the FLVRA Commission must be randomly  
1741 selected from the qualified candidate pool. Upon the initial  
1742 formation of the FLVRA Commission, five commissioners must be  
1743 selected by lot from the qualified candidate pool and randomly  
1744 assigned to term lengths of 5 years, 4 years, 3 years, 2 years,  
1745 and 1 year. At least 60 days in advance of the conclusion of  
1746 each commissioner's term, a new commissioner must be randomly  
1747 selected by lot from the qualified candidate pool to serve a 5-  
1748 year term upon the conclusion of the incumbent commissioner's  
1749 term. If a vacancy occurs, a new commissioner must be randomly  
1750 selected by lot from the qualified candidate pool within 30 days

1751 after the vacancy occurring to complete the vacated term.

1752 (3) In any action or investigation to enforce this  
1753 section, the FLVRA Commission may subpoena witnesses; administer  
1754 oaths; examine individuals under oath; determine material facts;  
1755 and compel the production of records, books, papers, contracts,  
1756 and other documents in accordance with the Florida Rules of  
1757 Civil Procedure.

1758 (4) The FLVRA Commission may hire any staff and make any  
1759 expenditure necessary to fulfill its responsibilities.

1760 (5) The FLVRA Commission may adopt rules to administer and  
1761 enforce this part.

1762 **Section 12. Section 97.23, Florida Statutes, is created to**  
1763 **read:**

1764 97.23 Statewide database and institute.—

1765 (1) The FLVRA Commission shall enter into an agreement  
1766 with one or more postsecondary educational institutions in this  
1767 state to create the Florida Voting and Elections Database and  
1768 Institute to maintain and administer a central repository of  
1769 elections and voting data available to the public from all local  
1770 governments in this state, and to foster, pursue, and sponsor  
1771 research on existing laws and best practices in voting and  
1772 elections. The parties to that agreement shall enter into a  
1773 memorandum of understanding that includes the process for  
1774 selecting the director of the database and institute.

1775 (2) The database and institute shall provide a center for

1776 research, training, and information on voting systems and  
1777 election administration. The database and institute may do any  
1778 of the following:

1779       (a) Conduct noncredit classes and classes for credit.  
1780       (b) Organize interdisciplinary groups of scholars to  
1781 research voting and elections in this state.  
1782       (c) Conduct seminars involving voting and elections.  
1783       (d) Establish a nonpartisan centralized database in order  
1784 to collect, archive, and make publicly available, at no cost,  
1785 accessible data pertaining to elections, voter registration, and  
1786 ballot access in this state.  
1787       (e) Assist in the dissemination of election data to the  
1788 public.  
1789       (f) Publish books and periodicals on voting and elections  
1790 in this state.  
1791       (g) Provide nonpartisan technical assistance to local  
1792 governments, scholars, and the general public seeking to use the  
1793 resources of the database and institute.  
1794       (3) The database and institute shall make available, and  
1795 maintain in an electronic format, all relevant election and  
1796 voting data and records for at least the previous 12-year  
1797 period. The data, information, and estimates maintained by the  
1798 database and institute must be posted online and made available  
1799 to the public at no cost. Maps, polling places, and vote-by-mail  
1800 ballot secure intake stations must be made available in a

1801 geospatial file format. The database and institute shall prepare  
1802 all estimates made under this section by applying the most  
1803 advanced and validated peer-reviewed methodologies available.  
1804 Data and records that must be maintained include, but are not  
1805 limited to, all of the following:

1806 (a) Estimates of the total population, voting age  
1807 population, and citizen voting age population by racial, color,  
1808 or language minority group and disability status, broken down by  
1809 precinct level on a year-by-year basis, for every local  
1810 government in this state, based on data from the United States  
1811 Census Bureau or the American Community Survey or data of  
1812 comparable quality collected by a public office.

1813 (b) Election results at the precinct level for every  
1814 federal, state, and local election held in every local  
1815 government in this state.

1816 (c) Contemporaneous voter registration lists, voter  
1817 history files, polling places, and vote-by-mail secure ballot  
1818 intake stations for every election in every local government in  
1819 this state.

1820 (d) Contemporaneous maps or other documentation of the  
1821 configuration of precincts.

1822 (e) Lists of polling places, including, but not limited  
1823 to, lists of precincts assigned to each polling place, if  
1824 applicable.

1825 (f) Adopted district or redistricting plans for every

1826 election in every local government in this state.

1827 (g) A current record, updated monthly, of persons eligible  
1828 to register to vote who have a prior criminal conviction and  
1829 whose eligibility has been restored in compliance with s.

1830 98.0751.

1831 (h) Any other data that the director of the database and  
1832 institute considers necessary to maintain in furtherance of the  
1833 purposes of the database and institute.

1834 (4) All state agencies and local governments shall timely  
1835 provide the director of the database and institute with any  
1836 information requested by the director. No later than 90 days  
1837 after an election, each local government shall transmit to the  
1838 database and institute copies of all of the following:

1839 (a) Election results at the precinct level.

1840 (b) Contemporaneous voter registration lists.

1841 (c) Voter history files.

1842 (d) Maps, descriptions, and shapefiles for election  
1843 districts.

1844 (e) Lists of polling places, shapefiles, or descriptions  
1845 of the precincts assigned to each polling place.

1846 (f) Any other data as requested by the database and  
1847 institute.

1848 (5) Any state entity identified by the director of the  
1849 database and institute as possessing data, statistics, or other  
1850 information required by the database and institute to carry out

1851 its duties and responsibilities shall provide such data,  
1852 statistics, or information annually to the database and  
1853 institute at the request of the director.

1854 (6) If a state agency or local government fails to provide  
1855 any information to the database and institute as required by  
1856 this section, the director of the database and institute, the  
1857 Attorney General, or the FLVRA Commission may file an action to  
1858 enforce compliance with this section. An entity aggrieved by a  
1859 violation of this section includes, but is not limited to, any  
1860 entity whose membership includes individuals aggrieved by this  
1861 section or whose mission would be frustrated by a violation of  
1862 this section, including, but not limited to, an entity that  
1863 would expend or divest resources to fulfill its mission as a  
1864 result of such violation or must expend greater resources or  
1865 efforts to advocate before an elected body that is less  
1866 responsive to the entity or its members due to the alleged  
1867 violation. An entity may not be compelled to disclose the  
1868 identity of any specific member to pursue a claim on behalf of  
1869 its members. This section must be liberally construed to confer  
1870 standing as broadly as the State Constitution allows. Such claim  
1871 may be filed pursuant to the Florida Rules of Civil Procedure or  
1872 in the Second Judicial Circuit of Florida.

1873 (7) No later than 90 days after the end of each state  
1874 fiscal year, the database and institute shall publish a report  
1875 on the priorities and finances of the database and institute.

1876        (8) The database and institute shall provide nonpartisan  
1877        technical assistance to local governments, researchers, and  
1878        members of the public seeking to use the resources of the  
1879        database.

1880        (9) There is a rebuttable presumption that the data,  
1881        estimates, or other information maintained by the database and  
1882        institute is valid.

1883        **Section 13. Section 97.24, Florida Statutes, is created to**  
1884        **read:**

1885        97.24 Language access.—

1886        (1) As used in this section, the term:

1887        (a) "Limited English proficient individual" means an  
1888        individual who does not speak English as his or her primary  
1889        language and who speaks, reads, or understands the English  
1890        language other than "very well" in accordance with United States  
1891        Census Bureau data or data of comparable quality collected by a  
1892        governmental entity.

1893        (b) "Native American" includes any person recognized by  
1894        the United States Census Bureau or the state as "American  
1895        Indian."

1896        (2) The FLVRA Commission must designate one or more  
1897        languages, other than English, for which assistance in voting  
1898        and elections must be provided by a local government if the  
1899        commission finds that a significant and substantial need exists  
1900        for such assistance.

1901        (3) Based on the best available data, which may include  
1902        information from the United States Census Bureau's American  
1903        Community Survey or data of comparable quality collected by a  
1904        governmental entity, the FLVRA Commission must find that a  
1905        significant and substantial need exists if:

1906        (a) More than 2 percent, but no fewer than 200 citizens of  
1907        voting age, of a local government speak a language other than  
1908        English and are limited English proficient individuals.

1909        (b) More than 4,000 citizens of voting age of a local  
1910        government speak a language other than English and are limited  
1911        English proficient individuals.

1912        (4) In the case of a local government that contains any  
1913        part of a Native American reservation, if more than 2 percent of  
1914        the Native American citizens of voting age within the Native  
1915        American reservation are proficient in a language other than  
1916        English and are limited English proficient individuals, the  
1917        local government must provide materials in such language.

1918        (5) (a) On an annual basis, the FLVRA Commission shall  
1919        publish on its website a list of all of the following:

1920        1. Each local government in which assistance in voting and  
1921        elections in a language other than English must be provided.

1922        2. Each language in which such assistance must be provided  
1923        in each local government.

1924        (b) The FLVRA Commission's determinations under this  
1925        section are effective upon publication, and the commission shall

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1926 distribute this information to each affected local government.

1927 (6) Each local government described in paragraph (5)(a)  
1928 shall provide assistance in voting and elections, including  
1929 related materials, in any language designated by the commission  
1930 under paragraph (5)(a) to voters in a local government who are  
1931 limited English proficient individuals.

1932 (7) Whenever the FLVRA Commission determines that,  
1933 pursuant to this section, language assistance must be provided  
1934 by a local government, the local government shall provide  
1935 competent assistance in each designated language and provide  
1936 related materials in English and in each designated language,  
1937 including voter registration or voting notices, forms,  
1938 instructions, assistance, ballots, or other materials or  
1939 information relating to the electoral process. However, in the  
1940 case of a language that is oral or unwritten, including  
1941 historically unwritten languages, as may be the case for some  
1942 Native American languages, a local government must provide oral  
1943 instructions, assistance, or other information on the electoral  
1944 process in such language. All materials provided in a designated  
1945 language must be of an equal quality to the corresponding  
1946 English materials. All provided translations must convey the  
1947 intent and essential meaning of the original text or  
1948 communication and may not rely solely on automatic translation  
1949 services. If available, live translation must be used for  
1950 language assistance.

1951        (8) The FLVRA Commission shall establish a review process  
1952        under which the commission determines, upon receipt of a request  
1953        submitted under this subsection, whether a significant and  
1954        substantial need exists in a local government for a language to  
1955        be designated for language access and assistance in voting and  
1956        elections if such need has not been found under subsection (3)  
1957        or subsection (4). Such process, at a minimum, must include an  
1958        opportunity for any voter or entity to submit a request for the  
1959        commission to consider designating a language in a local  
1960        government; an opportunity for public comment; and a procedure  
1961        for determining whether a local government must provide language  
1962        assistance.

1963        (9) Any individual or entity aggrieved by a violation of  
1964        this section, the Attorney General, or the FLVRA Commission may  
1965        file an action alleging a violation of this section. An entity  
1966        aggrieved by a violation of this section includes, but is not  
1967        limited to, any entity whose membership includes individuals  
1968        aggrieved by this section or whose mission would be frustrated  
1969        by a violation of this section, including, but not limited to,  
1970        an entity that would expend or divest resources to fulfill its  
1971        mission as a result of such violation or must expend greater  
1972        resources or efforts to advocate before an elected body that is  
1973        less responsive to the entity or its members due to the alleged  
1974        violation. An entity may not be compelled to disclose the  
1975        identity of any specific member to pursue a claim on behalf of

1976     its members. This section must be liberally construed to confer  
1977     standing as broadly as the State Constitution allows. Such a  
1978     claim may be filed pursuant to the Florida Rules of Civil  
1979     Procedure or in the Second Judicial Circuit of Florida.

1980         **Section 14. Section 97.25, Florida Statutes, is created to**  
1981         **read:**

1982             97.25 Preclearance.—

1983             (1) The enactment or implementation of a covered policy by  
1984     a covered jurisdiction is subject to preclearance by the FLVRA  
1985     Commission.

1986             (2) For purposes of this section, a covered policy  
1987     includes any new or modified:

1988                 (a) Election policy or practice.

1989                 (b) Method of election, including districting or  
1990     redistricting.

1991                 (c) Form of government.

1992                 (d) Annexation, incorporation, dissolution, consolidation,  
1993     or division of a local government.

1994                 (e) Removal of individuals from registry lists or  
1995     enrollment lists and other activities concerning any such list,  
1996     except where the removal is at the specific written request of  
1997     the voter and other activities concerning any such list.

1998                 (f) Hours of any early voting site, or location or number  
1999     of early voting sites, polling places, or secure ballot intake  
2000     stations.

2001        (g) Assignment of voting precincts to polling places or  
2002        secure ballot intake station locations.

2003        (h) Assistance offered to protected class members.

2004        (i) Any additional subject matter the FLVRA Commission may  
2005        identify for inclusion in this subsection, pursuant to  
2006        commission rule, if the commission determines that any election  
2007        policy or practice may have the effect of diminishing the right  
2008        to vote of any protected class member or have the effect of  
2009        violating this act.

2010        (3) Following each decennial census, if a covered  
2011        jurisdiction does not make changes to its method of election,  
2012        including, but not limited to, maintaining an at-large method of  
2013        election or not making revisions to a district-based method of  
2014        election, the method of election must be deemed a covered policy  
2015        and must be submitted to the FLVRA Commission pursuant to this  
2016        section.

2017        (4) A covered jurisdiction includes any of the following:

2018        (a) A local government that, within the preceding 25  
2019        years, has been subject to a court order, government enforcement  
2020        action, court-approved consent decree, or other settlement in  
2021        which the local government conceded liability, based upon a  
2022        violation of this act, the federal Voting Rights Act, the 15th  
2023        Amendment to the United States Constitution, a voting-related  
2024        violation of the 14th Amendment to the United States  
2025        Constitution, or any violation of any other state or federal

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2026 election law, concerning discrimination against members of a  
2027 protected class.

2028 (b) A local government that, within the preceding 25  
2029 years, has been subject to any court order, government  
2030 enforcement action, court-approved consent decree, or any other  
2031 settlement in which the local government conceded liability,  
2032 based upon a violation of any state or federal civil rights law  
2033 or the 14th Amendment to the United States Constitution,  
2034 concerning discrimination against members of a protected class.

2035 (c) A local government that, during the preceding 3 years,  
2036 has failed to comply with its obligation to provide data or  
2037 information to the database pursuant to s. 97.23.

2038 (d) A local government that, during the preceding 25  
2039 years, was found to have enacted or implemented a covered policy  
2040 without obtaining preclearance for that policy pursuant to this  
2041 section.

2042 (e) A local government that contains at least 1,000  
2043 eligible voters of any protected class, or in which members of  
2044 any protected class constitute at least 10 percent of the  
2045 eligible voter population of the local government, and in which,  
2046 in any year in the preceding 10 years, the percentage of voters  
2047 of any protected class in a local government which participated  
2048 in any general election for any local government office was at  
2049 least 10 percentage points lower than the percentage of all  
2050 voters in the local government who participated in such

2051 election.

2052 (f) A local government that contains at least 1,000  
2053 eligible voters of any protected class, or in which members of  
2054 any protected class constitute at least 10 percent of the  
2055 eligible voter population of the local government, and in which,  
2056 in any year in the preceding 10 years, the percentage of  
2057 eligible voters of that protected class who were registered to  
2058 vote was at least 10 percentage points lower than the percentage  
2059 of all eligible voters in the local government who registered to  
2060 vote.

2061 (g) A local government that contains at least 1,000  
2062 eligible voters of any protected class, or in which members of  
2063 any protected class constitute at least 10 percent of the  
2064 eligible voter population of the local government, and in which,  
2065 in any year in the preceding 10 years, based on data made  
2066 available by the United States Census, the dissimilarity index  
2067 of such protected class, calculated using census tracts, was in  
2068 excess of 50 percent with respect to the race, color, or  
2069 language minority group that comprises a plurality within the  
2070 local government.

2071 (h) A local government that contains at least 1,000  
2072 eligible voters of any protected class, or in which members of  
2073 any protected class constitute at least 10 percent of the  
2074 eligible voter population of the local government, and in which,  
2075 in any year in the preceding 10 years, the poverty rate among

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2076 the population of such protected class exceeded the poverty rate  
2077 among the population of the local government as a whole by at  
2078 least 10 percentage points.

2079 (i) A county that contains at least 1,000 eligible voters  
2080 of any protected class, or in which members of any protected  
2081 class constitute at least 10 percent of the eligible voter  
2082 population of the county, and in which, in any year in the  
2083 preceding 10 years, the arrest rate among members of such  
2084 protected class exceeded the arrest rate among the population of  
2085 the county as a whole by at least 10 percentage points.

2086 (j) Any school district that contains at least 1,000  
2087 eligible voters of any protected class, or in which members of  
2088 any protected class constitute at least 10 percent of the  
2089 eligible voter population of the school district, and in which,  
2090 in any year in the preceding 10 years, the graduation rate of  
2091 such protected class was lower than the graduation rate of the  
2092 entire district student population by at least 10 percentage  
2093 points.

2094 (5) The FLVRA Commission shall determine on an annual  
2095 basis which local governments are covered jurisdictions and  
2096 publish a list of such jurisdictions on its website.

2097 (6) If a covered jurisdiction seeks preclearance from the  
2098 FLVRA Commission for the adoption or implementation of any  
2099 covered policy, the covered jurisdiction must submit the covered  
2100 policy to the commission in writing and may obtain preclearance

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2101 in accordance with this section.

2102 (a) The FLVRA Commission shall review the covered policy  
2103 submitted for preclearance, including any comments submitted by  
2104 members of the public, and make a determination to grant or deny  
2105 preclearance. The covered jurisdiction bears the burden of proof  
2106 in any preclearance determinations.

2107 (b) 1. The FLVRA Commission may deny preclearance to a  
2108 submitted covered policy only if it determines that:

2109 a. The covered policy is more likely than not to diminish  
2110 the opportunity or ability of protected class members to  
2111 participate in the political process and elect candidates of  
2112 their choice or otherwise influence the outcome of elections; or

2113 b. The covered policy is more likely than not to violate  
2114 this act.

2115 2. If the commission denies preclearance, the applicable  
2116 covered jurisdiction may not enact or implement the covered  
2117 policy. The commission shall provide a written explanation for a  
2118 denial.

2119 (c) If the FLVRA Commission grants preclearance to a  
2120 covered policy, the covered jurisdiction may immediately enact  
2121 or implement the covered policy. A determination by the  
2122 commission to grant preclearance is not admissible in, and may  
2123 not be considered by, a court in any subsequent action  
2124 challenging the covered policy. If the commission fails to deny  
2125 or grant preclearance to a submitted covered policy within the

2126 timeframes set forth in paragraph (d), the covered policy is  
2127 deemed to be precleared, and the covered jurisdiction may enact  
2128 or implement the covered policy.

2129 (d) If a covered policy concerns the method of election  
2130 for a legislative body, districting or redistricting, the number  
2131 of seats on the legislative body, or annexation, incorporation,  
2132 dissolution, consolidation, or division of a local government,  
2133 the FLVRA Commission must review the covered policy, including  
2134 any comments submitted by members of the public, and make a  
2135 determination to deny or grant preclearance within 60 days after  
2136 the submission of the covered policy. The commission may invoke  
2137 up to two extensions of 90 days each to make such a  
2138 determination. For all other covered policies, the commission  
2139 shall review the covered policy, including any public comment,  
2140 and make a determination to deny or grant preclearance within 30  
2141 days after the submission of the covered policy. The commission  
2142 may invoke an extension of 60 days to make such a determination.

2143 (e) A denial of preclearance under this section may be  
2144 appealed only by the covered jurisdiction and must be filed in  
2145 the Second Judicial Circuit. Other parties may not file an  
2146 action to appeal a denial of preclearance or intervene in any  
2147 such action brought by the covered jurisdiction.

2148 (7) If a covered jurisdiction enacts or implements any  
2149 covered policy without obtaining preclearance for such covered  
2150 policy in accordance with this section, any individual or entity

2151 aggrieved by such violation, the director of the database and  
2152 institute, the Attorney General, or the FLVRA Commission may  
2153 file an action to enjoin enactment or implementation and seek  
2154 sanctions against the covered jurisdiction for violations of  
2155 this section. An entity aggrieved by a violation of this section  
2156 includes, but is not limited to, any entity whose membership  
2157 includes individuals aggrieved by this section or whose mission  
2158 would be frustrated by a violation of this section, including,  
2159 but not limited to, an entity that would expend or divest  
2160 resources to fulfill its mission as a result of such violation  
2161 or must expend greater resources or efforts to advocate before  
2162 an elected body that is less responsive to the entity or its  
2163 members due to the alleged violation. An entity may not be  
2164 compelled to disclose the identity of any specific member to  
2165 pursue a claim on behalf of its members. This section must be  
2166 liberally construed to confer standing as broadly as the State  
2167 Constitution allows. Such a claim may be filed pursuant to the  
2168 Florida Rules of Civil Procedure or in the Second Judicial  
2169 Circuit. A claim under this subsection does not preclude, bar,  
2170 or limit in any way any other claims that may be brought  
2171 regarding the covered policy, including claims brought under  
2172 other sections of this act.

2173 (8) If the FLVRA Commission approves preclearance for a  
2174 covered policy in violation of this section, identifies or fails  
2175 to identify a list of local governments that are covered

2176 jurisdictions in violation of this section, or otherwise fails  
2177 to properly implement this section, any individual or entity  
2178 aggrieved by such a violation may file an action seeking  
2179 appropriate relief, including, but not limited to, injunctive  
2180 relief on the commission or any other party, as the court deems  
2181 necessary to enforce this section. An entity aggrieved by a  
2182 violation of this section includes, but is not limited to, any  
2183 entity whose membership includes individuals aggrieved by this  
2184 section or whose mission would be frustrated by a violation of  
2185 this section, including, but not limited to, an entity that  
2186 would expend or divest resources to fulfill its mission as a  
2187 result of such violation or must expend greater resources or  
2188 efforts to advocate before an elected body that is less  
2189 responsive to the entity or its members due to the alleged  
2190 violation. An entity may not be compelled to disclose the  
2191 identity of any specific member to pursue a claim on behalf of  
2192 its members. This section must be liberally construed to confer  
2193 standing as broadly as the State Constitution allows. Such a  
2194 claim may be filed pursuant to the Florida Rules of Civil  
2195 Procedure or in the Second Judicial Circuit of Florida. A claim  
2196 under this subsection does not preclude, bar, or limit any other  
2197 claims that may be brought regarding any covered policy,  
2198 including claims brought under other sections of this act.

2199 (9) The FLVRA Commission shall adopt rules to implement  
2200 this section, including rules concerning the content of and

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2201 procedure for preclearance submission, procedures for public  
2202 comment and transparency regarding preclearance determinations,  
2203 and procedures for expedited and emergency preclearance  
2204 determinations that deviate from the timelines provided in  
2205 paragraph (6) (d), provided that such preclearance determinations  
2206 are preliminary.

2207 **Section 15. Section 97.26, Florida Statutes, is created to**  
2208 **read:**

2209 97.26 Voter intimidation, deception, and obstruction.—  
2210 (1) A person may not, whether acting under color of law or  
2211 otherwise, engage in acts of intimidation, deception, or  
2212 obstruction, or any other tactic that has the effect of or may  
2213 reasonably have the effect of interfering with another person's  
2214 right to vote.

2215 (2) A violation of subsection (1) includes any of the  
2216 following:

2217 (a) The use of force or threats to use force, or the use  
2218 of any other conduct to practice intimidation, which causes or  
2219 will reasonably have the effect of causing interference with an  
2220 individual's right to vote.

2221 (b) Knowingly using or deploying a deceptive or fraudulent  
2222 device, contrivance, or communication that causes or will  
2223 reasonably have the effect of causing interference with an  
2224 individual's right to vote.

2225 (c) The obstruction of, impediment to, or interference

2226 with access to any early voting site, polling place, secure  
2227 ballot intake station, or office of the supervisor of elections  
2228 in a manner that causes or will reasonably have the effect of  
2229 causing interference with an individual's right to vote or  
2230 causing any delay in voting or the voting process.

2231 (3) (a) In any action to enforce this section, there is a  
2232 rebuttable presumption that a person has violated this section  
2233 if he or she openly carries or brandishes a firearm, an  
2234 imitation firearm, a toy gun, a machete, an axe, a sword, or any  
2235 weapon as defined in s. 790.001 while:

2236 1. Interacting with or observing any person voting or  
2237 attempting to vote;

2238 2. Urging or aiding any person to vote or attempt to vote,  
2239 whether as part of official election administration activities  
2240 or unofficial activities; or

2241 3. Exercising any power or duty in administering  
2242 elections, including, but not limited to, vote counting,  
2243 canvassing, or certifying returns.

2244 (b) A law enforcement officer as defined in s. 943.10  
2245 acting within the scope of his or her official duties is not  
2246 subject to the presumption under paragraph (a), but a court may  
2247 nonetheless consider a law enforcement officer's possession of a  
2248 firearm in determining whether the officer violated this  
2249 section.

2250 (4) Any individual or entity aggrieved by a violation of

2251 this section, the Attorney General, or the FLVRA Commission may  
2252 file a civil action alleging a violation of this section. An  
2253 entity aggrieved by a violation of this section includes, but is  
2254 not limited to, any entity whose membership includes individuals  
2255 aggrieved by this section or whose mission would be frustrated  
2256 by a violation of this section, including, but not limited to,  
2257 an entity that would expend or divest resources to fulfill its  
2258 mission as a result of such violation or must expend greater  
2259 resources or efforts to advocate before an elected body that is  
2260 less responsive to the entity or its members due to the alleged  
2261 violation. An entity may not be compelled to disclose the  
2262 identity of any specific member to pursue a claim on behalf of  
2263 its members. This section must be liberally construed to confer  
2264 standing as broadly as the State Constitution allows. Such a  
2265 claim may be filed pursuant to the Florida Rules of Civil  
2266 Procedure or in the Second Judicial Circuit.

2267 (5) In addition to any remedies that may be imposed under  
2268 s. 97.28, if the court finds a violation of this section, the  
2269 court must order appropriate remedies that are tailored to  
2270 addressing the violation, including, but not limited to,  
2271 providing for additional time for individuals to vote in an  
2272 election, a primary, or a referendum and awarding nominal  
2273 damages for any violation and compensatory or punitive damages  
2274 for any willful violation.

2275 **Section 16. Section 97.27, Florida Statutes, is created to**

2276 **read:**

2277 97.27 Democracy canon.—

2278 (1) Any provision of this code and any regulation,  
2279 charter, home rule ordinance, or other enactment of the state or  
2280 any local government relating to the right to vote must be  
2281 liberally construed in favor of the rights enumerated in  
2282 paragraphs (a) - (e), as follows:

2283 (a) Protecting the individual's right to cast a ballot and  
2284 make the ballot valid.

2285 (b) Ensuring eligible individuals seeking voter  
2286 registration are not impaired in being registered.

2287 (c) Ensuring voters are not impaired in voting, including,  
2288 but not limited to, having their votes counted.

2289 (d) Making the fundamental right to vote more accessible  
2290 to eligible voters.

2291 (e) Ensuring equitable access for protected class members  
2292 to opportunities to be registered to vote and to vote.

2293 (2) It is the policy of the state that courts should  
2294 exercise their discretion on any issue, including, but not  
2295 limited to, questions of discovery, procedure, admissibility of  
2296 evidence, or remedies, in favor of the rights enumerated in  
2297 paragraphs (1) (a) - (e) to the extent allowable by law.  
2298 Furthermore, it is the policy of the state to promote the free  
2299 flow of documents and information concerning the intent of  
2300 public officials in actions concerning the right to vote.

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2301 Accordingly, in any action under this act, the federal Voting  
2302 Rights Act, or a voting-related claim under the State  
2303 Constitution or the United States Constitution, sovereign,  
2304 governmental, executive, legislative, or deliberative immunities  
2305 and privileges, including any evidentiary privileges, may not be  
2306 asserted. However, this section does not apply to any attorney-  
2307 client or attorney work-product privileges.

2308 **Section 17. Section 97.28, Florida Statutes, is created to**  
2309 **read:**

2310 97.28 Remedies.—

2311 (1) If a court finds a violation of this act, the court  
2312 must order appropriate remedies that are tailored to address  
2313 such violation and to ensure protected class members have  
2314 equitable opportunities to fully participate in the political  
2315 process and that the remedies can be implemented in a manner  
2316 that will not unduly disrupt the administration of an ongoing or  
2317 imminent election. Appropriate remedies include, but need not be  
2318 limited to, any of the following:

2319 (a) Another method of election or changes to the existing  
2320 method of election.

2321 (b) Elimination of staggered elections so that all members  
2322 of the legislative body are elected at the same time.

2323 (c) Reasonably increasing the size of the legislative  
2324 body.

2325 (d) Additional voting days or hours.

2326        (e) Additional polling places and early voting sites.  
2327        (f) Additional opportunities to return ballots.  
2328        (g) Holding special elections.  
2329        (h) Expanded opportunities for voter registration.  
2330        (i) Additional voter education.  
2331        (j) The restoration or addition of individuals to registry  
2332 lists.  
2333        (k) Retaining jurisdiction for such a period of time as  
2334 the court deems appropriate.  
2335        (2) The court shall consider remedies proposed by any  
2336 party to the action or by interested nonparties. The court may  
2337 not give deference or priority to a proposed remedy because it  
2338 is proposed by the state or local government.  
2339        (3) If necessary to remedy a violation of this act, the  
2340 court is empowered to require a local government to implement  
2341 remedies that are inconsistent with any other law and any  
2342 special act, charter or home rule ordinance, or other enactment  
2343 of the state or local government.  
2344        (4) Notwithstanding the Florida Rules of Civil Procedure  
2345 or any other law, the court must grant a temporary injunction  
2346 and any other preliminary relief requested under this section  
2347 with respect to an upcoming election if the court determines  
2348 that the party is more likely than not to succeed on the merits  
2349 and that it is possible to implement an appropriate temporary  
2350 remedy that would resolve the violation alleged under this

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2351 section before the next general election.

2352 (5) In any action to enforce this act, the court shall  
2353 award reasonable attorney fees and litigation costs, including,  
2354 but not limited to, expert witness fees and expenses, to the  
2355 party that filed an action, other than a state or local  
2356 government, and that prevailed in such action. The party that  
2357 filed the action is deemed to have prevailed when, as a result  
2358 of litigation, the party against whom the action was filed has  
2359 yielded some or all of the relief sought in the action. In the  
2360 case of a party against whom an action was filed and who  
2361 prevailed, the court may not award the party any costs unless  
2362 the court finds the action to be frivolous, unreasonable, or  
2363 without foundation.

2364 **Section 18. Paragraph (b) of subsection (4) of section**  
2365 **98.045, Florida Statutes, is amended to read:**

2366 98.045 Administration of voter registration.—

2367 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
2368 STREET ADDRESSES.—

2369 (b) The department shall make the statewide database of  
2370 valid street addresses available to the Department of Highway  
2371 Safety and Motor Vehicles as provided in s. 97.057(8) s.  
2372 97.057(10). The Department of Highway Safety and Motor Vehicles  
2373 shall use the database for purposes of validating the legal  
2374 residential addresses provided in voter registration  
2375 applications received by the Department of Highway Safety and

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2376 Motor Vehicles.

2377       **Section 19. Subsections (1) and (2) of section 98.255, Florida Statutes, are amended to read:**

2379       98.255 Voter education programs.—

2380       (1) The Department of State shall adopt rules prescribing  
2381 minimum standards for nonpartisan voter education. The standards  
2382 shall, at a minimum, address:

2383       (a) Voter registration;

2384       (b) Balloting procedures, by mail and polling place;

2385       (c) Voter rights and responsibilities;

2386       (d) Distribution of sample ballots; and

2387       (e) Public service announcements; and

2388       (f) Plain writing standards consistent with official

2389 federal guidelines for the Plain Writing Act of 2010 and United  
2390 States Election Assistance Commission best practices for  
2391 designing effective voter education materials.

2392       (2) Each county supervisor shall implement the minimum  
2393 voter education standards, and shall conduct additional  
2394 nonpartisan education efforts as necessary to ensure that voters  
2395 have a working knowledge of the voting process. This includes  
2396 providing, to the extent possible, public-facing voter  
2397 information in plain language reasonably calculated to be  
2398 understood by persons with grade 8 reading level or lower.

2399       **Section 20. Paragraphs (e) and (g) of subsection (14) of**  
2400 **section 100.371, Florida Statutes, are amended to read:**

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2401 100.371 Initiatives; procedure for placement on ballot.—  
2402 (14)

2403 (e) Beginning October 1, 2025, when the signature on the  
2404 petition form is verified as valid, the supervisor shall, as  
2405 soon as practicable, notify the voter by mail at the mailing  
2406 address on file in the Florida Voter Registration System.

2407 1. Such notice must be sent by forwardable mail with a  
2408 postage prepaid preaddressed form, which may be returned to the  
2409 office of the supervisor of elections ~~Office of Election Crimes~~  
2410 and ~~Security~~. The notice must include contact information for  
2411 the office of the supervisor of elections ~~Office of Election~~  
2412 ~~Crimes and Security~~, including the telephone number, fax number,  
2413 mailing address, and e-mail address. The notice must include all  
2414 of the following statements or information in substantially the  
2415 following form:

2416  
2417 NOTICE

2419 A petition to place a proposed constitutional  
2420 amendment on the ballot for the next general election,  
2421 bearing your name and signature, has been received and  
2422 verified by the Supervisor of Elections Office in  
2423 ... (insert county) ....

2424  
2425 The petition is for ... (insert the petition serial

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2426       number and ballot title) ... and was signed on  
2427       ...(insert the date the voter signed the petition) ....

2428  
2429       Check this box  sign, and return this notice to the  
2430       Office of the Supervisor of Elections ~~Office of~~  
2431       ~~Election Crimes and Security~~ if you believe your  
2432       signature has been misrepresented or forged on a  
2433       petition. The petition form in question will be  
2434       invalidated and will not be counted toward the number  
2435       of signatures required to place this proposed  
2436       constitutional amendment on the ballot.

2437  
2438       A notice being returned must be received by the Office  
2439       of the Supervisor of Elections ~~Office of Election~~  
2440       ~~Crimes and Security~~ on or before February 1 ... (insert  
2441       the year in which the general election is held) ....

2442  
2443       ... (Insert the voter's Florida voter registration  
2444       number, and if applicable, the petition circulator's  
2445       number) ....

2446  
2447       By signing below, I swear or affirm that my signature  
2448       was misrepresented or forged on the petition form  
2449       indicated in this notice.

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2451        ... (Voter's Signature) ...        ... (Date) ...

2452

2453        This notice becomes a public record upon receipt by  
2454        the Office of the Supervisor of Elections ~~Office of~~  
2455        ~~Election Crimes and Security~~. It is a second degree  
2456        misdemeanor, punishable as provided in s. 775.082,  
2457        Florida Statutes, or s. 772.083, Florida Statutes, for  
2458        a person to knowingly make a false official statement  
2459        pursuant to s. 837.06, Florida Statutes.

2460

2461        2. Upon receiving a completed notice, the Office of the  
2462        Supervisor of Elections ~~Office of Election Crimes and Security~~  
2463        shall transmit a copy of such notices to the division. The  
2464        division shall deem the voter's petition form invalid.

2465        (g) On the last day of each month, or on the last day of  
2466        each week from December 1 of an odd-numbered year through  
2467        February 1 of the following year, each supervisor shall post on  
2468        his or her website the total number of signatures submitted, the  
2469        total number of invalid signatures, the total number of  
2470        signatures processed, and the aggregate number of verified valid  
2471        signatures and the distribution of such signatures by  
2472        congressional district for each proposed amendment proposed by  
2473        initiative, along with the following information specific to the  
2474        reporting period: the total number of signed petition forms  
2475        received, the total number of signatures verified, the

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2476 distribution of verified valid signatures by congressional  
2477 district, and the total number of verified petition forms  
2478 forwarded to the Secretary of State. For any reporting period in  
2479 which the percentage of petition forms deemed invalid by the  
2480 supervisor exceeds a total of 25 percent of the petition forms  
2481 received by the supervisor for that reporting period, the  
2482 supervisor shall notify the department Office of Election Crimes  
2483 and Security. The department Office of Election Crimes and  
2484 Security shall conduct a preliminary investigation into the  
2485 activities of the sponsor, one or more petition circulators, or  
2486 a person collecting petition forms on behalf of a sponsor, to  
2487 determine whether the invalidated petitions are a result of  
2488 fraud or any other violation of this section. As authorized by  
2489 s. 97.012(15) ss. 97.012(15) and 97.022(1), the secretary Office  
2490 of Elections Crimes and Security may, if warranted, report  
2491 findings to the statewide prosecutor or the state attorney for  
2492 the judicial circuit in which the alleged violation occurred for  
2493 prosecution.

2494 **Section 21. Section 100.51, Florida Statutes, is created  
2495 to read:**

2496 100.51 General Election Day paid holiday.—In order to  
2497 encourage civic participation, enable more individuals to serve  
2498 as poll workers, and provide additional time for the resolution  
2499 of any issue that arises while a voter is casting his or her  
2500 ballot, General Election Day shall be a paid holiday. A voter is

2501       entitled to absent himself or herself from any service or  
2502       employment in which he or she is engaged or employed during the  
2503       time the polls are open on General Election Day. A voter who  
2504       absents himself or herself under this section may not be  
2505       penalized in any way, and a deduction may not be made from his  
2506       or her usual salary or wages, on account of his or her absence.

2507       **Section 22. Section 101.016, Florida Statutes, is created**  
2508       **to read:**

2509       101.016 Strategic elections equipment reserve.—

2510       (1) The Division of Elections shall maintain a secure  
2511       election equipment reserve that may be deployed in the event of  
2512       an emergency as defined in s. 101.732 or in the event of  
2513       capacity issues due to unexpected voter turnout.

2514       (2) The reserve, at a minimum, must include ballot marking  
2515       devices, scanners, tabulation equipment, ballot-on-demand  
2516       printers, paper required for voting machines and printers,  
2517       accessible voting equipment, electronic poll books,  
2518       uninterrupted power supplies, generators, cabling, and power  
2519       cords, and may include other related equipment necessary to  
2520       ensure the continuity of elections, consistent with the voting  
2521       systems certified for use by each supervisor of elections.

2522       (3) The division may, in lieu of maintaining a physical  
2523       reserve of such equipment, contract with one or more certified  
2524       vendors of voting systems to provide such equipment on an as-  
2525       needed basis. Any such contract must include all of the

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2526 following:

2527 (a) A guaranteed delivery timeframe no later than 24 hours  
2528 after a request by a supervisor of election, the division, or  
2529 the department.

2530 (b) Requirements for the secure transportation,  
2531 installation, and removal of equipment.

2532 (c) Maintenance of secure custody and detailed chain-of-  
2533 custody records for all equipment consistent with s. 101.015 and  
2534 related administrative rules, including documentation of each  
2535 transfer, installation, removal, and compliance with applicable  
2536 state cybersecurity and physical security standards.

2537 (4) No later than February 1, 2027, and annually no later  
2538 than February 1 thereafter, the division shall submit a report  
2539 to the Governor, the President of the Senate, and the Speaker of  
2540 the House of Representatives which includes all of the  
2541 following:

2542 (a) The current inventory of equipment held in reserve or  
2543 available by vendor contract.

2544 (b) A list of all deployments of equipment under this  
2545 section during the preceding calendar year, including the reason  
2546 for deployment, response time, and associated costs.

2547 (c) Recommendations for improvements to ensure readiness  
2548 for future elections.

2549 **Section 23.** Section 101.019, Florida Statutes, is  
2550 repealed.

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2551       **Section 24. Subsections (1) and (2) of section 101.048,  
2552       Florida Statutes, are amended to read:**

2553       101.048 Provisional ballots.—

2554       (1) At all elections, a voter claiming to be properly  
2555       registered in this ~~the~~ state and eligible to vote ~~at the~~  
2556       precinct in the election but whose eligibility cannot be  
2557       determined, a person whom an election official asserts is not  
2558       eligible, including, but not limited to, a person to whom notice  
2559       has been sent pursuant to s. 98.075(7), but for whom a final  
2560       determination of eligibility has not been made, and other  
2561       persons specified in the code is ~~shall~~ be entitled to vote a  
2562       provisional ballot at any precinct in the county in which the  
2563       voter claims to be registered. Once voted, the provisional  
2564       ballot must be placed in a secrecy envelope and thereafter  
2565       sealed in a provisional ballot envelope. The provisional ballot  
2566       must be deposited in a ballot box. All provisional ballots must  
2567       remain sealed in their envelopes for return to the supervisor of  
2568       elections. The department shall prescribe the form of the  
2569       provisional ballot envelope. A person casting a provisional  
2570       ballot has the right to present written evidence supporting his  
2571       or her eligibility to vote to the supervisor of elections by not  
2572       later than 5 p.m. on the second day following the election.

2573       (2) (a) The county canvassing board shall examine each  
2574       Provisional Ballot Voter's Certificate and Affirmation to  
2575       determine if the person voting that ballot was entitled to vote

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2576     in the county in which ~~at the precinct where~~ the person cast a  
2577     vote in the election and that the person had not otherwise  
2578     already cast a ballot in the election. In determining whether a  
2579     person casting a provisional ballot is entitled to vote, the  
2580     county canvassing board shall review the information provided in  
2581     the Voter's Certificate and Affirmation, written evidence  
2582     provided by the person pursuant to subsection (1), information  
2583     provided in any cure affidavit and accompanying supporting  
2584     documentation pursuant to subsection (6), any other evidence  
2585     presented by the supervisor, and, in the case of a challenge,  
2586     any evidence presented by the challenger. A ballot of a person  
2587     casting a provisional ballot must ~~shall~~ be canvassed pursuant to  
2588     paragraph (b) unless the canvassing board determines by a  
2589     preponderance of the evidence that the person was not entitled  
2590     to vote.

2591         (b) If it is determined that the person was registered and  
2592     entitled to vote in the county in which ~~at the precinct where~~  
2593     the person cast a vote in the election, the canvassing board  
2594     must compare the signature on the Provisional Ballot Voter's  
2595     Certificate and Affirmation or the provisional ballot cure  
2596     affidavit with the signature on the voter's registration or  
2597     precinct register. A provisional ballot may be counted only if:

2598             1. The signature on the voter's certificate or the cure  
2599     affidavit matches the elector's signature in the registration  
2600     books or the precinct register; however, in the case of a cure

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2601 affidavit, the supporting identification listed in subsection  
2602 (6) must also confirm the identity of the elector; or

2603 2. The cure affidavit contains a signature that does not  
2604 match the elector's signature in the registration books or the  
2605 precinct register, but the elector has submitted a current and  
2606 valid Tier 1 form of identification confirming his or her  
2607 identity pursuant to subsection (6).

2608

2609 For purposes of this paragraph, any canvassing board finding  
2610 that signatures do not match must be by majority vote and beyond  
2611 a reasonable doubt.

2612 (c) Any provisional ballot not counted must remain in the  
2613 envelope containing the Provisional Ballot Voter's Certificate  
2614 and Affirmation, and the envelope must shall be marked "Rejected  
2615 as Illegal."

2616 (d) If a provisional ballot is validated following the  
2617 submission of a cure affidavit, the supervisor must make a copy  
2618 of the affidavit, affix it to a voter registration application,  
2619 and immediately process it as a valid request for a signature  
2620 update pursuant to s. 98.077.

2621 **Section 25. Subsection (1) of section 101.572, Florida  
2622 Statutes, is amended to read:**

2623 101.572 Public inspection of ballots.—

2624 (1) ~~The official ballots and ballot cards received from  
2625 election boards and removed from vote by mail ballot mailing~~

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2626 envelopes and voter certificates on such mailing envelopes shall  
2627 be open for public inspection or examination while in the  
2628 custody of the supervisor of elections or the county canvassing  
2629 board at any reasonable time, under reasonable conditions;  
2630 however, no persons other than the supervisor of elections or  
2631 his or her employees or the county canvassing board shall handle  
2632 any official ballot or ballot card. If the ballots are being  
2633 examined prior to the end of the contest period in s. 102.168,  
2634 the supervisor of elections shall make a reasonable effort to  
2635 notify all candidates whose names appear on such ballots or  
2636 ballot cards by telephone or otherwise of the time and place of  
2637 the inspection or examination. All such candidates, or their  
2638 representatives, shall be allowed to be present during the  
2639 inspection or examination.

2640 **Section 26. Paragraph (a) of subsection (1) and paragraphs**  
2641 **(c) and (d) of subsection (3) of section 101.62, Florida**  
2642 **Statutes, are amended, and subsection (7) is added to that**  
2643 **section, to read:**

2644 101.62 Request for vote-by-mail ballots.—

2645 (1) REQUEST.—

2646 (a) The supervisor shall accept a request for a vote-by-  
2647 mail ballot only from a voter or, if directly instructed by the  
2648 voter, a member of the voter's immediate family or the voter's  
2649 legal guardian. A request may be made in person, in writing, by  
2650 telephone, or through the supervisor's website. The department

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2651 shall prescribe by rule by October 1, 2023, a uniform statewide  
2652 application to make a written request for a vote-by-mail ballot  
2653 which includes fields for all information required in this  
2654 subsection. One request is deemed sufficient to receive a vote-  
2655 by-mail ballot for all elections until the voter or the voter's  
2656 designee notifies the supervisor that the voter cancels such  
2657 request through the end of the calendar year of the next  
2658 regularly scheduled general election, unless the voter or the  
2659 voter's designee indicates at the time the request is made the  
2660 elections ~~within such period~~ for which the voter desires to  
2661 receive a vote-by-mail ballot. The supervisor must cancel a  
2662 request for a vote-by-mail ballot when any first-class mail or  
2663 nonforwardable mail sent by the supervisor to the voter is  
2664 returned as undeliverable. If the voter requests a vote-by-mail  
2665 ballot thereafter, the voter must provide or confirm his or her  
2666 current residential address.

2667 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.—

2668 (c) Except as otherwise provided in paragraph (a) or  
2669 paragraph (b), the supervisor shall mail vote-by-mail ballots  
2670 within 2 business days after receiving a request for such a  
2671 ballot, but no later than the 11th 10th day before election day.  
2672 The deadline to submit a request for a ballot to be mailed is 5  
2673 p.m. local time on the 12th day before an upcoming election.

2674 (d) Upon a request for a vote-by-mail ballot, the  
2675 supervisor shall provide a vote-by-mail ballot to each voter by

2676 whom a request for that ballot has been made, by one of the  
2677 following means:

2678 1. By nonforwardable, return-if-undeliverable mail to the  
2679 voter's current mailing address on file with the supervisor or  
2680 any other address the voter specifies in the request. The  
2681 envelopes must be prominently marked "Do Not Forward."

2682 2. By forwardable mail, e-mail, or facsimile machine  
2683 transmission to absent uniformed services voters and overseas  
2684 voters. The absent uniformed services voter or overseas voter  
2685 may designate in the vote-by-mail ballot request the preferred  
2686 method of transmission. If the voter does not designate the  
2687 method of transmission, the vote-by-mail ballot must be mailed.

2688 3. By personal delivery to the voter after vote-by-mail  
2689 ballots have been mailed and up to 7 p.m. on election day upon  
2690 presentation of the identification required in s. 101.043.

2691 4. By delivery to the voter's designee after vote-by-mail  
2692 ballots have been mailed and up to 7 p.m. on election day. Any  
2693 voter may designate in writing a person to pick up the ballot  
2694 for the voter; however, the person designated may not pick up  
2695 more than two vote by mail ballots per election, other than the  
2696 designee's own ballot, except that additional ballots may be  
2697 picked up for members of the designee's immediate family. The  
2698 designee shall provide to the supervisor the written  
2699 authorization by the voter and a picture identification of the  
2700 designee and must complete an affidavit. The designee shall

2701 state in the affidavit that the designee is authorized by the  
2702 voter to pick up that ballot and shall indicate if the voter is  
2703 a member of the designee's immediate family and, if so, the  
2704 relationship. The department shall prescribe the form of the  
2705 affidavit. If the supervisor is satisfied that the designee is  
2706 authorized to pick up the ballot and that the signature of the  
2707 voter on the written authorization matches the signature of the  
2708 voter on file, the supervisor must give the ballot to that  
2709 designee for delivery to the voter.

2710 5. Except as provided in s. 101.655, the supervisor may  
2711 not deliver a vote-by-mail ballot to a voter or a voter's  
2712 designee pursuant to subparagraph 3. or subparagraph 4.,  
2713 respectively, during the mandatory early voting period and up to  
2714 7 p.m. on election day, unless there is an emergency, to the  
2715 extent that the voter will be unable to go to a designated early  
2716 voting site in his or her county or to his or her assigned  
2717 polling place on election day. If a vote-by-mail ballot is  
2718 delivered, the voter or his or her designee must execute an  
2719 affidavit affirming to the facts which allow for delivery of the  
2720 vote-by-mail ballot. The department shall adopt a rule providing  
2721 for the form of the affidavit.

2722 (7) DEADLINE EXTENSION.—If a deadline under this section  
2723 falls on a day when the office of the supervisor is scheduled to  
2724 be closed, the deadline must be extended until the next business  
2725 day.

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Section 27. Paragraph (a) of subsection (1) and subsections (2) and (4) of section 101.64, Florida Statutes, are amended to read:

101.64 Delivery of vote-by-mail ballots; envelopes; form.—

(1) (a) The supervisor shall enclose with each vote-by-mail  
two envelopes: a secrecy envelope, into which the absent  
~~must elector shall~~ enclose his or her marked ballot; and a  
prepaid mailing envelope, into which the absent voter  
~~elector shall~~ then place the secrecy envelope, which must  
be addressed to the supervisor and also bear on the back  
a certificate in substantially the following form:

Note: Please Read Instructions Carefully Before  
Marking Ballot and Completing Voter's Certificate.

## VOTER'S CERTIFICATE

I, ...., do solemnly swear or affirm that I am a qualified and registered voter of .... County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot.

... (Date) ...

2751 ... (Voter's Signature or Last Four Digits of Social Security  
2752 Number) ...

2753 ... (E-Mail Address) ... ... (Home Telephone Number) ...

2754 ... (Mobile Telephone Number) ...

2755

2756 (2) The certificate must ~~shall~~ be arranged on the back of  
2757 the mailing envelope so that the line for the signature or ~~last~~  
2758 four digits of the social security number of the voter ~~are~~  
2759 ~~absent elector~~ is across the seal of the envelope; however, a ~~no~~  
2760 statement may not ~~shall~~ appear on the envelope which indicates  
2761 that a signature or the last four digits of the social security  
2762 number of the voter must cross the seal of the envelope. The  
2763 voter must ~~absent elector~~ shall execute the certificate on the  
2764 envelope.

2765 (4) The supervisor shall mark, code, indicate on, or  
2766 otherwise track the precinct of the voter ~~absent elector~~ for  
2767 each vote-by-mail ballot.

2768 **Section 28. Section 101.65, Florida Statutes, is amended**  
2769 **to read:**

2770 101.65 Instructions to absent electors.—The supervisor  
2771 shall enclose with each vote-by-mail ballot separate printed  
2772 instructions in substantially the following form; however, where  
2773 the instructions appear in capitalized text, the text of the  
2774 printed instructions must be in bold font:  
2775

2776                   READ THESE INSTRUCTIONS CAREFULLY  
2777                   BEFORE MARKING BALLOT.

2779           1. VERY IMPORTANT. In order to ensure that your vote-by-  
2780 mail ballot will be counted, it should be completed and returned  
2781 as soon as possible so that it can reach the supervisor of  
2782 elections of the county in which your precinct is located no  
2783 later than 7 p.m. on the day of the election. However, if you  
2784 are an overseas voter casting a ballot in a presidential  
2785 preference primary or general election, your vote-by-mail ballot  
2786 must be postmarked or dated no later than the date of the  
2787 election and received by the supervisor of elections of the  
2788 county in which you are registered to vote no later than 10 days  
2789 after the date of the election. Note that the later you return  
2790 your ballot, the less time you will have to cure any signature  
2791 deficiencies, which may cause your ballot not to be counted ~~is~~  
2792 ~~authorized until 5 p.m. on the 2nd day after the election. If~~  
2793 ~~there is a problem with your signature, the supervisor of~~  
2794 ~~elections must notify you as soon as practicable, and you have~~  
2795 ~~until 5 p.m. on the second day after the election to correct it.~~

2796           2. Mark your ballot in secret as instructed on the ballot.  
2797 You must mark your own ballot unless you are unable to do so  
2798 because of blindness, disability, or inability to read or write.

2799           3. Mark only the number of candidates or issue choices for  
2800 a race as indicated on the ballot. If you are allowed to "Vote

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2801 for One" candidate and you vote for more than one candidate,  
2802 your vote in that race will not be counted.

2803 4. Place your marked ballot in the enclosed secrecy  
2804 envelope.

2805 5. Insert the secrecy envelope into the enclosed mailing  
2806 envelope which is addressed to the supervisor.

2807 6. Seal the mailing envelope and completely fill out the  
2808 Voter's Certificate on the back of the mailing envelope.

2809 7. VERY IMPORTANT. In order for your vote-by-mail ballot  
2810 to be counted, you must sign your name or print the last four  
2811 digits of your social security number on the line above (Voter's  
2812 Signature or Last Four Digits of Social Security Number). A  
2813 vote-by-mail ballot will be considered illegal and not be  
2814 counted if the signature or the last four digits of the social  
2815 security number on the voter's certificate do does not match the  
2816 signature or social security number on record. The signature on  
2817 file at the time the supervisor of elections in the county in  
2818 which your precinct is located receives your vote-by-mail ballot  
2819 is the signature that will be used to verify your signature on  
2820 the voter's certificate. If you need to update your signature  
2821 for this election, send your signature update on a voter  
2822 registration application to your supervisor of elections ~~so that~~  
2823 ~~it is received before your vote by mail ballot is received.~~

2824 8. VERY IMPORTANT. If you are an overseas voter, you must  
2825 include the date you signed the Voter's Certificate or printed

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2826 the last four digits of your social security number on the line  
2827 above (Date) or your ballot may not be counted.

2828 9. Mail, deliver, or have delivered the completed mailing  
2829 envelope. If mailing, be sure there is sufficient postage if the  
2830 mailing envelope is not already postage-paid mailed. THE  
2831 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE  
2832 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS  
2833 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE  
2834 STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

2835 10. FELONY NOTICE. It is a felony under Florida law to  
2836 accept any gift, payment, or gratuity in exchange for your vote  
2837 for a candidate. It is also a felony under Florida law to vote  
2838 in an election using a false identity or false address, or under  
2839 any other circumstances making your ballot false or fraudulent.

2840 **Section 29. Paragraphs (a) and (b) of subsection (1),**  
2841 **paragraph (c) of subsection (2), and paragraphs (a), (c), and**  
2842 **(d) of subsection (4) of section 101.68, Florida Statutes, are**  
2843 **amended to read:**

2844 101.68 Canvassing of vote-by-mail ballot.—  
2845 (1) (a) The supervisor of the county where the absent  
2846 elector resides shall receive the voted ballot, at which time  
2847 the supervisor shall compare the signature or the last four  
2848 digits of the social security number of the elector on the  
2849 voter's certificate with the signature or the last four digits  
2850 of the social security number of the elector in the registration

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2851 books or the precinct register to determine whether the elector  
2852 is duly registered in the county and must record on the  
2853 elector's registration record that the elector has voted. During  
2854 the signature comparison process, the supervisor may not use any  
2855 knowledge of the political affiliation of the elector whose  
2856 signature is subject to verification.

2857 (b) An elector who dies after casting a vote-by-mail  
2858 ballot but on or before election day ~~must~~ shall remain listed in  
2859 the registration books until the results have been certified for  
2860 the election in which the ballot was cast. The supervisor shall  
2861 safely keep the ballot unopened in his or her office until the  
2862 county canvassing board canvasses the vote pursuant to  
2863 subsection (2).

2864 (2)

2865 (c)1. The canvassing board must, if the supervisor has not  
2866 already done so, compare the signature or the last four digits  
2867 of the social security number of the elector on the voter's  
2868 certificate or on the vote-by-mail ballot cure affidavit as  
2869 provided in subsection (4) with the signature or last four  
2870 digits of the social security number of the elector in the  
2871 registration books or the precinct register to see that the  
2872 elector is duly registered in the county and to determine the  
2873 validity ~~legality~~ of that vote-by-mail ballot. A vote-by-mail  
2874 ballot may only be counted if:

2875 a. The signature or last four digits of the social

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2876 security number on the voter's certificate or the cure affidavit  
2877 match matches the elector's signature or last four digits of the  
2878 social security number in the registration books or precinct  
2879 register; however, in the case of a cure affidavit, the  
2880 supporting identification listed in subsection (4) must also  
2881 confirm the identity of the elector; or

2882 b. The cure affidavit contains a signature or the last  
2883 four digits of a social security number which do that does not  
2884 match the elector's signature or last four digits of the social  
2885 security number in the registration books or precinct register,  
2886 but the elector has submitted a current and valid Tier 1  
2887 identification pursuant to subsection (4) which confirms the  
2888 identity of the elector.

2889  
2890 For purposes of this subparagraph, any canvassing board finding  
2891 that an elector's signatures or last four digits of the  
2892 elector's social security number do not match must be by  
2893 majority vote and beyond a reasonable doubt.

2894 2. The ballot of an elector who casts a vote-by-mail  
2895 ballot shall be counted even if the elector dies on or before  
2896 election day, as long as, before the death of the voter, the  
2897 ballot was postmarked by the United States Postal Service, date-  
2898 stamped with a verifiable tracking number by a common carrier,  
2899 or already in the possession of the supervisor.

2900 3. A vote-by-mail ballot is not considered invalid illegal

2901 if the signature or last four digits of the social security  
2902 number of the elector do ~~does~~ not cross the seal of the mailing  
2903 envelope.

2904 4. ~~If any elector or candidate present believes that a~~  
2905 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~  
2906 ~~voter's certificate or the cure affidavit, he or she may, at any~~  
2907 ~~time before the ballot is removed from the envelope, file with~~  
2908 ~~the canvassing board a protest against the canvass of that~~  
2909 ~~ballot, specifying the precinct, the voter's certificate or the~~  
2910 ~~cure affidavit, and the reason he or she believes the ballot to~~  
2911 ~~be illegal. A challenge based upon a defect in the voter's~~  
2912 ~~certificate or cure affidavit may not be accepted after the~~  
2913 ~~ballot has been removed from the mailing envelope.~~

2914 5. If the canvassing board determines that a ballot is  
2915 invalid illegal, a member of the board must, without opening the  
2916 envelope, mark across the face of the envelope: "rejected as  
2917 invalid illegal." The cure affidavit, if applicable, the  
2918 envelope, and the ballot therein must ~~shall~~ be preserved in the  
2919 manner that official ballots are preserved.

2920 (4) (a) As soon as practicable, the supervisor shall, on  
2921 behalf of the county canvassing board, attempt to notify an  
2922 elector who has returned a vote-by-mail ballot that does not  
2923 include the elector's signature or last four digits of the  
2924 elector's social security number or contains a signature or the  
2925 last four digits of a social security number that do ~~does~~ not

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2926 match the elector's signature or last four digits of the  
2927 elector's social security number in the registration books or  
2928 precinct register by:

2929 1. Notifying the elector of the signature or last four  
2930 digits of the social security number deficiency by e-mail and  
2931 directing the elector to the cure affidavit and instructions on  
2932 the supervisor's website;

2933 2. Notifying the elector of the signature or last four  
2934 digits of the social security number deficiency by text message  
2935 and directing the elector to the cure affidavit and instructions  
2936 on the supervisor's website; or

2937 3. Notifying the elector of the signature or last four  
2938 digits of the social security number deficiency by telephone and  
2939 directing the elector to the cure affidavit and instructions on  
2940 the supervisor's website.

2941  
2942 In addition to the notification required under subparagraph 1.,  
2943 subparagraph 2., or subparagraph 3., the supervisor must notify  
2944 the elector of the signature or last four digits of the social  
2945 security number deficiency by first-class mail and direct the  
2946 elector to the cure affidavit and instructions on the  
2947 supervisor's website. Beginning the day before the election, the  
2948 supervisor is not required to provide notice of the signature  
2949 deficiency by first-class mail, but shall continue to provide  
2950 notice as required under subparagraph 1., subparagraph 2., or

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2951 subparagraph 3.

2952 (c) The elector must complete a cure affidavit in  
2953 substantially the following form:

2954

2955 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

2956

2957 I, ...., am a qualified voter in this election and  
2958 registered voter of .... County, Florida. I do solemnly swear or  
2959 affirm that I requested and returned the vote-by-mail ballot and  
2960 that I have not and will not vote more than one ballot in this  
2961 election. I understand that if I commit or attempt any fraud in  
2962 connection with voting, vote a fraudulent ballot, or vote more  
2963 than once in an election, I may be convicted of a felony of the  
2964 third degree and fined up to \$5,000 and imprisoned for up to 5  
2965 years. I understand that my failure to sign this affidavit means  
2966 that my vote-by-mail ballot will be invalidated.

2967

2968 ... (Voter's Signature or Last Four Digits of Social Security  
2969 Number) ...

2970 ... (Address) ...

2971

2972 (d) Instructions must accompany the cure affidavit in  
2973 substantially the following form:

2974

2975 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE

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2976 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
2977 BALLOT NOT TO COUNT.

2978

2979 1. In order to ensure that your vote-by-mail ballot will  
2980 be counted, your affidavit should be completed and returned as  
2981 soon as possible so that it can reach the supervisor of  
2982 elections of the county in which your precinct is located no  
2983 later than 5 p.m. on the 2nd day after the election.

2984 2. You must sign your name or print the last four digits  
2985 of your social security number on the line above (Voter's  
2986 Signature or Last Four Digits of Social Security Number).

2987 3. You must make a copy of one of the following forms of  
2988 identification:

2989 a. Tier 1 identification.—Current and valid identification  
2990 that includes your name and photograph: Florida driver license;  
2991 Florida identification card issued by the Department of Highway  
2992 Safety and Motor Vehicles; United States passport; debit or  
2993 credit card; military identification; student identification;  
2994 retirement center identification; neighborhood association  
2995 identification; public assistance identification; veteran health  
2996 identification card issued by the United States Department of  
2997 Veterans Affairs; a Florida license to carry a concealed weapon  
2998 or firearm; or an employee identification card issued by any  
2999 branch, department, agency, or entity of the Federal Government,  
3000 the state, a county, or a municipality; or

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3001       b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1  
3002 FORM OF IDENTIFICATION, identification that shows your name and  
3003 current residence address: current utility bill, bank statement,  
3004 government check, paycheck, or government document (excluding  
3005 voter information card).

3006       4. Place the envelope bearing the affidavit into a mailing  
3007 envelope addressed to the supervisor. Insert a copy of your  
3008 identification in the mailing envelope. Mail (if time permits),  
3009 deliver, or have delivered the completed affidavit along with  
3010 the copy of your identification to your county supervisor of  
3011 elections. Be sure there is sufficient postage if mailed and  
3012 that the supervisor's address is correct. Remember, your  
3013 information MUST reach your county supervisor of elections no  
3014 later than 5 p.m. on the 2nd day after the election, or your  
3015 ballot will not count.

3016       5. Alternatively, you may hand deliver, fax, or e-mail  
3017 your completed affidavit and a copy of your identification to  
3018 the supervisor of elections. If e-mailing, please provide these  
3019 documents as attachments.

3020       **Section 30. Section 101.69, Florida Statutes, is amended**  
3021 **to read:**

3022       101.69 Voting in person; return of vote-by-mail ballot.—

3023       (1) The provisions of this code may ~~shall~~ not be construed  
3024 to prohibit any voter ~~elector~~ from voting in person at the  
3025 voter's ~~elector's~~ precinct on the day of an election or at an

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3026 early voting site, notwithstanding that the voter ~~elector~~ has  
3027 requested a vote-by-mail ballot for that election. A voter ~~An~~  
3028 ~~elector~~ who has returned a voted vote-by-mail ballot to the  
3029 supervisor, however, is deemed to have cast his or her ballot  
3030 and is not entitled to vote another ballot or to have a  
3031 provisional ballot counted by the county canvassing board. A  
3032 voter ~~An elector~~ who has received a vote-by-mail ballot and has  
3033 not returned the voted ballot to the supervisor, but desires to  
3034 vote in person, shall return the ballot, whether voted or not,  
3035 to the election board in the voter's ~~elector's~~ precinct or to an  
3036 early voting site. The returned ballot must ~~shall~~ be marked  
3037 "canceled" by the board and placed with other canceled ballots.  
3038 However, if the voter ~~elector~~ does not return the ballot and the  
3039 election official:

3040 (a) Confirms that the supervisor has received the voter's  
3041 ~~elector's~~ vote-by-mail ballot, the voter ~~may~~ ~~elector~~ ~~shall~~ not  
3042 be allowed to vote in person. If the voter ~~elector~~ maintains  
3043 that he or she has not returned the vote-by-mail ballot or  
3044 remains eligible to vote, the voter ~~must~~ ~~elector~~ ~~shall~~ be  
3045 provided a provisional ballot as provided in s. 101.048.

3046 (b) Confirms that the supervisor has not received the  
3047 voter's ~~elector's~~ vote-by-mail ballot, the voter ~~must~~ ~~elector~~  
3048 ~~shall~~ be allowed to vote in person as provided in this code. The  
3049 voter's ~~elector's~~ vote-by-mail ballot, if subsequently received,  
3050 ~~may~~ ~~shall~~ not be counted and must ~~shall~~ remain in the mailing

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3051 envelope, and the envelope must ~~shall~~ be marked "Rejected as  
3052 Illegal."

3053 (c) Cannot determine whether the supervisor has received  
3054 the voter's ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ may  
3055 vote a provisional ballot as provided in s. 101.048.

3056 (2) (a) The supervisor shall allow a voter ~~an elector~~ who  
3057 has received a vote-by-mail ballot to physically return a voted  
3058 vote-by-mail ballot to the supervisor by placing the return mail  
3059 envelope containing his or her marked ballot in a secure ballot  
3060 intake station. Secure ballot intake stations must ~~shall~~ be  
3061 placed at the main office of the supervisor, at each permanent  
3062 branch office of the supervisor which meets the criteria set  
3063 forth in s. 101.657(1) (a) for branch offices used for early  
3064 voting and which is open for at least the minimum number of  
3065 hours prescribed by s. 98.015(4), and at each early voting site.  
3066 Secure ballot intake stations may also be placed at any other  
3067 site that would otherwise qualify as an early voting site under  
3068 s. 101.657(1). Secure ballot intake stations must be  
3069 geographically located so as to provide all voters in the county  
3070 with an equal opportunity to cast a ballot, insofar as is  
3071 practicable. ~~Except for secure ballot intake stations at an~~  
3072 ~~office of the supervisor, a secure ballot intake station may~~  
3073 ~~only be used during the county's early voting hours of operation~~  
3074 ~~and must be monitored in person by an employee of the~~  
3075 ~~supervisor's office.~~ A secure ballot intake station at an office

3076 of the supervisor must be ~~continuously monitored in person by an~~  
3077 ~~employee of~~ the supervisor's office when the secure ballot  
3078 intake station is accessible for deposit of ballots.

3079 (b) A supervisor shall designate each secure ballot intake  
3080 station location at least 30 days before an election. The  
3081 supervisor shall provide the address of each secure ballot  
3082 intake station location to the division at least 30 days before  
3083 an election. After a secure ballot intake station location has  
3084 been designated, it may not be moved or changed except as  
3085 approved by the division to correct a violation of this  
3086 subsection.

3087 (c)1. On each day of early voting, all secure ballot  
3088 intake stations must be emptied at the end of early voting hours  
3089 and all ballots retrieved from the secure ballot intake stations  
3090 must be returned to the supervisor's office.

3091 2. For secure ballot intake stations located at an office  
3092 of the supervisor, all ballots must be retrieved before the  
3093 secure ballot intake station is no longer monitored by ~~an~~  
3094 ~~employee of~~ the supervisor.

3095 3. Employees of the supervisor must comply with procedures  
3096 for the chain of custody of ballots as required by s.  
3097 101.015(4).

3098 (3) ~~If any secure ballot intake station is left accessible~~  
3099 ~~for ballot receipt other than as authorized by this section, the~~  
3100 ~~supervisor is subject to a civil penalty of \$25,000. The~~

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3101 ~~division is authorized to enforce this provision.~~

3102 **Section 31.** Section 104.0616, Florida Statutes, is  
3103 repealed.

3104 **Section 32. Subsection (1) of section 104.155, Florida**  
3105 **Statutes, is amended to read:**

3106 104.155 Unqualified noncitizen electors willfully voting;  
3107 prohibited defenses; aiding or soliciting noncitizen electors in  
3108 voting prohibited.—

3109 (1) Any person who is not a qualified elector because he  
3110 or she is not a citizen of the United States and who willfully  
3111 votes in any election is guilty of a felony of the third degree,  
3112 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.  
3113 ~~A person's ignorance of his or her citizenship status or a~~  
3114 ~~person's bona fide belief of his or her citizenship status~~  
3115 ~~cannot be raised as a defense in a prosecution for a violation~~  
3116 ~~of this subsection.~~

3117 **Section 33. Subsection (1) of section 104.42, Florida**  
3118 **Statutes, is amended to read:**

3119 104.42 Fraudulent registration and illegal voting;  
3120 investigation.—

3121 (1) The supervisor of elections is authorized to  
3122 investigate fraudulent registrations and illegal voting and to  
3123 report his or her findings to the local state attorney and the  
3124 ~~Office of Election Crimes and Security.~~

3125 **Section 34. Paragraph (a) of subsection (3) of section**

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3126 **921.0022, Florida Statutes, is amended to read:**

3127 921.0022 Criminal Punishment Code; offense severity  
3128 ranking chart.—

3129 (3) OFFENSE SEVERITY RANKING CHART

3130 (a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
<del>104.0616(2)</del>	<del>3rd</del>	<del>Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.</del>
212.054(2)(b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15(2)(b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but

			less than \$20,000.
3136	316.1935(1)	3rd	Fleeing or attempting to elude law enforcement officer.
3137	319.30(5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
3138	319.35(1)(a)	3rd	Tamper, adjust, change, etc., an odometer.
3139	320.26(1)(a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
3140	322.212 (1)(a)-(c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
3141	322.212(4)	3rd	Supply or aid in supplying

			unauthorized driver license or identification card.
3142	322.212(5)(a)	3rd	False application for driver license or identification card.
3143	414.39(3)(a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
3144	443.071(1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
3145	509.151(1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
3146	517.302(1)	3rd	Violation of the Florida Securities and Investor Protection Act.
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	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
3148	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
3149	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
3150	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
3151	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
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3153	826.01	3rd	Bigamy.
3154	828.122 (3)	3rd	Fighting or baiting animals.
3155	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
3156	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03 (5) drugs.
3157	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.

3158	838.15 (2)	3rd	Commercial bribe receiving.
3159	838.16	3rd	Commercial bribery.
3160	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
3161	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
3162	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
3163	849.23	3rd	Gambling-related machines; "common offender" as to

3164				property rights.
3165	849.25(2)	3rd		Engaging in bookmaking.
3166	860.08	3rd		Interfere with a railroad signal.
3167	860.13(1) (a)	3rd		Operate aircraft while under the influence.
3168	893.13(2) (a) 2.	3rd		Purchase of cannabis.
3169	893.13(6) (a)	3rd		Possession of cannabis (more than 20 grams).
3170	934.03(1) (a)	3rd		Intercepts, or procures any other person to intercept, any wire or oral communication.
3171	<b>Section 35.</b> Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2026.			