

By Senator Bracy Davis

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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 registration or voting; requiring the Division of Elections and the supervisors of elections to complete the necessary steps to reregister individuals under specified conditions; requiring the division and

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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;

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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  
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

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provides for the expiration of such organization's registration at the conclusion of the general election cycle for which the organization is registered; deleting provisions requiring such organizations to provide a specified receipt in a uniform format to applicants; revising the timeframe within which such organizations must deliver completed applications to the division or a supervisor of elections; revising certain penalties; revising the aggregate limit of such penalties; requiring that fines be remitted to specified supervisors of elections; requiring such supervisors to expend monies collected from such fines for specified purposes; deleting criminal and administrative penalties; deleting provisions requiring the division to adopt certain rules; deleting provisions that prohibit providing applicants a pre-filled voter registration application and the specified fine for such action; deleting provisions for retroactive application; creating part III of ch. 97, F.S., entitled "Florida Voting Rights Act"; creating s. 97.21, F.S.; prohibiting local governments, state agencies, and state officials from implementing, imposing, or enforcing election policies, practices, or actions that result in, will result in, or are intended to result in specified disparities or impairments; providing that it is not a violation if such entities demonstrate, by a specified evidentiary standard, certain conditions; providing that it is always a violation if specified

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circumstances exist; prohibiting local governments from employing methods of election that have the effect, will likely have the effect, or are motivated in part by the intent of diluting the vote of protected class members; providing the requirements to establish a violation; providing relevant factors to evaluate the totality of circumstances related to voter suppression and vote dilution; providing construction; providing that such factors are most probative under a specified condition; providing circumstances used to determine whether elections in the local government exhibit racially polarized voting; providing construction; providing circumstances that are never relevant to violations of specified provisions; providing that a state interest in preventing voter fraud or bolstering voter confidence in the integrity of elections is relevant under specified circumstances; providing that evidence concerning the intent of electors, elected officials, and public officials is not required to prove such violations; providing that voting habits of protected class members may be relevant to certain violations; requiring a prospective plaintiff, before filing a certain action against a local government, to send a notification letter, by specified means, to the local government; prohibiting a party from filing an action under specified circumstances; authorizing a local government to adopt a specified resolution within a specified timeframe; providing that, under certain

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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

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commission; providing that commissioners serve staggered terms; requiring that commissioners be compensated at a specified hourly rate; requiring the formation of a nominating committee; providing for the appointment and removal of nominating committee members; requiring the nominating committee to select a chair; requiring that commissioners be selected using a specified process; requiring that upon initial formation of the commission, a specified number of commissioners be selected by lot and randomly assigned term lengths for purposes of achieving staggered terms; providing for filling vacancies on the commission; authorizing the commission to take specified actions in any action or investigation to enforce specified provisions; authorizing the commission to hire staff and make expenditures for a specified purpose; authorizing the commission to adopt rules; creating s. 97.23, F.S.; requiring the commission to enter into agreements with one or more postsecondary educational institutions to create the Florida Voting and Elections Database and Institute for specified purposes; requiring the parties to the agreement to enter into a memorandum of understanding that includes the process for selecting a director of the database and institute; requiring the database and institute to provide a center for specified purposes; authorizing the database and institute to perform specified actions; requiring the database and institute to make election and voting data records for

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a specified timeframe available to the public at no cost and to maintain such records in an electronic format; requiring the database and institute to use certain methodologies when preparing estimates; specifying the data and records that must be maintained; requiring state agencies and local governments to timely provide any information requested by the director of the database and institute; requiring local governments to transmit specified information to the database and institute within a certain timeframe; requiring specified entities to provide data, statistics, and other information annually to the database and institute; authorizing specified entities to file enforcement actions; providing construction; prohibiting certain entities from being compelled to disclose the identity of a member for a certain purpose; providing that enforcement actions may be filed in accordance with the Florida Rules of Civil Procedure or in a specified venue; requiring the database and institute to annually publish a certain report within a specified timeframe; requiring the database and institute to provide nonpartisan technical assistance to specified entities; providing that a rebuttable presumption exists that data, estimates, or other information from the database and institute is valid; creating s. 97.24, F.S.; defining terms; requiring the Florida Voting Rights Act Commission to designate languages other than English for which language assistance must



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be provided by a local government, if certain conditions exist; providing the circumstances under which the commission must designate languages other than English for voting and elections; requiring the commission to publish specified information annually on its website and distribute such information to local governments; requiring local governments to provide language assistance for specified purposes if the commission makes a certain determination; requiring that certain materials be provided in such language; requiring that certain information be given orally to voters; requiring that translated materials be of a certain quality, convey a specified intent and meaning, and may not rely solely on automatic translation services; requiring that live translation be used if available; requiring the commission to establish a specified review process; providing requirements for such review process; authorizing specified entities to file enforcement actions; prohibiting certain entities from being compelled to disclose the identity of a member for a certain purpose; providing construction; requiring that enforcement actions be filed in accordance with the Florida Rules of Civil Procedure or in a specified venue; creating s. 97.25, F.S.; providing that the enactment or implementation of a covered policy by a covered jurisdiction is subject to preclearance by the commission; specifying actions by a local government which are covered policies; requiring that if a

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covered jurisdiction does not make changes to its method of election, such method is deemed a covered policy that must be submitted to the commission; specifying which local governments are covered jurisdictions; requiring the commission to determine and publish annually on its website a list of local governments that are covered jurisdictions; requiring a covered jurisdiction, if seeking preclearance, to submit the covered policy to the commission in writing; requiring the commission to review the covered policy and grant or deny preclearance; providing that the covered jurisdiction bears the burden of proof in the preclearance process; providing that the commission may deny preclearance only if it makes certain determinations; providing that if preclearance is denied, the covered policy may not be enacted or implemented; requiring the commission to provide a written explanation for a denial; authorizing a covered jurisdiction to immediately enact or implement a covered policy if granted preclearance; providing that such determination is not admissible and may not be considered by a court in a subsequent action challenging the covered policy; providing that a covered policy is deemed precleared and may be implemented or enacted by the covered jurisdiction if the commission fails to approve or deny the covered policy within specified timeframes; requiring the commission to grant or deny preclearance within specified timeframes; authorizing the

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commission to invoke a specified number of extensions of a specified timeframe to determine preclearance; providing that a denial of preclearance may be appealed only by the covered jurisdiction in a specified venue; authorizing specified entities to enjoin the enactment or implementation of specified policies and to seek sanctions against covered jurisdictions in specified circumstances; authorizing specified entities to file enforcement actions; prohibiting certain entities from being compelled to disclose the identity of a member for a certain purpose; providing construction; specifying that enforcement actions must be filed in accordance with the Florida Rules of Civil Procedure or in a specified venue; requiring the commission to adopt rules; creating s. 97.26, F.S.; prohibiting a person from engaging in acts of intimidation, deception, or obstruction, or any other tactic that has the effect or will reasonably have the effect, of interfering with another person's right to vote; specifying acts that are deemed violations; providing a rebuttable presumption; providing an exception; authorizing specified entities to file a civil action alleging a violation of specified provisions; prohibiting certain entities from being compelled to disclose the identity of a member for a certain purpose; providing construction; specifying that actions must be filed in accordance with the Florida Rules of Civil Procedure or in a specified venue; requiring the court to order

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specified remedies; creating s. 97.27, F.S.; providing construction; providing applicability; creating s. 97.28, F.S.; requiring the court to order appropriate remedies for violations of the act; specifying appropriate remedies; requiring the court to consider remedies proposed by specified parties; prohibiting the court from giving deference to a remedy proposed by the state or local government; providing that the court is empowered to require local governments to implement certain remedies under specified conditions; requiring the court to grant a temporary injunction or other preliminary relief requested under specified conditions; requiring the court to award attorney fees and litigation costs to the prevailing party in actions to enforce specified provisions; providing that a party is deemed to prevail if certain conditions are met; prohibiting the court from awarding costs for the prevailing party under specified circumstances; amending s. 98.045, F.S.; conforming a cross-reference; amending s. 98.255, F.S.; revising the standards the Department of State is required to prescribe by rule for nonpartisan voter education; requiring that supervisors provide public-facing voter information in plain language to be understood by certain persons; amending s. 100.371, F.S.; providing that a certain notice may be returned to the supervisor of elections instead of the Office of Elections Crime and Security; requiring that such notice contain specified information relating to the

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supervisor of elections; requiring supervisors to transmit a copy of such notice to the Division of Elections; requiring supervisors to notify the Department of State instead of the Office of Election Crimes and Security if a specified percentage of petition forms are deemed invalid; requiring the department instead of the Office of Election Crimes and Security to conduct a certain preliminary investigation; authorizing the Secretary of State instead of the Office of Election Crimes and Security to report findings to the statewide prosecutor; making conforming changes; creating s. 100.51, F.S.; establishing General Election Day as a paid holiday; providing that a voter may absent himself or herself from service or employment at a specific time on General Election Day and may not be penalized or have salary or wages deducted for such absence; creating s. 101.016, F.S.; requiring the Division of Elections to maintain a secure election equipment reserve for specified purposes; requiring that such reserve include specified equipment; authorizing the division to contract with specified entities rather than physically maintain such reserve; providing contract requirements; requiring the division to annually submit a specified report to the Governor and the Legislature, beginning on a specified date; repealing s. 101.019, F.S., relating to the prohibition against ranked-choice voting; amending s. 101.048, F.S.; providing that a voter may cast a provisional ballot

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at any precinct in the county in which the voter claims to be registered; making technical changes; amending s. 101.572, F.S.; deleting provisions on the public inspection of ballots and ballot cards and notification to candidates; amending s. 101.62, F.S.; providing that a request for a vote-by-mail ballot is valid until the voter cancels the request; revising the timeframe during which the supervisor must mail vote-by-mail ballots before election day; deleting requirements for a person designated by a voter to pick up the voter's vote-by-mail ballot; providing for extension of deadlines under certain conditions; amending s. 101.64, F.S.; requiring supervisors of elections to enclose a postage prepaid mailing envelope with each vote-by-mail ballot; providing that vote-by-mail ballot voter certificates may be signed with the last four digits of the voter's social security number; making technical changes; amending s. 101.65, F.S.; revising the instructions that must be provided with a vote-by-mail ballot; amending s. 101.68, F.S.; requiring supervisors of elections to compare the signature or last four digits of the social security number on a voter's certificate with the signature or last four digits of the social security number in the registration books or precinct register when canvassing a vote-by-mail ballot; requiring a canvassing board to compare the signature or last four digits of the social security number on a voter's certificate or vote-by-mail ballot cure

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affidavit with the signature or last four digits of the social security number in the registration books or precinct register when canvassing a vote-by-mail ballot and to determine the validity of such ballot; deleting the authorization for certain persons to file a protest against the canvass of a ballot; revising the instructions on a cure affidavit; amending s. 101.69, F.S.; deleting a provision providing that specified secure ballot intake stations be used only during specified timeframes and be monitored by an employee of the supervisor's office; requiring that secure ballot intake stations be monitored by the supervisor's office during specified timeframes instead of continuously monitored in person by an employee; deleting a provision authorizing a certain civil penalty; making technical changes; repealing s. 104.0616, F.S., relating to violations regarding vote-by-mail ballots and voting; amending s. 104.155, F.S.; deleting a provision prohibiting a person from raising his or her ignorance regarding citizenship as a defense to specified violations; amending ss. 104.42 and 921.0022, F.S.; conforming provisions to changes made by the act; providing effective dates.

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

WHEREAS, the Moores, and the organizations they helped found and lead, were instrumental in registering more than

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100,000 black voters in this state, and

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

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

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

WHEREAS, electoral systems that deny race, color, or language minority groups an equal opportunity to elect candidates of their choice and influence the outcome of an election are inconsistent with the right to equal treatment before the law as provided in Articles I and II of the State Constitution, as well as protections found in the 14th and 15th Amendments to the United States Constitution, and

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

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

WHEREAS, this act builds on the historical work of the named and nameless Floridians who fought for their right to the



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elective franchise, NOW, THEREFORE,

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

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

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

(1) The head of the Department of State is the Secretary of State. The Secretary of State shall be elected at the statewide general election at which the Governor, Lieutenant Governor, and Cabinet officers are elected, as provided in s. 5, Art. IV of the State Constitution, and shall serve a term of 4 years beginning on the first Tuesday after the first Monday in January of the year following such election ~~appointed by the Governor, subject to confirmation by the Senate, and shall serve at the pleasure of the Governor.~~ The Secretary of State shall perform the functions conferred by the State Constitution upon the custodian of state records.

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

20.32 Florida Commission on Offender Review.—

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

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person all of the following information:

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

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

3. The remaining amount of any restitution he or she owes to a victim as ordered by a court as part of his or her sentence.

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

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

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

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

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

(d) By July 1, 2028, the commission shall make the database available on a public website. The commission shall update the

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523 database monthly with the information received from each  
524 governmental entity under paragraph (b). The commission shall  
525 publish on the website clear instructions that a person who has  
526 been disqualified from voting based on a felony conviction,  
527 other than for murder or a felony sexual offense, may follow to  
528 have his or her voting rights restored and to register to vote.

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

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

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

540 3. The anticipated number of additional employees necessary  
541 for:

542 a. The commission to develop and maintain the database.

543 b. A governmental entity to provide the information  
544 required under paragraph (b).

545 c. The Florida Digital Service to provide the assistance  
546 required under paragraph (c).

547 4. The anticipated initial cost to develop the database;  
548 the annual cost to maintain the database; and the annual  
549 appropriation required to fund the anticipated costs incurred by  
550 the commission, each governmental entity, and the Florida  
551 Digital Service.

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552       5. Any legal authority necessary for the commission to  
553 develop and maintain the database.

554       6. Draft legislation to implement the comprehensive plan.

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

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

571       (h) If an individual meets the requirements under s.  
572 98.0751 to have his or her voting rights restored pursuant to s.  
573 4, Art. VI of the State Constitution, but was not registered to  
574 vote before his or her conviction, the Division of Elections and  
575 the individual's supervisor of elections shall send by United  
576 States mail to the individual's most current address information  
577 on how to register to vote, including a copy of the current  
578 voter registration form. This process must be noted in the  
579 statewide database.

580       (i) Within 120 days before a general election until the

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voter registration deadline for that election, information on  
the statewide database must be updated weekly rather than  
monthly.

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

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

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

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

(2) "Absent uniformed services voter" means:

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

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

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

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

(4) "Alternative formats" has the meaning ascribed in the  
Americans with Disabilities Act of 1990, Pub. L. No. 101-336, 42

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U.S.C. ss. 12101 et seq., including specifically the technical assistance manuals promulgated thereunder, as amended.

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

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

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

(b) "Marksense ballots" means that printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or a statement of proposed constitutional amendments or other questions or propositions submitted to the electorate at any election, on which sheet of paper an elector casts his or her vote.

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

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

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

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

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

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

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

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

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

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

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

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

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

(14)~~(13)~~ "Election" means any primary election, special primary election, special election, general election, county election, municipal election, referendum, ~~or~~ presidential preference primary election, or any other local or state

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election.

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

~~(16)(15)~~ "Election costs" shall include, but not be limited to, expenditures for all paper supplies such as envelopes, instructions to voters, affidavits, reports, ballot cards, ballot booklets for vote-by-mail voters, postage, notices to voters; advertisements for registration book closings, testing of voting equipment, sample ballots, and polling places; forms used to qualify candidates; polling site rental and equipment delivery and pickup; data processing time and supplies; election records retention; and labor costs, including those costs uniquely associated with vote-by-mail ballot preparation, poll workers, and election night canvass.

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

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

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

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

~~(21)(17)~~ "General election" means an election held on the first Tuesday after the first Monday in November in the even-



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numbered years, for the purpose of filling national, state, county, and district offices and for voting on constitutional amendments not otherwise provided for by law.

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

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

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

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

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

(a) Employed as an officer or crew member of a vessel documented under the laws of the United States, a vessel owned by the United States, or a vessel of foreign-flag registry under charter to or control of the United States; or

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

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

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

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

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

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

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755 limited voting, and party-list or state-list systems.

756 (28)~~(20)~~ "Minor political party" is any group as specified  
757 in s. 103.095 which on January 1 preceding a primary election  
758 does not have registered as members 5 percent of the total  
759 registered electors of the state.

760 (29)~~(21)~~ "Newspaper of general circulation" means a  
761 newspaper printed in the language most commonly spoken in the  
762 area within which it circulates and which is readily available  
763 for purchase by all inhabitants in the area of circulation, but  
764 does not include a newspaper intended primarily for members of a  
765 particular professional or occupational group, a newspaper the  
766 primary function of which is to carry legal notices, or a  
767 newspaper that is given away primarily to distribute  
768 advertising.

769 (30)~~(22)~~ "Nominal value" means having a retail value of \$10  
770 or less.

771 (31)~~(23)~~ "Nonpartisan office" means an office for which a  
772 candidate is prohibited from campaigning or qualifying for  
773 election or retention in office based on party affiliation.

774 (32)~~(24)~~ "Office that serves persons with disabilities"  
775 means any state office that takes applications either in person  
776 or over the telephone from persons with disabilities for any  
777 program, service, or benefit primarily related to their  
778 disabilities.

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

781 (34)~~(25)~~ "Overseas voter" means:

782 (a) An absent uniformed services voter who, by reason of  
783 active duty or service, is absent from the United States on the

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date of the election involved;

(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

(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.

(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.

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

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

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

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

(40)~~(31)~~ "Primary election" means an election held

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preceding the general election for the purpose of nominating a party nominee to be voted for in the general election to fill a national, state, county, or district office.

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

(a) For the purposes of this subsection, the term "language minority group" means a group based on the best available data that may include information from the United States Census Bureau American Community Survey or data of comparable quality collected by a governmental entity:

1. Of more than 2 percent, but no fewer than 200 citizens of voting age in a jurisdiction who speak a language other than English and are limited English proficient individuals; or

2. Of more than 4,000 citizens of voting age in a jurisdiction who speak a language other than English and are limited English proficient individuals.

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

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

(43)~~(33)~~ "Public assistance" means assistance provided through the food assistance program under the federal Supplemental Nutrition Assistance Program; the Medicaid program;

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the Special Supplemental Food Program for Women, Infants, and Children; and the Temporary Cash Assistance Program.

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

(45)~~(35)~~ "Qualifying educational institution" means any public or private educational institution receiving state financial assistance which has, as its primary mission, the provision of education or training to students who are at least 18 years of age, provided such institution has more than 200 students enrolled in classes with the institution and provided that the recognized student government organization has requested this designation in writing and has filed the request with the office of the supervisor of elections in the county in which the institution is located.

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

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

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

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

(50)~~(39)~~ "Tactile input device" means a device that provides information to a voting system by means of a voter

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touching the device, such as a keyboard, and that complies with the requirements of s. 101.56062(1)(k) and (l).

~~(51)(40)~~ "Third-party registration organization" means any person, entity, or organization soliciting or collecting voter registration applications. A third-party voter registration organization does not include:

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

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

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

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

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

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900 referendum questions.

901 (55)~~(43)~~ "Voter interface device" means any device that  
902 communicates voting instructions and ballot information to a  
903 voter and allows the voter to select and vote for candidates and  
904 issues. A voter interface device may not be used to tabulate  
905 votes. Any vote tabulation must be based upon a subsequent scan  
906 of the marked marksense ballot or the voter-verifiable paper  
907 output after the voter interface device process has been  
908 completed.

909 (56)~~(44)~~ "Voter registration agency" means any office that  
910 provides public assistance, any office that serves persons with  
911 disabilities, any center for independent living, or any public  
912 library.

913 (57)~~(45)~~ "Voter registration official" means any supervisor  
914 of elections or individual authorized by the Secretary of State  
915 to accept voter registration applications and execute updates to  
916 the statewide voter registration system.

917 (58)~~(46)~~ "Voting booth" or "booth" means that booth or  
918 enclosure wherein an elector casts his or her ballot for  
919 tabulation by an electronic or electromechanical device.

920 (59)~~(47)~~ "Voting system" means a method of casting and  
921 processing votes that functions wholly or partly by use of  
922 electromechanical or electronic apparatus or by use of marksense  
923 ballots and includes, but is not limited to, the procedures for  
924 casting and processing votes and the programs, operating  
925 manuals, supplies, printouts, and other software necessary for  
926 the system's operation.

927  
928 Terms used in this code which are not defined in this section



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but are used in the federal Voting Rights Act and interpreted in relevant case law, including, but not limited to, "political process" and "prerequisite to voting," must be construed in a manner consistent with such usage and interpretation.

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

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

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

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

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

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

(1)(a) Each of the following serves as an application ~~The Department of Highway Safety and Motor Vehicles shall provide the opportunity to preregister to vote, register to vote, or to update a voter registration record when submitted to the Department of Highway Safety and Motor Vehicles to each individual who comes to an office of that department to:~~

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

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

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958        3.~~(e)~~ An application for a change of ~~an~~ address on an  
959 existing driver license or identification card.

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

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

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

973        (b) A statement setting forth voter eligibility  
974 requirements.

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

984        (d) An option that allows the applicant to choose or update  
985 a party affiliation. An applicant who is initially registering  
986 to vote and does not exercise such option must be sent a notice

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by the supervisor of elections in accordance with s.  
97.053(5) (b).

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

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

(a) Develop a voter registration component for applications which meets the requirements set forth in subsection (2).

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

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

~~(a) Notify each individual, orally or in writing, that:~~

~~1. Information gathered for the completion of a driver license or identification card application, renewal, or change of address can be automatically transferred to a voter registration application;~~

~~2. If additional information and a signature are provided,~~

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1016 ~~the voter registration application will be completed and sent to~~  
1017 ~~the proper election authority;~~

1018 ~~3. Information provided can also be used to update a voter~~  
1019 ~~registration record, except that party affiliation will not be~~  
1020 ~~changed unless the individual designates a change in party~~  
1021 ~~affiliation and separately consents to such change in writing;~~

1022 ~~4. All declinations will remain confidential and may be~~  
1023 ~~used only for voter registration purposes; and~~

1024 ~~5. The particular driver license office in which the person~~  
1025 ~~applies to register to vote or updates a voter registration~~  
1026 ~~record will remain confidential and may be used only for voter~~  
1027 ~~registration purposes.~~

1028 ~~(b) Require a driver license examiner to inquire orally or,~~  
1029 ~~if the applicant is hearing impaired, inquire in writing whether~~  
1030 ~~the applicant wishes to register to vote or update a voter~~  
1031 ~~registration record during the completion of a driver license or~~  
1032 ~~identification card application, renewal, or change of address.~~

1033 ~~1. If the applicant chooses to register to vote or to~~  
1034 ~~update a voter registration record:~~

1035 ~~a. All applicable information received by the Department of~~  
1036 ~~Highway Safety and Motor Vehicles in the course of filling out~~  
1037 ~~the forms necessary under subsection (1) must be transferred to~~  
1038 ~~a voter registration application.~~

1039 ~~b. The additional necessary information must be obtained by~~  
1040 ~~the driver license examiner and must not duplicate any~~  
1041 ~~information already obtained while completing the forms required~~  
1042 ~~under subsection (1).~~

1043 ~~c. A voter registration application with all of the~~  
1044 ~~applicant's voter registration information required to establish~~

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~~the applicant's eligibility pursuant to s. 97.041 must be presented to the applicant to review and verify the voter registration information received and provide an electronic signature affirming the accuracy of the information provided.~~

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

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

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

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

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

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

~~(4) The Department of Highway Safety and Motor Vehicles must electronically transmit completed voter registration~~

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1074 ~~applications within 24 hours after receipt to the statewide~~  
1075 ~~voter registration system. Completed paper voter registration~~  
1076 ~~applications received by the Department of Highway Safety and~~  
1077 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~  
1078 ~~the supervisor of the county where the office that processed or~~  
1079 ~~received that application is located.~~

1080 ~~(5) The Department of Highway Safety and Motor Vehicles~~  
1081 ~~must send, with each driver license renewal extension~~  
1082 ~~application authorized pursuant to s. 322.18(8), a uniform~~  
1083 ~~statewide voter registration application, the voter registration~~  
1084 ~~application prescribed under paragraph (3)(a), or a voter~~  
1085 ~~registration application developed especially for the purposes~~  
1086 ~~of this subsection by the Department of Highway Safety and Motor~~  
1087 ~~Vehicles, with the approval of the Department of State, which~~  
1088 ~~must meet the requirements of s. 97.052.~~

1089 ~~(4)(6)~~ A person providing voter registration services for a  
1090 driver license office may not:

1091 (a) ~~Make any change to an applicant's party affiliation~~  
1092 ~~unless the applicant provides a separate signature consenting to~~  
1093 ~~the party affiliation change or discuss or Seek to influence an~~  
1094 ~~applicant's political preference or party registration;~~

1095 (b) Display any political preference or party allegiance;

1096 (c) Make any statement to an applicant or take any action  
1097 the purpose or effect of which is to discourage the applicant  
1098 from registering to vote; or

1099 (d) Disclose any applicant's voter registration information  
1100 except as needed for the administration of voter registration.

1101 ~~(5)(7)~~ The Department of Highway Safety and Motor Vehicles  
1102 shall collect data determined necessary by the Department of

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State for program evaluation and reporting to the Election Assistance Commission pursuant to federal law.

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

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

(8)~~(10)~~ The Department of State shall provide the Department of Highway Safety and Motor Vehicles with an electronic database of street addresses valid for use as the address of legal residence as required in s. 97.053(5). The Department of Highway Safety and Motor Vehicles shall compare the address provided by the applicant against the database of valid street addresses. If the address provided by the applicant does not match a valid street address in the database, the applicant will be asked to verify the address provided. The Department of Highway Safety and Motor Vehicles may ~~shall~~ not reject any application for voter registration for which a valid match cannot be made.

(9)~~(11)~~ The Department of Highway Safety and Motor Vehicles

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shall enter into an agreement with the Department of State to match information in the statewide voter registration system with information in the database of the Department of Highway Safety and Motor Vehicles to the extent required to verify the accuracy of the driver license number, Florida identification number, or last four digits of the social security number provided on applications for voter registration as required in s. 97.053.

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

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

(12) The Department of Highway Safety and Motor Vehicles shall notify the Department of State as soon as practicable, but no later than 30 days, after any change to a voter's driver license number or identification card number. The Department of State shall transmit each such change to the appropriate supervisor of elections, who shall update the voter's registration records accordingly and provide notice of the change to the registrant by mail. Under no circumstances may a



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change to a voter's driver license or identification card number  
be used as the sole basis to prevent an otherwise eligible  
citizen from casting his or her ballot.

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

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

97.0575 Third-party voter registration organizations.—

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

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

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

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

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

~~(e) An affirmation that each person collecting or handling  
voter registration applications on behalf of the third party~~

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~~voter registration organization has not been convicted of a felony violation of the Election Code, a felony violation of an offense specified in s. 825.103, a felony offense specified in s. 98.0751(2)(b) or (c), or a felony offense specified in chapter 817, chapter 831, or chapter 837. A third party voter registration organization is liable for a fine in the amount of \$50,000 for each such person who has been convicted of a felony violation of the Election Code, a felony violation of an offense specified in s. 825.103, a felony offense specified in s. 98.0751(2)(b) or (c), or a felony offense specified in chapter 817, chapter 831, or chapter 837 who is collecting or handling voter registration applications on behalf of the third party voter registration organization.~~

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

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

~~(3) The division or the supervisor of elections shall make voter registration forms available to third-party voter registration organizations. All such forms must contain~~

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information identifying the organization to which the forms are provided. The division shall maintain a database of all third-party voter registration organizations and the voter registration forms assigned to the third-party voter registration organization. Each supervisor of elections shall provide to the division information on voter registration forms assigned to and received from third-party voter registration organizations. The information must be provided in a format and at times as required by the division by rule. The division shall update information on third-party voter registrations daily and make the information publicly available.

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

(3) (a) ~~(5) (a)~~ A third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant and shall ensure that any voter registration application entrusted to the organization, irrespective of party affiliation, race, ethnicity, or gender, is promptly delivered to the division or the supervisor of elections ~~in the county in which the applicant resides~~ within 14 ~~10~~ days after the application is completed by the applicant, but

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not after registration closes for the next ensuing election. If a voter registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections ~~in the county in which the applicant resides~~, the third-party voter registration organization is liable for the following fines:

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

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

3. A fine in the amount of \$500 for each application collected by a third-party voter registration organization, or any person, entity, or agent acting on its behalf, which is not

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submitted to the division or supervisor of elections ~~in the~~  
~~county in which the applicant resides. A fine in the amount of~~  
~~\$5,000 for any application not submitted if the third-party~~  
~~voter registration organization or person, entity, or agency~~  
~~acting on its behalf acted willfully.~~

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

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

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

~~(6) If a person collecting voter registration applications~~

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on behalf of a third party voter registration organization alters the voter registration application of any other person, without the other person's knowledge and consent, in violation of s. 104.012(4) and is subsequently convicted of such offense, the applicable third party voter registration organization is liable for a fine in the amount of \$5,000 for each application altered.

~~(7) If a person collecting voter registration applications on behalf of a third party voter registration organization copies a voter's application or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such application or information to the third party voter registration organization in compliance with this section, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

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

~~(9) The division shall adopt by rule a form to elicit specific information concerning the facts and circumstances from a person who claims to have been registered to vote by a third party voter registration organization but who does not appear as~~

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~~an active voter on the voter registration rolls. The division shall also adopt rules to ensure the integrity of the registration process, including controls to ensure that all completed forms are promptly delivered to the division or a supervisor in the county in which the applicant resides.~~

~~(11)~~ (5) The date on which an applicant signs a voter registration application is presumed to be the date on which the third-party voter registration organization received or collected the voter registration application.

~~(11) A third-party voter registration organization may not mail or otherwise provide a voter registration application upon which any information about an applicant has been filled in before it is provided to the applicant. A third-party voter registration organization that violates this section is liable for a fine in the amount of \$50 for each such application.~~

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

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

Section 10. Section 97.21, Florida Statutes, is created to

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read:

97.21 Prohibitions on voter suppression and vote dilution.-

(1) PROHIBITING VOTER SUPPRESSION.-

(a) A local government, state agency, or state official may not implement, impose, or enforce any election policy or practice, or take any other action or fail to take any action, which results in, will result in, or is intended to result in any of the following:

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

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

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

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

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

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

1. The local government, state agency, or state official



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1393 takes action intended to result in a material disparity; or

1394 2. The material disparity results from:

1395 a. The closure, relocation, or consolidation of, or failure  
1396 to provide, one or more polling places, early voting sites, or  
1397 secure ballot intake stations; or the reassignment of voters to  
1398 precincts or polling places or of precincts to polling places;

1399 b. The local government's selection of or change to the  
1400 time or date of an election;

1401 c. The local government conducting elections on dates that  
1402 do not align with federal or state elections;

1403 d. The date the local government selects for a special  
1404 election, and there exists an alternate date in a reasonable  
1405 timeframe in which the disparity would be materially less  
1406 significant; or

1407 e. The failure to schedule a special election as soon as  
1408 practicable, but in no event later than 14 days after the  
1409 occurrence of the vacancy, if more than 12 months remain in the  
1410 term of office and protected class members are generally able to  
1411 elect candidates of their choice.

1412 (2) PROHIBITING VOTE DILUTION.—

1413 (a) A local government may not employ an at-large method of  
1414 election, a district-based method of election, a share-based  
1415 method of election, or any other method of election for any  
1416 office which has the effect, will likely have the effect, or is  
1417 motivated in part by the intent of diluting the vote of  
1418 protected class members.

1419 (b) To establish a violation under paragraph (a), it must  
1420 be established that:

1421 1.a. Elections in the local government exhibit racially

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polarized voting resulting in an impairment of the equal opportunity or ability of protected class members to nominate or elect candidates of their choice; or

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

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

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

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

a. The history of discrimination;

b. The extent to which the protected class members have been elected to office;

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

d. The extent to which protected class members or candidates experienced any history of unequal access to election-administration or campaign finance processes that determine which candidates will receive access to the ballot or receive financial or other support in a given election for an

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office of the local government;

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

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

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

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

i. The extent to which candidates face hostility or barriers while campaigning due to their membership in a protected class;

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

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

1. Other factors deemed relevant.

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

3. Evidence of these factors is most probative if it

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relates to the local government in which the alleged violation occurred, but still holds probative value if it relates to the geographic region in which the local government is located or to this state.

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

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

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

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

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

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

2. Racially polarized voting may be assessed based only on the combined electoral preferences of members of a protected class or classes. There is no requirement that the electoral

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1509 preferences of each protected class or any subgroup within a  
1510 protected class be separately polarized from those of other  
1511 voters.

1512 3. The causes of or reasons for racially polarized voting,  
1513 including partisan explanations or discriminatory intent, are  
1514 not relevant.

1515 (c)1. If evaluating whether a violation of subsection (1)  
1516 or subsection (2) is present, the following circumstances are  
1517 never relevant to such a violation:

1518 a. The total number or share of protected class members on  
1519 whom the election policy or practice does not impose a material  
1520 burden;

1521 b. The degree to which the election policy or practice has  
1522 a long pedigree or was in widespread use at some earlier date;

1523 c. The use of an identical or similar election policy or  
1524 practice in other jurisdictions; and

1525 d. The availability of forms of voting unimpacted by the  
1526 election policy or practice.

1527 2. A state interest in preventing voter fraud or bolstering  
1528 voter confidence in the integrity of elections is not relevant  
1529 to an evaluation of whether a violation of subsection (1) or  
1530 subsection (2) occurred unless there is substantial evidence of  
1531 a number of instances that criminal activity by individual  
1532 electors has occurred in the local government and the connection  
1533 between the election policy or practice and a state interest in  
1534 preventing voter fraud or bolstering voter confidence in the  
1535 integrity of elections is supported by substantial evidence.

1536 3. Evidence concerning the intent of electors, elected  
1537 officials, or public officials to discriminate against protected

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class members is not required under subsections (1) and (2).

4. Whether protected class members typically elect candidates of their choice to the governmental body of a local government in approximate proportion to their total number or share of the population may be relevant under subsection (2).

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

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

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

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

2. Identifies a specific remedy to the potential violation.

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

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

5. Provides a schedule for the enactment and implementation of the remedy.

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1567       (c) Except as noted in paragraph (e), a party that has sent  
1568 an FLVRA notification letter may not file an action pursuant to  
1569 this section earlier than 90 days after the adoption of an FLVRA  
1570 resolution.

1571       (d) If the remedy identified in an FLVRA resolution is  
1572 barred by state or local law, or a legislative body of a local  
1573 government lacks authority under state or local law to enact or  
1574 implement a remedy identified in an FLVRA resolution within 90  
1575 days after the adoption of such resolution, or if the local  
1576 government is a covered jurisdiction under s. 97.25, the local  
1577 government may nonetheless enact and implement the remedy  
1578 identified in such resolution upon approval of the FLVRA  
1579 Commission, which may provide approval only if it finds that the  
1580 local government may be in violation of this act, the proposed  
1581 remedy would address a potential violation, and implementation  
1582 of the proposed remedy is feasible. The approval of a remedy by  
1583 the FLVRA Commission does not bar an action to challenge the  
1584 remedy.

1585       (e) If, pursuant to this subsection, a local government  
1586 enacts or implements a remedy or the FLVRA Commission approves a  
1587 proposed remedy, a party that sent an FLVRA notification letter  
1588 may submit a claim for reimbursement from the local government  
1589 for the costs associated with producing and sending such  
1590 notification letter. The party must submit the claim in writing  
1591 and substantiate the claim with financial documentation,  
1592 including a detailed invoice for any demography services or  
1593 analysis of voting patterns in the local government. If a party  
1594 and local government fail to agree to a reimbursement amount,  
1595 either the party or local government may file an action for a

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1596 declaratory judgment for a clarification of rights.

1597 (f) Notwithstanding this subsection, a party may bring a  
1598 cause of action for a violation of this section under any of the  
1599 following circumstances:

1600 1. The action is commenced within 1 year after the adoption  
1601 of a challenged method of election, ordinance, resolution, rule,  
1602 policy, standard, regulation, procedure, or law.

1603 2. The prospect of obtaining relief under this section  
1604 would be futile.

1605 3. Another party has submitted a notification letter under  
1606 this subsection alleging a substantially similar violation and  
1607 that party is eligible to bring a cause of action under this  
1608 subsection.

1609 4. Following the party's submission of an FLVRA  
1610 notification letter, the local government has adopted an FLVRA  
1611 resolution that identifies a remedy that would not cure the  
1612 violation identified in the notification letter.

1613 5. The party is seeking preliminary relief with respect to  
1614 an upcoming election in accordance with s. 97.28.

1615 (g) Any local government that receives an FLVRA  
1616 notification letter or adopts an FLVRA resolution must provide a  
1617 copy to the FLVRA Commission within 1 day after receipt or  
1618 adoption. The FLVRA Commission shall promptly, but not later  
1619 than 1 business day after receipt, post all FLVRA notification  
1620 letters and FLVRA resolutions on its website. The FLVRA  
1621 Commission may adopt rules identifying other materials and  
1622 information that must be provided to the FLVRA Commission by  
1623 local governments, as well as procedures for transmittal of  
1624 materials and information from local governments to the FLVRA



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Commission.

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

(6) An individual or entity aggrieved by a violation of this section, the Attorney General, or the FLVRA Commission may file an action alleging a violation of this section to enforce compliance with this section. An entity aggrieved by a violation of this section includes, but is not limited to, any entity whose membership includes individuals aggrieved by a violation of this section or whose mission would be frustrated by a violation of this section, including, but not limited to, an entity that would expend or divest resources to fulfill its mission as a result of such violation or must expend greater resources or efforts to advocate before an elected body that is less responsive to the entity or its members due to the alleged violation. An entity may not be compelled to disclose the identity of any specific member to pursue a claim on behalf of its members. This subsection must be liberally construed to confer standing as broadly as the State Constitution allows. Such a claim may be filed pursuant to the Florida Rules of Civil Procedure or in the Second Judicial Circuit of Florida. Members of two or more protected classes that are politically cohesive in a local government may jointly file an action. In an action involving a districting plan, any individual who resides in the defendant jurisdiction and is a member of the affected class or

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1654 classes, whether he or she resides in any particular district,  
1655 may challenge the districting plan as a whole.

1656 Section 11. Section 97.22, Florida Statutes, is created to  
1657 read:

1658 97.22 Florida Voting Rights Act Commission.—

1659 (1) There is created the Florida Voting Rights Act (FLVRA)  
1660 Commission within the Department of State. The FLVRA Commission  
1661 is a separate budget entity, as provided in the General  
1662 Appropriations Act, and shall prepare and submit a budget  
1663 request in accordance with chapter 216. The commission is  
1664 responsible for administering the Florida Voting Rights Act. The  
1665 commission shall have its own staff, including management,  
1666 research, and enforcement personnel, and is not subject to  
1667 control, supervision, or direction by the Department of State.

1668 (2)(a) The FLVRA Commission shall be composed of five  
1669 commissioners, each of whom shall serve a staggered 5-year term.  
1670 Commissioners must be compensated for their actual time spent on  
1671 the commission's business at an hourly rate equivalent to the  
1672 rate of an assistant attorney general.

1673 1. A nominating committee shall identify qualified  
1674 candidates to serve as commissioners. The nominating committee  
1675 shall be composed of nominating organizations that are selected  
1676 as follows:

1677 a. Organizations may apply to the Secretary of State to be  
1678 certified as organizational nominators for 5-year terms, after  
1679 which the organizations may be recertified. The Secretary of  
1680 State must certify any organization that applies to be an  
1681 organizational nominator if it meets all of the following  
1682 qualifications:

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

(II) Is registered as a nonprofit corporation with the Secretary of State.

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

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

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

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

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

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(b) Commissioners shall be selected as follows:

1. The nominating committee shall solicit applications from individuals to serve on the FLVRA Commission from across this state. A commissioner must satisfy all of the following criteria:

a. Is a resident of this state.

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

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

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

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

3. All members of the FLVRA Commission must be randomly selected from the qualified candidate pool. Upon the initial formation of the FLVRA Commission, five commissioners must be selected by lot from the qualified candidate pool and randomly assigned to term lengths of 5 years, 4 years, 3 years, 2 years, and 1 year. At least 60 days in advance of the conclusion of each commissioner's term, a new commissioner must be randomly selected by lot from the qualified candidate pool to serve a 5-year term upon the conclusion of the incumbent commissioner's term. If a vacancy occurs, a new commissioner must be randomly selected by lot from the qualified candidate pool within 30 days after the vacancy occurring to complete the vacated term.

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1741       (3) In any action or investigation to enforce this section,  
1742 the FLVRA Commission may subpoena witnesses; administer oaths;  
1743 examine individuals under oath; determine material facts; and  
1744 compel the production of records, books, papers, contracts, and  
1745 other documents in accordance with the Florida Rules of Civil  
1746 Procedure.

1747       (4) The FLVRA Commission may hire any staff and make any  
1748 expenditure necessary to fulfill its responsibilities.

1749       (5) The FLVRA Commission may adopt rules to administer and  
1750 enforce this part.

1751       Section 12. Section 97.23, Florida Statutes, is created to  
1752 read:

1753       97.23 Statewide database and institute.—

1754       (1) The FLVRA Commission shall enter into an agreement with  
1755 one or more postsecondary educational institutions in this state  
1756 to create the Florida Voting and Elections Database and  
1757 Institute to maintain and administer a central repository of  
1758 elections and voting data available to the public from all local  
1759 governments in this state, and to foster, pursue, and sponsor  
1760 research on existing laws and best practices in voting and  
1761 elections. The parties to that agreement shall enter into a  
1762 memorandum of understanding that includes the process for  
1763 selecting the director of the database and institute.

1764       (2) The database and institute shall provide a center for  
1765 research, training, and information on voting systems and  
1766 election administration. The database and institute may do any  
1767 of the following:

1768       (a) Conduct noncredit classes and classes for credit.

1769       (b) Organize interdisciplinary groups of scholars to

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research voting and elections in this state.

(c) Conduct seminars involving voting and elections.

(d) Establish a nonpartisan centralized database in order to collect, archive, and make publicly available, at no cost, accessible data pertaining to elections, voter registration, and ballot access in this state.

(e) Assist in the dissemination of election data to the public.

(f) Publish books and periodicals on voting and elections in this state.

(g) Provide nonpartisan technical assistance to local governments, scholars, and the general public seeking to use the resources of the database and institute.

(3) The database and institute shall make available, and maintain in an electronic format, all relevant election and voting data and records for at least the previous 12-year period. The data, information, and estimates maintained by the database and institute must be posted online and made available to the public at no cost. Maps, polling places, and vote-by-mail ballot secure intake stations must be made available in a geospatial file format. The database and institute shall prepare all estimates made under this section by applying the most advanced and validated peer-reviewed methodologies available. Data and records that must be maintained include, but are not limited to, all of the following:

(a) Estimates of the total population, voting age population, and citizen voting age population by racial, color, or language minority group and disability status, broken down by precinct level on a year-by-year basis, for every local

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1799 government in this state, based on data from the United States  
1800 Census Bureau or the American Community Survey or data of  
1801 comparable quality collected by a public office.

1802 (b) Election results at the precinct level for every  
1803 federal, state, and local election held in every local  
1804 government in this state.

1805 (c) Contemporaneous voter registration lists, voter history  
1806 files, polling places, and vote-by-mail secure ballot intake  
1807 stations for every election in every local government in this  
1808 state.

1809 (d) Contemporaneous maps or other documentation of the  
1810 configuration of precincts.

1811 (e) Lists of polling places, including, but not limited to,  
1812 lists of precincts assigned to each polling place, if  
1813 applicable.

1814 (f) Adopted district or redistricting plans for every  
1815 election in every local government in this state.

1816 (g) A current record, updated monthly, of persons eligible  
1817 to register to vote who have a prior criminal conviction and  
1818 whose eligibility has been restored in compliance with s.  
1819 98.0751.

1820 (h) Any other data that the director of the database and  
1821 institute considers necessary to maintain in furtherance of the  
1822 purposes of the database and institute.

1823 (4) All state agencies and local governments shall timely  
1824 provide the director of the database and institute with any  
1825 information requested by the director. No later than 90 days  
1826 after an election, each local government shall transmit to the  
1827 database and institute copies of all of the following:

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1828       (a) Election results at the precinct level.

1829       (b) Contemporaneous voter registration lists.

1830       (c) Voter history files.

1831       (d) Maps, descriptions, and shapefiles for election  
1832 districts.

1833       (e) Lists of polling places, shapefiles, or descriptions of  
1834 the precincts assigned to each polling place.

1835       (f) Any other data as requested by the database and  
1836 institute.

1837       (5) Any state entity identified by the director of the  
1838 database and institute as possessing data, statistics, or other  
1839 information required by the database and institute to carry out  
1840 its duties and responsibilities shall provide such data,  
1841 statistics, or information annually to the database and  
1842 institute at the request of the director.

1843       (6) If a state agency or local government fails to provide  
1844 any information to the database and institute as required by  
1845 this section, the director of the database and institute, the  
1846 Attorney General, or the FLVRA Commission may file an action to  
1847 enforce compliance with this section. An entity aggrieved by a  
1848 violation of this section includes, but is not limited to, any  
1849 entity whose membership includes individuals aggrieved by this  
1850 section or whose mission would be frustrated by a violation of  
1851 this section, including, but not limited to, an entity that  
1852 would expend or divest resources to fulfill its mission as a  
1853 result of such violation or must expend greater resources or  
1854 efforts to advocate before an elected body that is less  
1855 responsive to the entity or its members due to the alleged  
1856 violation. An entity may not be compelled to disclose the



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identity of any specific member to pursue a claim on behalf of its members. This section must be liberally construed to confer standing as broadly as the State Constitution allows. Such claim may be filed pursuant to the Florida Rules of Civil Procedure or in the Second Judicial Circuit of Florida.

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

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

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

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

97.24 Language access.—

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

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

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

(2) The FLVRA Commission must designate one or more languages, other than English, for which assistance in voting

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and elections must be provided by a local government if the commission finds that a significant and substantial need exists for such assistance.

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

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

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

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

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

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

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

(b) The FLVRA Commission's determinations under this section are effective upon publication, and the commission shall distribute this information to each affected local government.

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1915       (6) Each local government described in paragraph (5)(a)  
1916 shall provide assistance in voting and elections, including  
1917 related materials, in any language designated by the commission  
1918 under paragraph (5)(a) to voters in a local government who are  
1919 limited English proficient individuals.

1920       (7) Whenever the FLVRA Commission determines that, pursuant  
1921 to this section, language assistance must be provided by a local  
1922 government, the local government shall provide competent  
1923 assistance in each designated language and provide related  
1924 materials in English and in each designated language, including  
1925 voter registration or voting notices, forms, instructions,  
1926 assistance, ballots, or other materials or information relating  
1927 to the electoral process. However, in the case of a language  
1928 that is oral or unwritten, including historically unwritten  
1929 languages, as may be the case for some Native American  
1930 languages, a local government must provide oral instructions,  
1931 assistance, or other information on the electoral process in  
1932 such language. All materials provided in a designated language  
1933 must be of an equal quality to the corresponding English  
1934 materials. All provided translations must convey the intent and  
1935 essential meaning of the original text or communication and may  
1936 not rely solely on automatic translation services. If available,  
1937 live translation must be used for language assistance.

1938       (8) The FLVRA Commission shall establish a review process  
1939 under which the commission determines, upon receipt of a request  
1940 submitted under this subsection, whether a significant and  
1941 substantial need exists in a local government for a language to  
1942 be designated for language access and assistance in voting and  
1943 elections if such need has not been found under subsection (3)

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or subsection (4). Such process, at a minimum, must include an opportunity for any voter or entity to submit a request for the commission to consider designating a language in a local government; an opportunity for public comment; and a procedure for determining whether a local government must provide language assistance.

(9) Any individual or entity aggrieved by a violation of this section, the Attorney General, or the FLVRA Commission may file an action alleging a violation of this section. An entity aggrieved by a violation of this section includes, but is not limited to, any entity whose membership includes individuals aggrieved by this section or whose mission would be frustrated by a violation of this section, including, but not limited to, an entity that would expend or divest resources to fulfill its mission as a result of such violation or must expend greater resources or efforts to advocate before an elected body that is less responsive to the entity or its members due to the alleged violation. An entity may not be compelled to disclose the identity of any specific member to pursue a claim on behalf of its members. This section must be liberally construed to confer standing as broadly as the State Constitution allows. Such a claim may be filed pursuant to the Florida Rules of Civil Procedure or in the Second Judicial Circuit of Florida.

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

97.25 Preclearance.—

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

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1973        (2) For purposes of this section, a covered policy includes  
1974 any new or modified:

1975        (a) Election policy or practice.

1976        (b) Method of election, including districting or  
1977 redistricting.

1978        (c) Form of government.

1979        (d) Annexation, incorporation, dissolution, consolidation,  
1980 or division of a local government.

1981        (e) Removal of individuals from registry lists or  
1982 enrollment lists and other activities concerning any such list,  
1983 except where the removal is at the specific written request of  
1984 the voter and other activities concerning any such list.

1985        (f) Hours of any early voting site, or location or number  
1986 of early voting sites, polling places, or secure ballot intake  
1987 stations.

1988        (g) Assignment of voting precincts to polling places or  
1989 secure ballot intake station locations.

1990        (h) Assistance offered to protected class members.

1991        (i) Any additional subject matter the FLVRA Commission may  
1992 identify for inclusion in this subsection, pursuant to  
1993 commission rule, if the commission determines that any election  
1994 policy or practice may have the effect of diminishing the right  
1995 to vote of any protected class member or have the effect of  
1996 violating this act.

1997        (3) Following each decennial census, if a covered  
1998 jurisdiction does not make changes to its method of election,  
1999 including, but not limited to, maintaining an at-large method of  
2000 election or not making revisions to a district-based method of  
2001 election, the method of election must be deemed a covered policy

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and must be submitted to the FLVRA Commission pursuant to this section.

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

(a) A local government that, within the preceding 25 years, has been subject to a court order, government enforcement action, court-approved consent decree, or other settlement in which the local government conceded liability, based upon a violation of this act, the federal Voting Rights Act, the 15th Amendment to the United States Constitution, a voting-related violation of the 14th Amendment to the United States Constitution, or any violation of any other state or federal election law, concerning discrimination against members of a protected class.

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

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

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

(e) A local government that contains at least 1,000 eligible voters of any protected class, or in which members of

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any protected class constitute at least 10 percent of the eligible voter population of the local government, and in which, in any year in the preceding 10 years, the percentage of voters of any protected class in a local government which participated in any general election for any local government office was at least 10 percentage points lower than the percentage of all voters in the local government who participated in such election.

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

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

(h) A local government that contains at least 1,000 eligible voters of any protected class, or in which members of

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any protected class constitute at least 10 percent of the eligible voter population of the local government, and in which, in any year in the preceding 10 years, the poverty rate among the population of such protected class exceeded the poverty rate among the population of the local government as a whole by at least 10 percentage points.

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

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

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

(6) If a covered jurisdiction seeks preclearance from the FLVRA Commission for the adoption or implementation of any covered policy, the covered jurisdiction must submit the covered policy to the commission in writing and may obtain preclearance in accordance with this section.



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

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

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

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

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

(c) If the FLVRA Commission grants preclearance to a covered policy, the covered jurisdiction may immediately enact or implement the covered policy. A determination by the commission to grant preclearance is not admissible in, and may not be considered by, a court in any subsequent action challenging the covered policy. If the commission fails to deny or grant preclearance to a submitted covered policy within the timeframes set forth in paragraph (d), the covered policy is deemed to be precleared, and the covered jurisdiction may enact or implement the covered policy.

(d) If a covered policy concerns the method of election for a legislative body, districting or redistricting, the number of

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seats on the legislative body, or annexation, incorporation, dissolution, consolidation, or division of a local government, the FLVRA Commission must review the covered policy, including any comments submitted by members of the public, and make a determination to deny or grant preclearance within 60 days after the submission of the covered policy. The commission may invoke up to two extensions of 90 days each to make such a determination. For all other covered policies, the commission shall review the covered policy, including any public comment, and make a determination to deny or grant preclearance within 30 days after the submission of the covered policy. The commission may invoke an extension of 60 days to make such a determination.

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

(7) If a covered jurisdiction enacts or implements any covered policy without obtaining preclearance for such covered policy in accordance with this section, any individual or entity aggrieved by such violation, the director of the database and institute, the Attorney General, or the FLVRA Commission may file an action to enjoin enactment or implementation and seek sanctions against the covered jurisdiction for violations of this section. An entity aggrieved by a violation of this section includes, but is not limited to, any entity whose membership includes individuals aggrieved by this section or whose mission would be frustrated by a violation of this section, including, but not limited to, an entity that would expend or divest

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resources to fulfill its mission as a result of such violation or must expend greater resources or efforts to advocate before an elected body that is less responsive to the entity or its members due to the alleged violation. An entity may not be compelled to disclose the identity of any specific member to pursue a claim on behalf of its members. This section must be liberally construed to confer standing as broadly as the State Constitution allows. Such a claim may be filed pursuant to the Florida Rules of Civil Procedure or in the Second Judicial Circuit. A claim under this subsection does not preclude, bar, or limit in any way any other claims that may be brought regarding the covered policy, including claims brought under other sections of this act.

(8) If the FLVRA Commission approves preclearance for a covered policy in violation of this section, identifies or fails to identify a list of local governments that are covered jurisdictions in violation of this section, or otherwise fails to properly implement this section, any individual or entity aggrieved by such a violation may file an action seeking appropriate relief, including, but not limited to, injunctive relief on the commission or any other party, as the court deems necessary to enforce this section. An entity aggrieved by a violation of this section includes, but is not limited to, any entity whose membership includes individuals aggrieved by this section or whose mission would be frustrated by a violation of this section, including, but not limited to, an entity that would expend or divest resources to fulfill its mission as a result of such violation or must expend greater resources or efforts to advocate before an elected body that is less

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responsive to the entity or its members due to the alleged violation. An entity may not be compelled to disclose the identity of any specific member to pursue a claim on behalf of its members. This section must be liberally construed to confer standing as broadly as the State Constitution allows. Such a claim may be filed pursuant to the Florida Rules of Civil Procedure or in the Second Judicial Circuit of Florida. A claim under this subsection does not preclude, bar, or limit any other claims that may be brought regarding any covered policy, including claims brought under other sections of this act.

(9) The FLVRA Commission shall adopt rules to implement this section, including rules concerning the content of and procedure for preclearance submission, procedures for public comment and transparency regarding preclearance determinations, and procedures for expedited and emergency preclearance determinations that deviate from the timelines provided in paragraph (6)(d), provided that such preclearance determinations are preliminary.

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

97.26 Voter intimidation, deception, and obstruction.—

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

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

(a) The use of force or threats to use force, or the use of

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any other conduct to practice intimidation, which causes or will reasonably have the effect of causing interference with an individual's right to vote.

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

(c) The obstruction of, impediment to, or interference with access to any early voting site, polling place, secure ballot intake station, or office of the supervisor of elections in a manner that causes or will reasonably have the effect of causing interference with an individual's right to vote or causing any delay in voting or the voting process.

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

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

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

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

(b) A law enforcement officer as defined in s. 943.10 acting within the scope of his or her official duties is not subject to the presumption under paragraph (a), but a court may

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nonetheless consider a law enforcement officer's possession of a  
firearm in determining whether the officer violated this  
section.

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

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

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

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read:

97.27 Democracy canon.—

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

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

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

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

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

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

(2) It is the policy of the state that courts should exercise their discretion on any issue, including, but not limited to, questions of discovery, procedure, admissibility of evidence, or remedies, in favor of the rights enumerated in paragraphs (1)(a)-(e) to the extent allowable by law.

Furthermore, it is the policy of the state to promote the free flow of documents and information concerning the intent of public officials in actions concerning the right to vote.

Accordingly, in any action under this act, the federal Voting Rights Act, or a voting-related claim under the State Constitution or the United States Constitution, sovereign, governmental, executive, legislative, or deliberative immunities

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and privileges, including any evidentiary privileges, may not be asserted. However, this section does not apply to any attorney-client or attorney work-product privileges.

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

97.28 Remedies.—

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

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

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

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

(d) Additional voting days or hours.

(e) Additional polling places and early voting sites.

(f) Additional opportunities to return ballots.

(g) Holding special elections.

(h) Expanded opportunities for voter registration.

(i) Additional voter education.

(j) The restoration or addition of individuals to registry lists.

(k) Retaining jurisdiction for such a period of time as the court deems appropriate.



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2321       (2) The court shall consider remedies proposed by any party  
2322 to the action or by interested nonparties. The court may not  
2323 give deference or priority to a proposed remedy because it is  
2324 proposed by the state or local government.

2325       (3) If necessary to remedy a violation of this act, the  
2326 court is empowered to require a local government to implement  
2327 remedies that are inconsistent with any other law and any  
2328 special act, charter or home rule ordinance, or other enactment  
2329 of the state or local government.

2330       (4) Notwithstanding the Florida Rules of Civil Procedure or  
2331 any other law, the court must grant a temporary injunction and  
2332 any other preliminary relief requested under this section with  
2333 respect to an upcoming election if the court determines that the  
2334 party is more likely than not to succeed on the merits and that  
2335 it is possible to implement an appropriate temporary remedy that  
2336 would resolve the violation alleged under this section before  
2337 the next general election.

2338       (5) In any action to enforce this act, the court shall  
2339 award reasonable attorney fees and litigation costs, including,  
2340 but not limited to, expert witness fees and expenses, to the  
2341 party that filed an action, other than a state or local  
2342 government, and that prevailed in such action. The party that  
2343 filed the action is deemed to have prevailed when, as a result  
2344 of litigation, the party against whom the action was filed has  
2345 yielded some or all of the relief sought in the action. In the  
2346 case of a party against whom an action was filed and who  
2347 prevailed, the court may not award the party any costs unless  
2348 the court finds the action to be frivolous, unreasonable, or  
2349 without foundation.

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

98.045 Administration of voter registration.—

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

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

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

98.255 Voter education programs.—

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

(a) Voter registration;

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

(c) Voter rights and responsibilities;

(d) Distribution of sample ballots; ~~and~~

(e) Public service announcements; and

(f) Plain writing standards consistent with official federal guidelines for the Plain Writing Act of 2010 and United States Election Assistance Commission best practices for designing effective voter education materials.

(2) Each county supervisor shall implement the minimum

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voter education standards, and shall conduct additional nonpartisan education efforts as necessary to ensure that voters have a working knowledge of the voting process. This includes providing, to the extent possible, public-facing voter information in plain language reasonably calculated to be understood by persons with grade 8 reading level or lower.

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

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

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

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

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and

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verified by the Supervisor of Elections Office in  
...(insert county)....

The petition is for ...(insert the petition serial  
number and ballot title)... and was signed on  
...(insert the date the voter signed the petition)....

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

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

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

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

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

... (Date) ...

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

2. Upon receiving a completed notice, the office of the supervisor of elections ~~Office of Election Crimes and Security~~ shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(g) On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. For any reporting period in which the percentage of petition forms deemed invalid by the

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supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the department ~~Office of Election Crimes and Security~~. The department ~~Office of Election Crimes and Security~~ shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by s. 97.012(15) ~~ss. 97.012(15) and 97.022(1)~~, the secretary ~~Office of Elections Crimes and Security~~ may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.

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

100.51 General Election Day paid holiday.—In order to encourage civic participation, enable more individuals to serve as poll workers, and provide additional time for the resolution of any issue that arises while a voter is casting his or her ballot, General Election Day shall be a paid holiday. A voter is entitled to absent himself or herself from any service or employment in which he or she is engaged or employed during the time the polls are open on General Election Day. A voter who absents himself or herself under this section may not be penalized in any way, and a deduction may not be made from his or her usual salary or wages, on account of his or her absence.

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

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101.016 Strategic elections equipment reserve.—

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

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

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

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

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

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

(4) No later than February 1, 2027, and annually no later

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than February 1 thereafter, the division shall submit a report to the Governor, the President of the Senate, and the Speaker of the House of Representatives which includes all of the following:

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

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

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

Section 23. Section 101.019, Florida Statutes, is repealed.

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

101.048 Provisional ballots.—

(1) At all elections, a voter claiming to be properly registered in this ~~the~~ state and eligible to vote ~~at the precinct~~ in the election but whose eligibility cannot be determined, a person whom an election official asserts is not eligible, including, but not limited to, a person to whom notice has been sent pursuant to s. 98.075(7), but for whom a final determination of eligibility has not been made, and other persons specified in the code ~~is shall be~~ entitled to vote a provisional ballot at any precinct in the county in which the voter claims to be registered. Once voted, the provisional ballot must be placed in a secrecy envelope and thereafter sealed in a provisional ballot envelope. The provisional ballot must be deposited in a ballot box. All provisional ballots must remain sealed in their envelopes for return to the supervisor of



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elections. The department shall prescribe the form of the provisional ballot envelope. A person casting a provisional ballot has the right to present written evidence supporting his or her eligibility to vote to the supervisor of elections by not later than 5 p.m. on the second day following the election.

(2)(a) The county canvassing board shall examine each Provisional Ballot Voter's Certificate and Affirmation to determine if the person voting that ballot was entitled to vote in the county in which ~~at the precinct where~~ the person cast a vote in the election and that the person had not otherwise ~~already~~ cast a ballot in the election. In determining whether a person casting a provisional ballot is entitled to vote, the county canvassing board shall review the information provided in the Voter's Certificate and Affirmation, written evidence provided by the person pursuant to subsection (1), information provided in any cure affidavit and accompanying supporting documentation pursuant to subsection (6), any other evidence presented by the supervisor, and, in the case of a challenge, any evidence presented by the challenger. A ballot of a person casting a provisional ballot must ~~shall~~ be canvassed pursuant to paragraph (b) unless the canvassing board determines by a preponderance of the evidence that the person was not entitled to vote.

(b) If it is determined that the person was registered and entitled to vote in the county in which ~~at the precinct where~~ the person cast a vote in the election, the canvassing board must compare the signature on the Provisional Ballot Voter's Certificate and Affirmation or the provisional ballot cure affidavit with the signature on the voter's registration or

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precinct register. A provisional ballot may be counted only if:

1. The signature on the voter's certificate or the cure affidavit matches the elector's signature in the registration books or the precinct register; however, in the case of a cure affidavit, the supporting identification listed in subsection (6) must also confirm the identity of the elector; or

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

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

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

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

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

101.572 Public inspection of ballots.—

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

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

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

101.62 Request for vote-by-mail ballots.—

(1) REQUEST.—

(a) The supervisor shall accept a request for a vote-by-mail ballot only from a voter or, if directly instructed by the voter, a member of the voter's immediate family or the voter's legal guardian. A request may be made in person, in writing, by telephone, or through the supervisor's website. The department shall prescribe by rule by October 1, 2023, a uniform statewide application to make a written request for a vote-by-mail ballot which includes fields for all information required in this subsection. One request is deemed sufficient to receive a vote-

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by-mail ballot for all elections until the voter or the voter's  
designee notifies the supervisor that the voter cancels such  
request through the end of the calendar year of the next  
~~regularly scheduled general election~~, unless the voter or the  
voter's designee indicates at the time the request is made the  
elections ~~within such period~~ for which the voter desires to  
receive a vote-by-mail ballot. The supervisor must cancel a  
request for a vote-by-mail ballot when any first-class mail or  
nonforwardable mail sent by the supervisor to the voter is  
returned as undeliverable. If the voter requests a vote-by-mail  
ballot thereafter, the voter must provide or confirm his or her  
current residential address.

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

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

(d) Upon a request for a vote-by-mail ballot, the  
supervisor shall provide a vote-by-mail ballot to each voter by  
whom a request for that ballot has been made, by one of the  
following means:

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

2. By forwardable mail, e-mail, or facsimile machine  
transmission to absent uniformed services voters and overseas

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2669 voters. The absent uniformed services voter or overseas voter  
2670 may designate in the vote-by-mail ballot request the preferred  
2671 method of transmission. If the voter does not designate the  
2672 method of transmission, the vote-by-mail ballot must be mailed.

2673 3. By personal delivery to the voter after vote-by-mail  
2674 ballots have been mailed and up to 7 p.m. on election day upon  
2675 presentation of the identification required in s. 101.043.

2676 4. By delivery to the voter's designee after vote-by-mail  
2677 ballots have been mailed and up to 7 p.m. on election day. Any  
2678 voter may designate in writing a person to pick up the ballot  
2679 for the voter; ~~however, the person designated may not pick up~~  
2680 ~~more than two vote-by-mail ballots per election, other than the~~  
2681 ~~designee's own ballot, except that additional ballots may be~~  
2682 ~~picked up for members of the designee's immediate family. The~~  
2683 ~~designee shall provide to the supervisor the written~~  
2684 ~~authorization by the voter and a picture identification of the~~  
2685 ~~designee and must complete an affidavit. The designee shall~~  
2686 ~~state in the affidavit that the designee is authorized by the~~  
2687 ~~voter to pick up that ballot and shall indicate if the voter is~~  
2688 ~~a member of the designee's immediate family and, if so, the~~  
2689 ~~relationship. The department shall prescribe the form of the~~  
2690 ~~affidavit. If the supervisor is satisfied that the designee is~~  
2691 ~~authorized to pick up the ballot and that the signature of the~~  
2692 ~~voter on the written authorization matches the signature of the~~  
2693 ~~voter on file, the supervisor must give the ballot to that~~  
2694 ~~designee for delivery to the voter.~~

2695 5. Except as provided in s. 101.655, the supervisor may not  
2696 deliver a vote-by-mail ballot to a voter or a voter's designee  
2697 pursuant to subparagraph 3. or subparagraph 4., respectively,

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during the mandatory early voting period and up to 7 p.m. on election day, unless there is an emergency, to the extent that the voter will be unable to go to a designated early voting site in his or her county or to his or her assigned polling place on election day. If a vote-by-mail ballot is delivered, the voter or his or her designee must execute an affidavit affirming to the facts which allow for delivery of the vote-by-mail ballot. The department shall adopt a rule providing for the form of the affidavit.

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

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 ballot two envelopes: a secrecy envelope, into which the absent voter must ~~elector shall~~ enclose his or her marked ballot; and a postage prepaid mailing envelope, into which the absent voter must ~~elector shall~~ then place the secrecy envelope, which must ~~shall~~ be addressed to the supervisor and also bear on the back side 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

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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)...

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

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

...(Mobile Telephone Number)...

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

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

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

101.65 Instructions to absent electors.—The supervisor

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shall enclose with each vote-by-mail ballot separate printed instructions in substantially the following form; however, where the instructions appear in capitalized text, the text of the printed instructions must be in bold font:

READ THESE INSTRUCTIONS CAREFULLY  
BEFORE MARKING BALLOT.

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

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

3. Mark only the number of candidates or issue choices for



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a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate, your vote in that race will not be counted.

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

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

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

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

8. VERY IMPORTANT. If you are an overseas voter, you must include the date you signed the Voter's Certificate or printed the last four digits of your social security number on the line above (Date) or your ballot may not be counted.

9. Mail, deliver, or have delivered the completed mailing

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2814 envelope. If mailing, be sure there is sufficient postage if the  
2815 mailing envelope is not already postage-paid ~~mailed~~. THE  
2816 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE  
2817 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS  
2818 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE  
2819 STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

2820 10. FELONY NOTICE. It is a felony under Florida law to  
2821 accept any gift, payment, or gratuity in exchange for your vote  
2822 for a candidate. It is also a felony under Florida law to vote  
2823 in an election using a false identity or false address, or under  
2824 any other circumstances making your ballot false or fraudulent.

2825 Section 29. Paragraphs (a) and (b) of subsection (1),  
2826 paragraph (c) of subsection (2), and paragraphs (a), (c), and  
2827 (d) of subsection (4) of section 101.68, Florida Statutes, are  
2828 amended to read:

2829 101.68 Canvassing of vote-by-mail ballot.—

2830 (1)(a) The supervisor of the county where the absent  
2831 elector resides shall receive the voted ballot, at which time  
2832 the supervisor shall compare the signature or the last four  
2833 digits of the social security number of the elector on the  
2834 voter's certificate with the signature or the last four digits  
2835 of the social security number of the elector in the registration  
2836 books or the precinct register to determine whether the elector  
2837 is duly registered in the county and must record on the  
2838 elector's registration record that the elector has voted. During  
2839 the signature comparison process, the supervisor may not use any  
2840 knowledge of the political affiliation of the elector whose  
2841 signature is subject to verification.

2842 (b) An elector who dies after casting a vote-by-mail ballot

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but on or before election day must ~~shall~~ remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote pursuant to subsection (2).

(2)

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

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

b. The cure affidavit contains a signature or the last four digits of a social security number which do ~~that does~~ not match the elector's signature or last four digits of the social security number in the registration books or precinct register, but the elector has submitted a current and valid Tier 1

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identification pursuant to subsection (4) which confirms the identity of the elector.

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

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

3. A vote-by-mail ballot is not considered invalid ~~illegal~~ if the signature or last four digits of the social security number of the elector do ~~does~~ not cross the seal of the mailing envelope.

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

~~5.~~ If the canvassing board determines that a ballot is invalid ~~illegal~~, a member of the board must, without opening the

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envelope, mark across the face of the envelope: "rejected as invalid ~~illegal~~." The cure affidavit, if applicable, the envelope, and the ballot therein must ~~shall~~ be preserved in the manner that official ballots are preserved.

(4) (a) As soon as practicable, the supervisor shall, on behalf of the county canvassing board, attempt to notify an elector who has returned a vote-by-mail ballot that does not include the elector's signature or last four digits of the elector's social security number or contains a signature or the last four digits of a social security number that do ~~does~~ not match the elector's signature or last four digits of the elector's social security number in the registration books or precinct register by:

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

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

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

In addition to the notification required under subparagraph 1., subparagraph 2., or subparagraph 3., the supervisor must notify the elector of the signature or last four digits of the social

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security number deficiency by first-class mail and direct the elector to the cure affidavit and instructions on the supervisor's website. Beginning the day before the election, the supervisor is not required to provide notice of the signature deficiency by first-class mail, but shall continue to provide notice as required under subparagraph 1., subparagraph 2., or subparagraph 3.

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

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

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

...(Address)...

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

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2959  
2960 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE  
2961 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
2962 BALLOT NOT TO COUNT.  
2963

2964 1. In order to ensure that your vote-by-mail ballot will be  
2965 counted, your affidavit should be completed and returned as soon  
2966 as possible so that it can reach the supervisor of elections of  
2967 the county in which your precinct is located no later than 5  
2968 p.m. on the 2nd day after the election.

2969 2. You must sign your name or print the last four digits of  
2970 your social security number on the line above (Voter's Signature  
2971 or Last Four Digits of Social Security Number).

2972 3. You must make a copy of one of the following forms of  
2973 identification:

2974 a. Tier 1 identification.—Current and valid identification  
2975 that includes your name and photograph: Florida driver license;  
2976 Florida identification card issued by the Department of Highway  
2977 Safety and Motor Vehicles; United States passport; debit or  
2978 credit card; military identification; student identification;  
2979 retirement center identification; neighborhood association  
2980 identification; public assistance identification; veteran health  
2981 identification card issued by the United States Department of  
2982 Veterans Affairs; a Florida license to carry a concealed weapon  
2983 or firearm; or an employee identification card issued by any  
2984 branch, department, agency, or entity of the Federal Government,  
2985 the state, a county, or a municipality; or

2986 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1  
2987 FORM OF IDENTIFICATION, identification that shows your name and

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current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter information card).

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

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

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

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

(1) The provisions of this code may ~~shall~~ not be construed to prohibit any voter ~~elector~~ from voting in person at the voter's ~~elector's~~ precinct on the day of an election or at an early voting site, notwithstanding that the voter ~~elector~~ has requested a vote-by-mail ballot for that election. A voter ~~An elector~~ who has returned a voted vote-by-mail ballot to the supervisor, however, is deemed to have cast his or her ballot and is not entitled to vote another ballot or to have a provisional ballot counted by the county canvassing board. A



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3017 voter ~~An elector~~ who has received a vote-by-mail ballot and has  
3018 not returned the voted ballot to the supervisor, but desires to  
3019 vote in person, shall return the ballot, whether voted or not,  
3020 to the election board in the voter's ~~elector's~~ precinct or to an  
3021 early voting site. The returned ballot must ~~shall~~ be marked  
3022 "canceled" by the board and placed with other canceled ballots.  
3023 However, if the voter ~~elector~~ does not return the ballot and the  
3024 election official:

3025 (a) Confirms that the supervisor has received the voter's  
3026 ~~elector's~~ vote-by-mail ballot, the voter may ~~elector shall~~ not  
3027 be allowed to vote in person. If the voter ~~elector~~ maintains  
3028 that he or she has not returned the vote-by-mail ballot or  
3029 remains eligible to vote, the voter must ~~elector shall~~ be  
3030 provided a provisional ballot as provided in s. 101.048.

3031 (b) Confirms that the supervisor has not received the  
3032 voter's ~~elector's~~ vote-by-mail ballot, the voter must ~~elector~~  
3033 ~~shall~~ be allowed to vote in person as provided in this code. The  
3034 voter's ~~elector's~~ vote-by-mail ballot, if subsequently received,  
3035 may ~~shall~~ not be counted and must ~~shall~~ remain in the mailing  
3036 envelope, and the envelope must ~~shall~~ be marked "Rejected as  
3037 Illegal."

3038 (c) Cannot determine whether the supervisor has received  
3039 the voter's ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ may  
3040 vote a provisional ballot as provided in s. 101.048.

3041 (2)(a) The supervisor shall allow a voter ~~an elector~~ who  
3042 has received a vote-by-mail ballot to physically return a voted  
3043 vote-by-mail ballot to the supervisor by placing the return mail  
3044 envelope containing his or her marked ballot in a secure ballot  
3045 intake station. Secure ballot intake stations must ~~shall~~ be

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placed at the main office of the supervisor, at each permanent branch office of the supervisor which meets the criteria set forth in s. 101.657(1)(a) for branch offices used for early voting and which is open for at least the minimum number of hours prescribed by s. 98.015(4), and at each early voting site. Secure ballot intake stations may also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1). Secure ballot intake stations must be geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot, insofar as is practicable. ~~Except for secure ballot intake stations at an office of the supervisor, a secure ballot intake station may only be used during the county's early voting hours of operation and must be monitored in person by an employee of the supervisor's office.~~ A secure ballot intake station at an office of the supervisor must be ~~continuously~~ monitored ~~in person~~ by ~~an employee of the supervisor's office~~ when the secure ballot intake station is accessible for deposit of ballots.

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

(c)1. On each day of early voting, all secure ballot intake stations must be emptied at the end of early voting hours and all ballots retrieved from the secure ballot intake stations

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must be returned to the supervisor's office.

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

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

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

Section 31. Section 104.0616, Florida Statutes, is repealed.

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

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

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

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

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104.42 Fraudulent registration and illegal voting;  
investigation.—

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

Section 34. Paragraph (a) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(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.

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3121	212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
3122	316.1935 (1)	3rd	Fleeing or attempting to elude law enforcement officer.
3123	319.30 (5)	3rd	Sell, exchange, give away certificate of title or identification number plate.
3124	319.35 (1) (a)	3rd	Tamper, adjust, change, etc., an odometer.
3125	320.26 (1) (a)	3rd	Counterfeit, manufacture, or sell registration license plates or validation stickers.
3126	322.212 (1) (a) - (c)	3rd	Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.
	322.212 (4)	3rd	Supply or aid in supplying unauthorized driver license or identification card.

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3127	322.212 (5) (a)	3rd	False application for driver license or identification card.
3128	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
3129	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
3130	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
3131	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
3132	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
3133	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any

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			property not specified in subsection (2).
3134	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
3135	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
3136	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
3137	826.01	3rd	Bigamy.
3138	828.122 (3)	3rd	Fighting or baiting animals.
3139	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
3140	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s.

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			893.03(5) drugs.
3141	832.041(1)	3rd	Stopping payment with intent to defraud \$150 or more.
3142	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.
3143	838.15(2)	3rd	Commercial bribe receiving.
3144	838.16	3rd	Commercial bribery.
3145	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
3146	847.011(1)(a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
3147	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.
3148			



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3149	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
3150	849.25 (2)	3rd	Engaging in bookmaking.
3151	860.08	3rd	Interfere with a railroad signal.
3152	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
3153	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
3154	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
3155	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

Section 35. 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.