

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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supervisors to send certain mail to individuals under specified conditions; requiring the information in the statewide database to be updated weekly rather than monthly during a specified timeframe; requiring the commission to adopt rules; amending s. 97.021, F.S.; defining terms; revising the definition of the term "election"; providing construction; repealing s. 97.022, F.S., relating to the Office of Election Crimes and Security; repealing s. 97.0291, F.S., relating to prohibiting the use of private funds for election-related expenses; creating s. 97.0556, F.S.; authorizing a person who meets certain requirements to register to vote for the early voting period or election day at an early voting site or his or her polling place and cast a ballot immediately thereafter; amending s. 97.057, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to preregister certain individuals to vote; providing that driver license or identification card applications, driver license or identification card renewal applications, and applications for changes of address for existing driver licenses or identification cards submitted to the department serve as voter registration applications; providing that an applicant is deemed to have consented to the use of his or her signature for voter registration purposes unless a declination is made; requiring that specified applications include a voter registration component, 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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88 provides for the expiration of such organization's
89 registration at the conclusion of the general election
90 cycle for which the organization is registered;
91 deleting provisions requiring such organizations to
92 provide a specified receipt in a uniform format to
93 applicants; revising the timeframe within which such
94 organizations must deliver completed applications to
95 the division or a supervisor of elections; revising
96 certain penalties; revising the aggregate limit of
97 such penalties; requiring that fines be remitted to
98 specified supervisors of elections; requiring such
99 supervisors to expend monies collected from such fines
100 for specified purposes; deleting criminal and
101 administrative penalties; deleting provisions
102 requiring the division to adopt certain rules;
103 deleting provisions that prohibit providing applicants
104 a pre-filled voter registration application and the
105 specified fine for such action; deleting provisions
106 for retroactive application; creating part III of ch.
107 97, F.S., entitled "Florida Voting Rights Act";
108 creating s. 97.21, F.S.; prohibiting local
109 governments, state agencies, and state officials from
110 implementing, imposing, or enforcing election
111 policies, practices, or actions that result in, will
112 result in, or are intended to result in specified
113 disparities or impairments; providing that it is not a
114 violation if such entities demonstrate, by a specified
115 evidentiary standard, certain conditions; providing
116 that it is always a violation if specified

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117 circumstances exist; prohibiting local governments
118 from employing methods of election that have the
119 effect, will likely have the effect, or are motivated
120 in part by the intent of diluting the vote of
121 protected class members; providing the requirements to
122 establish a violation; providing relevant factors to
123 evaluate the totality of circumstances related to
124 voter suppression and vote dilution; providing
125 construction; providing that such factors are most
126 probative under a specified condition; providing
127 circumstances used to determine whether elections in
128 the local government exhibit racially polarized
129 voting; providing construction; providing
130 circumstances that are never relevant to violations of
131 specified provisions; providing that a state interest
132 in preventing voter fraud or bolstering voter
133 confidence in the integrity of elections is relevant
134 under specified circumstances; providing that evidence
135 concerning the intent of electors, elected officials,
136 and public officials is not required to prove such
137 violations; providing that voting habits of protected
138 class members may be relevant to certain violations;
139 requiring a prospective plaintiff, before filing a
140 certain action against a local government, to send a
141 notification letter, by specified means, to the local
142 government; prohibiting a party from filing an action
143 under specified circumstances; authorizing a local
144 government to adopt a specified resolution within a
145 specified timeframe; providing that, under certain

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

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204 a specified timeframe available to the public at no
205 cost and to maintain such records in an electronic
206 format; requiring the database and institute to use
207 certain methodologies when preparing estimates;
208 specifying the data and records that must be
209 maintained; requiring state agencies and local
210 governments to timely provide any information
211 requested by the director of the database and
212 institute; requiring local governments to transmit
213 specified information to the database and institute
214 within a certain timeframe; requiring specified
215 entities to provide data, statistics, and other
216 information annually to the database and institute;
217 authorizing specified entities to file enforcement
218 actions; providing construction; prohibiting certain
219 entities from being compelled to disclose the identity
220 of a member for a certain purpose; providing that
221 enforcement actions may be filed in accordance with
222 the Florida Rules of Civil Procedure or in a specified
223 venue; requiring the database and institute to
224 annually publish a certain report within a specified
225 timeframe; requiring the database and institute to
226 provide nonpartisan technical assistance to specified
227 entities; providing that a rebuttable presumption
228 exists that data, estimates, or other information from
229 the database and institute is valid; creating s.
230 97.24, F.S.; defining terms; requiring the Florida
231 Voting Rights Act Commission to designate languages
232 other than English for which language assistance must

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233 be provided by a local government, if certain
234 conditions exist; providing the circumstances under
235 which the commission must designate languages other
236 than English for voting and elections; requiring the
237 commission to publish specified information annually
238 on its website and distribute such information to
239 local governments; requiring local governments to
240 provide language assistance for specified purposes if
241 the commission makes a certain determination;
242 requiring that certain materials be provided in such
243 language; requiring that certain information be given
244 orally to voters; requiring that translated materials
245 be of a certain quality, convey a specified intent and
246 meaning, and may not rely solely on automatic
247 translation services; requiring that live translation
248 be used if available; requiring the commission to
249 establish a specified review process; providing
250 requirements for such review process; authorizing
251 specified entities to file enforcement actions;
252 prohibiting certain entities from being compelled to
253 disclose the identity of a member for a certain
254 purpose; providing construction; requiring that
255 enforcement actions be filed in accordance with the
256 Florida Rules of Civil Procedure or in a specified
257 venue; creating s. 97.25, F.S.; providing that the
258 enactment or implementation of a covered policy by a
259 covered jurisdiction is subject to preclearance by the
260 commission; specifying actions by a local government
261 which are covered policies; requiring that if a

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262 covered jurisdiction does not make changes to its
263 method of election, such method is deemed a covered
264 policy that must be submitted to the commission;
265 specifying which local governments are covered
266 jurisdictions; requiring the commission to determine
267 and publish annually on its website a list of local
268 governments that are covered jurisdictions; requiring
269 a covered jurisdiction, if seeking preclearance, to
270 submit the covered policy to the commission in
271 writing; requiring the commission to review the
272 covered policy and grant or deny preclearance;
273 providing that the covered jurisdiction bears the
274 burden of proof in the preclearance process; providing
275 that the commission may deny preclearance only if it
276 makes certain determinations; providing that if
277 preclearance is denied, the covered policy may not be
278 enacted or implemented; requiring the commission to
279 provide a written explanation for a denial;
280 authorizing a covered jurisdiction to immediately
281 enact or implement a covered policy if granted
282 preclearance; providing that such determination is not
283 admissible and may not be considered by a court in a
284 subsequent action challenging the covered policy;
285 providing that a covered policy is deemed precleared
286 and may be implemented or enacted by the covered
287 jurisdiction if the commission fails to approve or
288 deny the covered policy within specified timeframes;
289 requiring the commission to grant or deny preclearance
290 within specified timeframes; authorizing the

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291 commission to invoke a specified number of extensions
292 of a specified timeframe to determine preclearance;
293 providing that a denial of preclearance may be
294 appealed only by the covered jurisdiction in a
295 specified venue; authorizing specified entities to
296 enjoin the enactment or implementation of specified
297 policies and to seek sanctions against covered
298 jurisdictions in specified circumstances; authorizing
299 specified entities to file enforcement actions;
300 prohibiting certain entities from being compelled to
301 disclose the identity of a member for a certain
302 purpose; providing construction; specifying that
303 enforcement actions must be filed in accordance with
304 the Florida Rules of Civil Procedure or in a specified
305 venue; requiring the commission to adopt rules;
306 creating s. 97.26, F.S.; prohibiting a person from
307 engaging in acts of intimidation, deception, or
308 obstruction, or any other tactic that has the effect
309 or will reasonably have the effect, of interfering
310 with another person's right to vote; specifying acts
311 that are deemed violations; providing a rebuttable
312 presumption; providing an exception; authorizing
313 specified entities to file a civil action alleging a
314 violation of specified provisions; prohibiting certain
315 entities from being compelled to disclose the identity
316 of a member for a certain purpose; providing
317 construction; specifying that actions must be filed in
318 accordance with the Florida Rules of Civil Procedure
319 or in a specified venue; requiring the court to order

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320 specified remedies; creating s. 97.27, F.S.; providing
321 construction; providing applicability; creating s.
322 97.28, F.S.; requiring the court to order appropriate
323 remedies for violations of the act; specifying
324 appropriate remedies; requiring the court to consider
325 remedies proposed by specified parties; prohibiting
326 the court from giving deference to a remedy proposed
327 by the state or local government; providing that the
328 court is empowered to require local governments to
329 implement certain remedies under specified conditions;
330 requiring the court to grant a temporary injunction or
331 other preliminary relief requested under specified
332 conditions; requiring the court to award attorney fees
333 and litigation costs to the prevailing party in
334 actions to enforce specified provisions; providing
335 that a party is deemed to prevail if certain
336 conditions are met; prohibiting the court from
337 awarding costs for the prevailing party under
338 specified circumstances; amending s. 98.045, F.S.;
339 conforming a cross-reference; amending s. 98.255,
340 F.S.; revising the standards the Department of State
341 is required to prescribe by rule for nonpartisan voter
342 education; requiring that supervisors provide public-
343 facing voter information in plain language to be
344 understood by certain persons; amending s. 100.371,
345 F.S.; providing that a certain notice may be returned
346 to the supervisor of elections instead of the Office
347 of Elections Crime and Security; requiring that such
348 notice contain specified information relating to the

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349 supervisor of elections; requiring supervisors to
350 transmit a copy of such notice to the Division of
351 Elections; requiring supervisors to notify the
352 Department of State instead of the Office of Election
353 Crimes and Security if a specified percentage of
354 petition forms are deemed invalid; requiring the
355 department instead of the Office of Election Crimes
356 and Security to conduct a certain preliminary
357 investigation; authorizing the Secretary of State
358 instead of the Office of Election Crimes and Security
359 to report findings to the statewide prosecutor; making
360 conforming changes; creating s. 100.51, F.S.;
361 establishing General Election Day as a paid holiday;
362 providing that a voter may absent himself or herself
363 from service or employment at a specific time on
364 General Election Day and may not be penalized or have
365 salary or wages deducted for such absence; creating s.
366 101.016, F.S.; requiring the Division of Elections to
367 maintain a secure election equipment reserve for
368 specified purposes; requiring that such reserve
369 include specified equipment; authorizing the division
370 to contract with specified entities rather than
371 physically maintain such reserve; providing contract
372 requirements; requiring the division to annually
373 submit a specified report to the Governor and the
374 Legislature, beginning on a specified date; repealing
375 s. 101.019, F.S., relating to the prohibition against
376 ranked-choice voting; amending s. 101.048, F.S.;
377 providing that a voter may cast a provisional ballot

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

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407 affidavit with the signature or last four digits of
408 the social security number in the registration books
409 or precinct register when canvassing a vote-by-mail
410 ballot and to determine the validity of such ballot;
411 deleting the authorization for certain persons to file
412 a protest against the canvass of a ballot; revising
413 the instructions on a cure affidavit; amending s.
414 101.69, F.S.; deleting a provision providing that
415 specified secure ballot intake stations be used only
416 during specified timeframes and be monitored by an
417 employee of the supervisor's office; requiring that
418 secure ballot intake stations be monitored by the
419 supervisor's office during specified timeframes
420 instead of continuously monitored in person by an
421 employee; deleting a provision authorizing a certain
422 civil penalty; making technical changes; repealing s.
423 104.0616, F.S., relating to violations regarding vote-
424 by-mail ballots and voting; amending s. 104.155, F.S.;
425 deleting a provision prohibiting a person from raising
426 his or her ignorance regarding citizenship as a
427 defense to specified violations; amending ss. 104.42
428 and 921.0022, F.S.; conforming provisions to changes
429 made by the act; providing effective dates.

430

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

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

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436 100,000 black voters in this state, and

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

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

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

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

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

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

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

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465 elective franchise, NOW, THEREFORE,

466

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

468

469 Section 1. Effective upon becoming a law, subsection (1) of
470 section 20.10, Florida Statutes, is amended to read:471 20.10 Department of State.—There is created a Department of
472 State.473 (1) The head of the Department of State is the Secretary of
474 State. The Secretary of State shall be elected at the statewide
475 general election at which the Governor, Lieutenant Governor, and
476 Cabinet officers are elected, as provided in s. 5, Art. IV of
477 the State Constitution, and shall serve a term of 4 years
478 beginning on the first Tuesday after the first Monday in January
479 of the year following such election appointed by the Governor,
480 subject to confirmation by the Senate, and shall serve at the
481 pleasure of the Governor. The Secretary of State shall perform
482 the functions conferred by the State Constitution upon the
483 custodian of state records.484 Section 2. Subsection (4) is added to section 20.32,
485 Florida Statutes, to read:

486 20.32 Florida Commission on Offender Review.—

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

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494 person all of the following information:

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

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

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

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

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

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

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

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

521 (d) By July 1, 2028, the commission shall make the database
522 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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581 voter registration deadline for that election, information on
582 the statewide database must be updated weekly rather than
583 monthly.

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

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

588 97.021 Definitions.—For the purposes of this code, except
589 where the context clearly indicates otherwise, the term:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

646 (8) “Database and institute” means the Florida Voting and
647 Elections Database and Institute.

648 (9) “Department” means the Department of State.

649 (10)~~(9)~~ “Division” means the Division of Elections of the
650 Department of State.

651 (11)~~(10)~~ “Early voting” means casting a ballot prior to
652 election day at a location designated by the supervisor of
653 elections and depositing the voted ballot in the tabulation
654 system.

655 (12)~~(11)~~ “Early voting area” means the area designated by
656 the supervisor of elections at an early voting site at which
657 early voting activities occur, including, but not limited to,
658 lines of voters waiting to be processed, the area where voters
659 check in and are processed, and the area where voters cast their
660 ballots.

661 (13)~~(12)~~ “Early voting site” means those locations
662 specified in s. 101.657 and the building in which early voting
663 occurs.

664 (14)~~(13)~~ “Election” means any primary election, special
665 primary election, special election, general election, county
666 election, municipal election, referendum, or presidential
667 preference primary election, or any other local or state

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668 election.669 (15) ~~(14)~~ "Election board" means the clerk and inspectors
670 appointed to conduct an election.671 (16) ~~(15)~~ "Election costs" shall include, but not be limited
672 to, expenditures for all paper supplies such as envelopes,
673 instructions to voters, affidavits, reports, ballot cards,
674 ballot booklets for vote-by-mail voters, postage, notices to
675 voters; advertisements for registration book closings, testing
676 of voting equipment, sample ballots, and polling places; forms
677 used to qualify candidates; polling site rental and equipment
678 delivery and pickup; data processing time and supplies; election
679 records retention; and labor costs, including those costs
680 uniquely associated with vote-by-mail ballot preparation, poll
681 workers, and election night canvass.682 (17) "Election policy or practice" includes any
683 qualification to be an elector, prerequisite to voting, or
684 method of election, as well as any law, statute, ordinance,
685 resolution, charter code or provision, regulation, rule, policy,
686 practice, procedure, standard, or action with respect to voting
687 or the administration or schedule of elections.688 (18) ~~(16)~~ "Elector" is synonymous with the word "voter" or
689 "qualified elector or voter," except where the word is used to
690 describe presidential electors.691 (19) "Federal Voting Rights Act" means the federal Voting
692 Rights Act of 1965, 52 U.S.C. s. 10301 et seq., as amended.693 (20) "FLVRA Commission" means the Florida Voting Rights Act
694 Commission.695 (21) ~~(17)~~ "General election" means an election held on the
696 first Tuesday after the first Monday in November in the even-

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

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

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

708 (24) ~~(18)~~ "Lists of registered electors" means names and
709 associated information of registered electors maintained by the
710 department in the statewide voter registration system or
711 generated or derived from the statewide voter registration
712 system. Lists may be produced in printed or electronic format.

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

718 (26) ~~(19)~~ "Member of the Merchant Marine" means an
719 individual, other than a member of a uniformed service or an
720 individual employed, enrolled, or maintained on the Great Lakes
721 for the inland waterways, who is:

722 (a) Employed as an officer or crew member of a vessel
723 documented under the laws of the United States, a vessel owned
724 by the United States, or a vessel of foreign-flag registry under
725 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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784 date of the election involved;

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

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

792 (35)~~(26)~~ "Overvote" means that the elector marks or
793 designates more names than there are persons to be elected to an
794 office or designates more than one answer to a ballot question,
795 and the tabulator records no vote for the office or question.

796 (36)~~(27)~~ "Persons with disabilities" means individuals who
797 have a physical or mental impairment that substantially limits
798 one or more major life activities.

799 (37)~~(28)~~ "Petition circulator" means an entity or
800 individual who collects signatures for the purpose of qualifying
801 a proposed constitutional amendment for ballot placement. The
802 term does not include a person who collects, delivers, or
803 otherwise physically possesses no more than 25 signed petition
804 forms in addition to his or her own signed petition form or a
805 signed petition form belonging to the person's spouse, or the
806 parent, child, grandparent, grandchild, or sibling of the person
807 or the person's spouse.

808 (38)~~(29)~~ "Polling place" is the building which contains the
809 polling room where ballots are cast.

810 (39)~~(30)~~ "Polling room" means the actual room in which
811 ballots are cast on election day and during early voting.

812 (40)~~(31)~~ "Primary election" means an election held

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

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

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

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

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

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

837 (42) ~~(+32)~~ "Provisional ballot" means a conditional ballot,
838 the validity of which is determined by the canvassing board.

839 (43) ~~(+33)~~ "Public assistance" means assistance provided
840 through the food assistance program under the federal
841 Supplemental Nutrition Assistance Program; the Medicaid program;

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

844 (44) ~~(34)~~ "Public office" means any federal, state, county,
845 municipal, school, or other district office or position which is
846 filled by vote of the electors.

847 (45) ~~(35)~~ "Qualifying educational institution" means any
848 public or private educational institution receiving state
849 financial assistance which has, as its primary mission, the
850 provision of education or training to students who are at least
851 18 years of age, provided such institution has more than 200
852 students enrolled in classes with the institution and provided
853 that the recognized student government organization has
854 requested this designation in writing and has filed the request
855 with the office of the supervisor of elections in the county in
856 which the institution is located.

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

861 (47) ~~(36)~~ "Special election" is a special election called
862 for the purpose of voting on a party nominee to fill a vacancy
863 in the national, state, county, or district office.

864 (48) ~~(37)~~ "Special primary election" is a special nomination
865 election designated by the Governor, called for the purpose of
866 nominating a party nominee to be voted on in a general or
867 special election.

868 (49) ~~(38)~~ "Supervisor" means the supervisor of elections.

869 (50) ~~(39)~~ "Tactile input device" means a device that
870 provides information to a voting system by means of a voter

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

873 (51)(+40) "Third-party registration organization" means any
874 person, entity, or organization soliciting or collecting voter
875 registration applications. A third-party voter registration
876 organization does not include:

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

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

884 (52)(+41) "Undervote" means that the elector does not
885 properly designate any choice for an office or ballot question,
886 and the tabulator records no vote for the office or question.

887 (53)(+42) "Uniformed services" means the Army, Navy, Air
888 Force, Marine Corps, Space Force, and Coast Guard, the
889 commissioned corps of the Public Health Service, and the
890 commissioned corps of the National Oceanic and Atmospheric
891 Administration.

892 (54) "Vote" or "voting" includes any action necessary to
893 cast a ballot and make such ballot effective in any election or
894 primary election, which actions include, but are not limited to,
895 registering to vote, requesting a vote-by-mail ballot, and any
896 other action required by law as a prerequisite to casting a
897 ballot and having such ballot counted, canvassed, or certified
898 properly and included in the appropriate totals of votes cast
899 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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929 but are used in the federal Voting Rights Act and interpreted in
930 relevant case law, including, but not limited to, "political
931 process" and "prerequisite to voting," must be construed in a
932 manner consistent with such usage and interpretation.

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

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

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

937 97.0556 Same-day voter registration.—A person who meets the
938 qualifications specified in s. 97.041 to register to vote for
939 the early voting period, or at his or her polling place on
940 election day, and who provides the information required under s.
941 97.052 for the uniform statewide voter registration application,
942 may register at an early voting site or at his or her polling
943 place and immediately thereafter cast a ballot.

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

946 97.057 Voter registration by the Department of Highway
947 Safety and Motor Vehicles.—

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

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

956 2. (b) An application for, or renewal of, Apply for or renew
957 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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987 by the supervisor of elections in accordance with s.
988 97.053(5)(b).

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

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

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

1000 (b) Electronically transmit the voter registration
1001 component of an applicant's driver license or identification
1002 card application to the Department of State within 24 hours
1003 after receipt. Upon receipt of the voter registration component,
1004 the Department of State shall provide the information to the
1005 supervisor of the county in which the applicant is registering
1006 or preregistering to vote or updating his or her voter
1007 registration record.

1008 (2) The Department of Highway Safety and Motor Vehicles
1009 shall:

1010 (a) Notify each individual, orally or in writing, that:
1011 1. Information gathered for the completion of a driver
1012 license or identification card application, renewal, or change
1013 of address can be automatically transferred to a voter
1014 registration application;

1015 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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1045 the applicant's eligibility pursuant to s. 97.041 must be
1046 presented to the applicant to review and verify the voter
1047 registration information received and provide an electronic
1048 signature affirming the accuracy of the information provided.

1049 d. The voter registration application may not be used to
1050 change the party affiliation of the applicant unless the
1051 applicant designates a change in party affiliation and provides
1052 a separate signature consenting to the party affiliation change.

1053 e. After verifying the voter registration information and
1054 providing his or her electronic signature, the applicant must be
1055 provided with a printed receipt that includes such information
1056 and documents any change in party affiliation.

1057 2. If the applicant declines to register to vote, update
1058 the applicant's voter registration record, or change the
1059 applicant's address by either orally declining or by failing to
1060 sign the voter registration application, the Department of
1061 Highway Safety and Motor Vehicles must note such declination on
1062 its records and shall forward the declination to the statewide
1063 voter registration system.

1064 (3) For the purpose of this section, the Department of
1065 Highway Safety and Motor Vehicles, with the approval of the
1066 Department of State, shall prescribe:

1067 (a) A voter registration application that is the same in
1068 content, format, and size as the uniform statewide voter
1069 registration application prescribed under s. 97.052; and

1070 (b) A form that will inform applicants under subsection (1)
1071 of the information contained in paragraph (2)(a).

1072 (4) The Department of Highway Safety and Motor Vehicles
1073 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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1103 State for program evaluation and reporting to the Election
1104 Assistance Commission pursuant to federal law.

1105 (6)(8) The Department of Highway Safety and Motor Vehicles
1106 shall ~~must~~ ensure that all voter registration services provided
1107 by driver license offices are in compliance with all state and
1108 federal laws ~~the Voting Rights Act of 1965~~.

1109 (7)(9) The Department of Highway Safety and Motor Vehicles
1110 shall retain complete records of voter registration information
1111 received, processed, and submitted to the Department of State
1112 ~~statewide voter registration system~~ by the Department of Highway
1113 Safety and Motor Vehicles. The retention of such ~~These~~ records
1114 is shall ~~be~~ for the explicit purpose of supporting audit and
1115 accounting controls established to ensure accurate and complete
1116 electronic transmission of records between the Department of
1117 ~~State statewide voter registration system~~ and the Department of
1118 Highway Safety and Motor Vehicles.

1119 (8)(10) The Department of State shall provide the
1120 Department of Highway Safety and Motor Vehicles with an
1121 electronic database of street addresses valid for use as the
1122 address of legal residence as required in s. 97.053(5). The
1123 Department of Highway Safety and Motor Vehicles shall compare
1124 the address provided by the applicant against the database of
1125 valid street addresses. If the address provided by the applicant
1126 does not match a valid street address in the database, the
1127 applicant will be asked to verify the address provided. The
1128 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
1129 reject any application for voter registration for which a valid
1130 match cannot be made.

1131 (9)(11) The Department of Highway Safety and Motor Vehicles

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1132 shall enter into an agreement with the Department of State to
1133 match information in the statewide voter registration system
1134 with information in the database of the Department of Highway
1135 Safety and Motor Vehicles to the extent required to verify the
1136 accuracy of the driver license number, Florida identification
1137 number, or last four digits of the social security number
1138 provided on applications for voter registration as required in
1139 s. 97.053.

1140 (10) ~~(12)~~ The Department of Highway Safety and Motor
1141 Vehicles shall enter into an agreement with the Commissioner of
1142 Social Security as required by the Help America Vote Act of 2002
1143 to verify the last four digits of the social security number
1144 provided in applications for voter registration as required in
1145 s. 97.053.

1146 (11) ~~(13)~~ The Department of Highway Safety and Motor
1147 Vehicles shall ~~must~~ assist the Department of State in regularly
1148 identifying changes in residence address on the driver license
1149 or identification card of a voter. The Department of State shall
1150 ~~must~~ report each such change to the appropriate supervisor of
1151 elections who must change the voter's registration records in
1152 accordance with s. 98.065(4).

1153 (12) The Department of Highway Safety and Motor Vehicles
1154 shall notify the Department of State as soon as practicable, but
1155 no later than 30 days, after any change to a voter's driver
1156 license number or identification card number. The Department of
1157 State shall transmit each such change to the appropriate
1158 supervisor of elections, who shall update the voter's
1159 registration records accordingly and provide notice of the
1160 change to the registrant by mail. Under no circumstances may a

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1161 change to a voter's driver license or identification card number
1162 be used as the sole basis to prevent an otherwise eligible
1163 citizen from casting his or her ballot.

1164 ~~(14) The Department of Highway Safety and Motor Vehicles~~
1165 ~~shall ensure that information technology processes and updates~~
1166 ~~do not alter an applicant's party affiliation without the~~
1167 ~~written consent of the applicant.~~

1168 Section 8. Section 97.0575, Florida Statutes, is amended to
1169 read:

1170 97.0575 Third-party voter registration organizations.—

1171 (1) Before engaging in any voter registration activities, a
1172 third-party voter registration organization must register and
1173 provide to the division, in an electronic format, the following
1174 information:

1175 (a) The names of the officers of the organization and the
1176 name and permanent address of the organization.

1177 (b) The name and address of the organization's registered
1178 agent in this ~~the~~ state.

1179 (c) The names, permanent addresses, and temporary
1180 addresses, if any, of each registration agent who registers
1181 registering persons to vote in this ~~state~~ for compensation on
1182 behalf of the organization. This paragraph does not apply to
1183 persons who only solicit applications and do not collect or
1184 handle voter registration applications.

1185 ~~(d) Beginning November 6, 2024, the specific general~~
1186 ~~election cycle for which the third-party voter registration~~
1187 ~~organization is registering persons to vote.~~

1188 ~~(e) An affirmation that each person collecting or handling~~
1189 ~~voter registration applications on behalf of the third-party~~

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1190 voter registration organization has not been convicted of a
1191 ~~felony violation of the Election Code, a felony violation of an~~
1192 ~~offense specified in s. 825.103, a felony offense specified in~~
1193 ~~s. 98.0751(2)(b) or (c), or a felony offense specified in~~
1194 ~~chapter 817, chapter 831, or chapter 837. A third-party voter~~
1195 ~~registration organization is liable for a fine in the amount of~~
1196 ~~\$50,000 for each such person who has been convicted of a felony~~
1197 ~~violation of the Election Code, a felony violation of an offense~~
1198 ~~specified in s. 825.103, a felony offense specified in s.~~
1199 ~~98.0751(2)(b) or (c), or a felony offense specified in chapter~~
1200 ~~817, chapter 831, or chapter 837 who is collecting or handling~~
1201 ~~voter registration applications on behalf of the third-party~~
1202 ~~voter registration organization.~~

1203 (f) An affirmation that each person collecting or handling
1204 voter registration applications on behalf of the third-party
1205 voter registration organization is a citizen of the United
1206 States of America. A third-party voter registration organization
1207 is liable for a fine in the amount of \$50,000 for each such
1208 person who is not a citizen and is collecting or handling voter
1209 registration applications on behalf of the third-party voter
1210 registration organization.

1211 (2) Beginning November 6, 2024, the registration of a
1212 third-party voter registration organization automatically
1213 expires at the conclusion of the specific general election cycle
1214 for which the third-party voter registration organization is
1215 registered.

1216 (3) The division or the supervisor of elections shall make
1217 voter registration forms available to third-party voter
1218 registration organizations. All such forms must contain

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1219 information identifying the organization to which the forms are
1220 provided. The division shall maintain a database of all third-
1221 party voter registration organizations and the voter
1222 registration forms assigned to the third-party voter
1223 registration organization. Each supervisor of elections shall
1224 provide to the division information on voter registration forms
1225 assigned to and received from third-party voter registration
1226 organizations. The information must be provided in a format and
1227 at times as required by the division by rule. The division shall
1228 update information on third-party voter registrations daily and
1229 make the information publicly available.

1230 ~~(4) A third-party voter registration organization that~~
1231 ~~collects voter registration applications shall provide a receipt~~
1232 ~~to an applicant upon accepting possession of his or her~~
1233 ~~application. The division shall adopt by rule a uniform format~~
1234 ~~for the receipt by October 1, 2023. The format must include, but~~
1235 ~~need not be limited to, the name of the applicant, the date the~~
1236 ~~application is received, the name of the third-party voter~~
1237 ~~registration organization, the name of the registration agent,~~
1238 ~~the applicant's political party affiliation, and the county in~~
1239 ~~which the applicant resides.~~

1240 (3) (a) ~~(5) (a)~~ A third-party voter registration organization
1241 that collects voter registration applications serves as a
1242 fiduciary to the applicant and shall ensure that any voter
1243 registration application entrusted to the organization,
1244 irrespective of party affiliation, race, ethnicity, or gender,
1245 is promptly delivered to the division or the supervisor of
1246 elections ~~in the county in which the applicant resides within 14~~
1247 ~~10~~ days after the application is completed by the applicant, but

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1248 not after registration closes for the next ensuing election. If
1249 a voter registration application collected by any third-party
1250 voter registration organization is not promptly delivered to the
1251 division or supervisor of elections ~~in the county in which the~~
1252 ~~applicant resides~~, the third-party voter registration
1253 organization is liable for the following fines:

1254 1. A fine in the amount of ~~\$50 per each day late, up to~~
1255 ~~\$2,500,~~ for each application received by the division or ~~the~~
1256 supervisor of elections ~~in the county in which the applicant~~
1257 ~~resides~~ more than ~~14~~ ~~10~~ days after the applicant delivered the
1258 completed voter registration application to the third-party
1259 voter registration organization, ~~if the organization or any~~
1260 person, entity, or agent acting on its behalf acted willfully. ~~A~~
1261 ~~fine in the amount of \$2,500 for each application received if~~
1262 ~~the third party voter registration organization or person,~~
1263 ~~entity, or agency acting on its behalf acted willfully.~~

1264 2. A fine in the amount of ~~\$100 per each day late, up to~~
1265 ~~\$5,000,~~ for each application collected by a third-party voter
1266 registration organization, or any person, entity, or agent
1267 acting on its behalf, before book closing for any given election
1268 for federal or state office and received by the division or ~~the~~
1269 supervisor of elections ~~in the county in which the applicant~~
1270 ~~resides~~ after the book-closing deadline for such election. ~~A~~
1271 ~~fine in the amount of \$5,000 for each application received if~~
1272 ~~the third party voter registration organization or any person,~~
1273 ~~entity, or agency acting on its behalf acted willfully.~~

1274 3. A fine in the amount of \$500 for each application
1275 collected by a third-party voter registration organization, or
1276 any person, entity, or agent acting on its behalf, which is not

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1277 submitted to the division or supervisor of elections ~~in the~~
1278 ~~county in which the applicant resides. A fine in the amount of~~
1279 ~~\$5,000 for any application not submitted if the third-party~~
1280 ~~voter registration organization or person, entity, or agency~~
1281 ~~acting on its behalf acted willfully.~~

1282

1283 The aggregate fine ~~that which~~ may be assessed pursuant to this
1284 paragraph against a third-party voter registration organization,
1285 including affiliate organizations, for violations committed in a
1286 calendar year is ~~\$1,000~~ ~~\$250,000~~.

1287 (b) A showing by the third-party voter registration
1288 organization that the failure to deliver the voter registration
1289 application within the required timeframe is based upon force
1290 majeure or impossibility of performance shall be an affirmative
1291 defense to a violation of this subsection. The secretary may
1292 waive the fines described in this subsection upon a showing that
1293 the failure to deliver the voter registration application
1294 promptly is based upon force majeure or impossibility of
1295 performance.

1296 (c) All fines collected under this section must be remitted
1297 by the department to the supervisor of elections of the county
1298 in which the violation occurred. The supervisor shall expend
1299 monies collected from such fines exclusively for nonpartisan
1300 voter participation initiatives and voter registration outreach,
1301 including voter education, community registration drives, and to
1302 offset costs associated with the prepayment of postage on vote-
1303 by-mail return envelopes, provided that all vote-by-mail ballots
1304 for the election include prepaid postage.

1305 (6) If a person collecting voter registration applications

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1306 ~~on behalf of a third party voter registration organization~~
1307 ~~alters the voter registration application of any other person,~~
1308 ~~without the other person's knowledge and consent, in violation~~
1309 ~~of s. 104.012(4) and is subsequently convicted of such offense,~~
1310 ~~the applicable third party voter registration organization is~~
1311 ~~liable for a fine in the amount of \$5,000 for each application~~
1312 ~~altered.~~

1313 ~~(7) If a person collecting voter registration applications~~
1314 ~~on behalf of a third party voter registration organization~~
1315 ~~copies a voter's application or retains a voter's personal~~
1316 ~~information, such as the voter's Florida driver license number,~~
1317 ~~Florida identification card number, social security number, or~~
1318 ~~signature, for any reason other than to provide such application~~
1319 ~~or information to the third party voter registration~~
1320 ~~organization in compliance with this section, the person commits~~
1321 ~~a felony of the third degree, punishable as provided in s.~~
1322 ~~775.082, s. 775.083, or s. 775.084.~~

1323 ~~(4) (8) If the Secretary of State reasonably believes that a~~
1324 ~~person has committed a violation of this section, the secretary~~
1325 ~~may refer the matter to the Attorney General for enforcement.~~
1326 ~~The Attorney General may institute a civil action for a~~
1327 ~~violation of this section or to prevent a violation of this~~
1328 ~~section. An action for relief may include a permanent or~~
1329 ~~temporary injunction, a restraining order, or any other~~
1330 ~~appropriate order.~~

1331 ~~(9) The division shall adopt by rule a form to elicit~~
1332 ~~specific information concerning the facts and circumstances from~~
1333 ~~a person who claims to have been registered to vote by a third-~~
1334 ~~party voter registration organization but who does not appear as~~

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1335 an active voter on the voter registration rolls. The division
1336 shall also adopt rules to ensure the integrity of the
1337 registration process, including controls to ensure that all
1338 completed forms are promptly delivered to the division or a
1339 supervisor in the county in which the applicant resides.

1340 (5)(10) The date on which an applicant signs a voter
1341 registration application is presumed to be the date on which the
1342 third-party voter registration organization received or
1343 collected the voter registration application.

1344 (11) A third-party voter registration organization may not
1345 mail or otherwise provide a voter registration application upon
1346 which any information about an applicant has been filled in
1347 before it is provided to the applicant. A third-party voter
1348 registration organization that violates this section is liable
1349 for a fine in the amount of \$50 for each such application.

1350 (12) The requirements of this section are retroactive for
1351 any third-party voter registration organization registered with
1352 the department as of July 1, 2023, and must be complied with
1353 within 90 days after the department provides notice to the
1354 third-party voter registration organization of the requirements
1355 contained in this section. Failure of the third-party voter
1356 registration organization to comply with the requirements within
1357 90 days after receipt of the notice shall automatically result
1358 in the cancellation of the third-party voter registration
1359 organization's registration.

1360 Section 9. Part III of chapter 97, Florida Statutes,
1361 consisting of sections 97.21-97.28, Florida Statutes, is created
1362 and entitled "Florida Voting Rights Act."

1363 Section 10. Section 97.21, Florida Statutes, is created to

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1364 read:

1365 97.21 Prohibitions on voter suppression and vote dilution.—1366 (1) PROHIBITING VOTER SUPPRESSION.—

1367 (a) A local government, state agency, or state official may
1368 not implement, impose, or enforce any election policy or
1369 practice, or take any other action or fail to take any action,
1370 which results in, will result in, or is intended to result in
1371 any of the following:

1372 1. A material disparity in voter participation, access to
1373 voting opportunities, or the opportunity or ability to
1374 participate in the political process between protected class
1375 members and other members of the electorate.

1376 2. Based on the totality of the circumstances, an
1377 impairment of the equal opportunity or ability of protected
1378 class members to participate in any stage of the political
1379 process.

1380 (b) It is not a violation of paragraph (a) if a local
1381 government, state agency, or state official demonstrates by
1382 clear and convincing evidence that:

1383 1. The election policy or practice is necessary, beyond
1384 consideration of administrative convenience, generalized cost
1385 savings, or speculative concerns, to further significantly an
1386 important and particularized governmental interest; and

1387 2. There is no reasonable alternative election policy or
1388 practice that results in a smaller disparity between protected
1389 class members and other members of the electorate.

1390 (c) Notwithstanding paragraph (b), a violation always
1391 exists under paragraph (a) if:

1392 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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1422 polarized voting resulting in an impairment of the equal
1423 opportunity or ability of protected class members to nominate or
1424 elect candidates of their choice; or

1425 b. Based on the totality of the circumstances, the equal
1426 opportunity or ability of protected class members to nominate or
1427 elect candidates of their choice is impaired; and

1428 2. Another method of election or changes to the existing
1429 method of election which could be constitutionally adopted or
1430 ordered under s. 97.28 would likely mitigate the impairment. For
1431 the purpose of satisfying such requirement, it is not necessary
1432 for the total number or share of protected class members to
1433 exceed any numerical threshold in any district or in the local
1434 government as a whole.

1435 (3) GUIDELINES AND RELEVANT CIRCUMSTANCES FOR EVALUATING
1436 VOTER SUPPRESSION AND VOTE DILUTION.—

1437 (a)1. To evaluate the totality of circumstances under
1438 subparagraph (1)(a)2. or sub-subparagraph (2)(b)1.b., the
1439 following factors may be relevant:

1440 a. The history of discrimination;
1441 b. The extent to which the protected class members have
1442 been elected to office;
1443 c. The use of any election policy or practice that may
1444 enhance the dilutive effective of a method of election in the
1445 local government.

1446 d. The extent to which protected class members or
1447 candidates experienced any history of unequal access to
1448 election-administration or campaign finance processes that
1449 determine which candidates will receive access to the ballot or
1450 receive financial or other support in a given election for an

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1451 office of the local government;

1452 e. The extent to which protected class members have

1453 historically made expenditures as defined in s. 106.011 at lower

1454 rates than other voters;

1455 f. The extent to which protected class members vote at

1456 lower rates than other voters;

1457 g. The extent to which protected class members are

1458 disadvantaged or otherwise bear the effects of public or private

1459 discrimination in areas that may hinder their ability to

1460 participate effectively in any stage of the political process,

1461 such as education, employment, health, criminal justice,

1462 housing, transportation, land use, or environmental protection;

1463 h. The use of overt or subtle racial appeals in political

1464 campaigns by governmental officials or in connection with the

1465 adoption or maintenance of the election policy or practice;

1466 i. The extent to which candidates face hostility or

1467 barriers while campaigning due to their membership in a

1468 protected class;

1469 j. The lack of responsiveness by elected officials to the

1470 particular needs of protected class members or a community of

1471 protected class members;

1472 k. Whether the election policy or practice was designed to

1473 advance, and does materially advance, a valid and substantial

1474 state interest; and

1475 1. Other factors deemed relevant.

1476 2. A set number or combination of the factors in

1477 subparagraph 1. is not required to determine that a violation

1478 occurred.

1479 3. Evidence of these factors is most probative if it

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1480 relates to the local government in which the alleged violation
1481 occurred, but still holds probative value if it relates to the
1482 geographic region in which the local government is located or to
1483 this state.

1484 (b) To determine whether elections in the local government
1485 exhibit racially polarized voting under sub-subparagraph

1486 (2) (b)1.a.:

1487 1. Racially polarized voting must be assessed based on
1488 relevant election results, which may include, but are not
1489 limited to, elections for offices of the local government;
1490 elections held by the local government for other offices, such
1491 as state or federal offices; ballot measures; and other
1492 electoral choices that bear on the rights and privileges of the
1493 protected class.

1494 a. A set number or combination of elections may not be
1495 required to establish the existence of racially polarized
1496 voting.

1497 b. Evidence of nonpolarized voting in elections for offices
1498 outside the local government may not preclude a finding of
1499 racially polarized voting based on elections for offices of the
1500 local government.

1501 c. Nonstatistical or nonquantitative evidence may not
1502 preclude a finding of racially polarized voting based on
1503 statistical or quantitative evidence.

1504 d. Low turnout or registration rates among protected class
1505 members may not preclude a finding of racially polarized voting.

1506 2. Racially polarized voting may be assessed based only on
1507 the combined electoral preferences of members of a protected
1508 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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1538 class members is not required under subsections (1) and (2).

1539 4. Whether protected class members typically elect
1540 candidates of their choice to the governmental body of a local
1541 government in approximate proportion to their total number or
1542 share of the population may be relevant under subsection (2).

1543 (4) Before filing an action against a local government
1544 pursuant to this section, a prospective plaintiff must send, by
1545 certified mail, return receipt requested, a notification letter
1546 to the local government asserting that the local government may
1547 be in violation of the provisions of this act. Such letter must
1548 be referred to as an "FLVRA notification letter."

1549 (a) Except as noted in paragraph (e), a party may not file
1550 an action against a local government pursuant to this section
1551 earlier than 50 days after sending an FLVRA notification letter
1552 to the local government.

1553 (b) Before receiving an FLVRA notification letter, or not
1554 later than 50 days after any FLVRA notification letter is sent
1555 to a local government, a local government may adopt a resolution
1556 that must be referred to as an "FLVRA resolution" and that does
1557 all of the following:

1558 1. Identifies a potential violation of this section by the
1559 local government.

1560 2. Identifies a specific remedy to the potential violation.

1561 3. Affirms the local government's intent to enact and
1562 implement the remedy for the potential violation.

1563 4. Sets forth specific measures the local government will
1564 take to enact and implement the remedy.

1565 5. Provides a schedule for the enactment and implementation
1566 of the remedy.

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

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

(e) If, pursuant to this subsection, a local government enacts or implements a remedy or the FLVRA Commission approves a proposed remedy, a party that sent an FLVRA notification letter may submit a claim for reimbursement from the local government for the costs associated with producing and sending such notification letter. The party must submit the claim in writing and substantiate the claim with financial documentation, including a detailed invoice for any demography services or analysis of voting patterns in the local government. If a party and local government fail to agree to a reimbursement amount, 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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1625 Commission.

1626 (5) A local government may not assert the doctrine of
1627 laches as a defense to claims brought under this section. A
1628 local government may not assert that plaintiffs have failed to
1629 comply with any notice, exhaustion, or other procedural
1630 requirements under state law, other than the requirements in
1631 this section, as a defense to claims brought under this section.

1632 (6) An individual or entity aggrieved by a violation of
1633 this section, the Attorney General, or the FLVRA Commission may
1634 file an action alleging a violation of this section to enforce
1635 compliance with this section. An entity aggrieved by a violation
1636 of this section includes, but is not limited to, any entity
1637 whose membership includes individuals aggrieved by a violation
1638 of this section or whose mission would be frustrated by a
1639 violation of this section, including, but not limited to, an
1640 entity that would expend or divest resources to fulfill its
1641 mission as a result of such violation or must expend greater
1642 resources or efforts to advocate before an elected body that is
1643 less responsive to the entity or its members due to the alleged
1644 violation. An entity may not be compelled to disclose the
1645 identity of any specific member to pursue a claim on behalf of
1646 its members. This subsection must be liberally construed to
1647 confer standing as broadly as the State Constitution allows.
1648 Such a claim may be filed pursuant to the Florida Rules of Civil
1649 Procedure or in the Second Judicial Circuit of Florida. Members
1650 of two or more protected classes that are politically cohesive
1651 in a local government may jointly file an action. In an action
1652 involving a districting plan, any individual who resides in the
1653 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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1683 (I) Has demonstrated commitment to the purposes of this act
1684 and to securing the voting rights of protected class members,
1685 such as referencing such class members in the organization's
1686 mission statement, involvement in numerous voting rights cases
1687 brought in this state on behalf of members of protected classes,
1688 or advocacy in support of this act.

1689 (II) Is registered as a nonprofit corporation with the
1690 Secretary of State.

1691 (III) Has been in continuous operation as a nonprofit
1692 organization under s. 501(c) (3) of the Internal Revenue Code or
1693 as a nonprofit corporation registered with the Secretary of
1694 State for at least 10 years.

1695 b. If the Secretary of State fails to timely certify an
1696 organization that satisfies the qualifications specified in sub-
1697 subparagraph a. following the organization's application as an
1698 organizational nominator, the organization may file an action
1699 against the Secretary of State for a declaratory judgment
1700 certifying the organization as an organizational nominator.

1701 2. An organizational nominator may be removed for cause by
1702 a majority vote of all fellow nominators.

1703 3. If there are fewer than 16 organizational nominators
1704 certified by the Secretary of State, the nominating committee
1705 must be composed of all such organizational nominators. If there
1706 are 16 or more organizational nominators certified by the
1707 Secretary of State, the nominating committee must be composed of
1708 15 organizational nominators randomly selected from all the
1709 nominators by lot on an annual basis.

1710 4. The nominating committee shall select its own chair to
1711 preside over meetings and votes.

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1712 (b) Commissioners shall be selected as follows:

1713 1. The nominating committee shall solicit applications from
1714 individuals to serve on the FLVRA Commission from across this
1715 state. A commissioner must satisfy all of the following
1716 criteria:

1717 a. Is a resident of this state.

1718 b. Has experience representing or advocating on behalf of
1719 members of protected classes.

1720 c. Has not served in elected office within the preceding 5
1721 years.

1722 d. Is not currently serving in any governmental office or
1723 holding any political party office.

1724 2. The nominating committee shall maintain a qualified
1725 candidate pool composed of 30 candidates to serve on the FLVRA
1726 Commission. Individuals may be added to the qualified applicant
1727 pool only upon a vote of three-fifths of the nominating
1728 committee.

1729 3. All members of the FLVRA Commission must be randomly
1730 selected from the qualified candidate pool. Upon the initial
1731 formation of the FLVRA Commission, five commissioners must be
1732 selected by lot from the qualified candidate pool and randomly
1733 assigned to term lengths of 5 years, 4 years, 3 years, 2 years,
1734 and 1 year. At least 60 days in advance of the conclusion of
1735 each commissioner's term, a new commissioner must be randomly
1736 selected by lot from the qualified candidate pool to serve a 5-
1737 year term upon the conclusion of the incumbent commissioner's
1738 term. If a vacancy occurs, a new commissioner must be randomly
1739 selected by lot from the qualified candidate pool within 30 days
1740 after the vacancy occurring to complete the vacated term.

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

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

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

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

97.23 Statewide database and institute.—

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

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

(a) Conduct noncredit classes and classes for credit.

(b) Organize interdisciplinary groups of scholars to

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1770 research voting and elections in this state.

1771 (c) Conduct seminars involving voting and elections.

1772 (d) Establish a nonpartisan centralized database in order
1773 to collect, archive, and make publicly available, at no cost,
1774 accessible data pertaining to elections, voter registration, and
1775 ballot access in this state.

1776 (e) Assist in the dissemination of election data to the
1777 public.

1778 (f) Publish books and periodicals on voting and elections
1779 in this state.

1780 (g) Provide nonpartisan technical assistance to local
1781 governments, scholars, and the general public seeking to use the
1782 resources of the database and institute.

1783 (3) The database and institute shall make available, and
1784 maintain in an electronic format, all relevant election and
1785 voting data and records for at least the previous 12-year
1786 period. The data, information, and estimates maintained by the
1787 database and institute must be posted online and made available
1788 to the public at no cost. Maps, polling places, and vote-by-mail
1789 ballot secure intake stations must be made available in a
1790 geospatial file format. The database and institute shall prepare
1791 all estimates made under this section by applying the most
1792 advanced and validated peer-reviewed methodologies available.
1793 Data and records that must be maintained include, but are not
1794 limited to, all of the following:

1795 (a) Estimates of the total population, voting age
1796 population, and citizen voting age population by racial, color,
1797 or language minority group and disability status, broken down by
1798 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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- (a) Election results at the precinct level.
- (b) Contemporaneous voter registration lists.
- (c) Voter history files.
- (d) Maps, descriptions, and shapefiles for election districts.
- (e) Lists of polling places, shapefiles, or descriptions of the precincts assigned to each polling place.
- (f) Any other data as requested by the database and institute.

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

(6) If a state agency or local government fails to provide any information to the database and institute as required by this section, the director of the database and institute, the Attorney General, or the FLVRA Commission may file an action 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 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

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1857 identity of any specific member to pursue a claim on behalf of
1858 its members. This section must be liberally construed to confer
1859 standing as broadly as the State Constitution allows. Such claim
1860 may be filed pursuant to the Florida Rules of Civil Procedure or
1861 in the Second Judicial Circuit of Florida.

1862 (7) No later than 90 days after the end of each state
1863 fiscal year, the database and institute shall publish a report
1864 on the priorities and finances of the database and institute.

1865 (8) The database and institute shall provide nonpartisan
1866 technical assistance to local governments, researchers, and
1867 members of the public seeking to use the resources of the
1868 database.

1869 (9) There is a rebuttable presumption that the data,
1870 estimates, or other information maintained by the database and
1871 institute is valid.

1872 Section 13. Section 97.24, Florida Statutes, is created to
1873 read:

1874 97.24 Language access.—

1875 (1) As used in this section, the term:

1876 (a) "Limited English proficient individual" means an
1877 individual who does not speak English as his or her primary
1878 language and who speaks, reads, or understands the English
1879 language other than "very well" in accordance with United States
1880 Census Bureau data or data of comparable quality collected by a
1881 governmental entity.

1882 (b) "Native American" includes any person recognized by the
1883 United States Census Bureau or the state as "American Indian."

1884 (2) The FLVRA Commission must designate one or more
1885 languages, other than English, for which assistance in voting

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1886 and elections must be provided by a local government if the
1887 commission finds that a significant and substantial need exists
1888 for such assistance.

1889 (3) Based on the best available data, which may include
1890 information from the United States Census Bureau's American
1891 Community Survey or data of comparable quality collected by a
1892 governmental entity, the FLVRA Commission must find that a
1893 significant and substantial need exists if:

1894 (a) More than 2 percent, but no fewer than 200 citizens of
1895 voting age, of a local government speak a language other than
1896 English and are limited English proficient individuals.

1897 (b) More than 4,000 citizens of voting age of a local
1898 government speak a language other than English and are limited
1899 English proficient individuals.

1900 (4) In the case of a local government that contains any
1901 part of a Native American reservation, if more than 2 percent of
1902 the Native American citizens of voting age within the Native
1903 American reservation are proficient in a language other than
1904 English and are limited English proficient individuals, the
1905 local government must provide materials in such language.

1906 (5) (a) On an annual basis, the FLVRA Commission shall
1907 publish on its website a list of all of the following:

1908 1. Each local government in which assistance in voting and
1909 elections in a language other than English must be provided.
1910 2. Each language in which such assistance must be provided
1911 in each local government.

1912 (b) The FLVRA Commission's determinations under this
1913 section are effective upon publication, and the commission shall
1914 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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1944 or subsection (4). Such process, at a minimum, must include an
1945 opportunity for any voter or entity to submit a request for the
1946 commission to consider designating a language in a local
1947 government; an opportunity for public comment; and a procedure
1948 for determining whether a local government must provide language
1949 assistance.

1950 (9) Any individual or entity aggrieved by a violation of
1951 this section, the Attorney General, or the FLVRA Commission may
1952 file an action alleging a violation of this section. An entity
1953 aggrieved by a violation of this section includes, but is not
1954 limited to, any entity whose membership includes individuals
1955 aggrieved by this section or whose mission would be frustrated
1956 by a violation of this section, including, but not limited to,
1957 an entity that would expend or divest resources to fulfill its
1958 mission as a result of such violation or must expend greater
1959 resources or efforts to advocate before an elected body that is
1960 less responsive to the entity or its members due to the alleged
1961 violation. An entity may not be compelled to disclose the
1962 identity of any specific member to pursue a claim on behalf of
1963 its members. This section must be liberally construed to confer
1964 standing as broadly as the State Constitution allows. Such a
1965 claim may be filed pursuant to the Florida Rules of Civil
1966 Procedure or in the Second Judicial Circuit of Florida.

1967 Section 14. Section 97.25, Florida Statutes, is created to
1968 read:

1969 97.25 Preclearance.—

1970 (1) The enactment or implementation of a covered policy by
1971 a covered jurisdiction is subject to preclearance by the FLVRA
1972 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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2031 any protected class constitute at least 10 percent of the
2032 eligible voter population of the local government, and in which,
2033 in any year in the preceding 10 years, the percentage of voters
2034 of any protected class in a local government which participated
2035 in any general election for any local government office was at
2036 least 10 percentage points lower than the percentage of all
2037 voters in the local government who participated in such
2038 election.

2039 (f) A local government that contains at least 1,000
2040 eligible voters of any protected class, or in which members of
2041 any protected class constitute at least 10 percent of the
2042 eligible voter population of the local government, and in which,
2043 in any year in the preceding 10 years, the percentage of
2044 eligible voters of that protected class who were registered to
2045 vote was at least 10 percentage points lower than the percentage
2046 of all eligible voters in the local government who registered to
2047 vote.

2048 (g) A local government that contains at least 1,000
2049 eligible voters of any protected class, or in which members of
2050 any protected class constitute at least 10 percent of the
2051 eligible voter population of the local government, and in which,
2052 in any year in the preceding 10 years, based on data made
2053 available by the United States Census, the dissimilarity index
2054 of such protected class, calculated using census tracts, was in
2055 excess of 50 percent with respect to the race, color, or
2056 language minority group that comprises a plurality within the
2057 local government.

2058 (h) A local government that contains at least 1,000
2059 eligible voters of any protected class, or in which members of

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2060 any protected class constitute at least 10 percent of the
2061 eligible voter population of the local government, and in which,
2062 in any year in the preceding 10 years, the poverty rate among
2063 the population of such protected class exceeded the poverty rate
2064 among the population of the local government as a whole by at
2065 least 10 percentage points.

2066 (i) A county that contains at least 1,000 eligible voters
2067 of any protected class, or in which members of any protected
2068 class constitute at least 10 percent of the eligible voter
2069 population of the county, and in which, in any year in the
2070 preceding 10 years, the arrest rate among members of such
2071 protected class exceeded the arrest rate among the population of
2072 the county as a whole by at least 10 percentage points.

2073 (j) Any school district that contains at least 1,000
2074 eligible voters of any protected class, or in which members of
2075 any protected class constitute at least 10 percent of the
2076 eligible voter population of the school district, and in which,
2077 in any year in the preceding 10 years, the graduation rate of
2078 such protected class was lower than the graduation rate of the
2079 entire district student population by at least 10 percentage
2080 points.

2081 (5) The FLVRA Commission shall determine on an annual basis
2082 which local governments are covered jurisdictions and publish a
2083 list of such jurisdictions on its website.

2084 (6) If a covered jurisdiction seeks preclearance from the
2085 FLVRA Commission for the adoption or implementation of any
2086 covered policy, the covered jurisdiction must submit the covered
2087 policy to the commission in writing and may obtain preclearance
2088 in accordance with this section.

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2089 (a) The FLVRA Commission shall review the covered policy
2090 submitted for preclearance, including any comments submitted by
2091 members of the public, and make a determination to grant or deny
2092 preclearance. The covered jurisdiction bears the burden of proof
2093 in any preclearance determinations.

2094 (b) 1. The FLVRA Commission may deny preclearance to a
2095 submitted covered policy only if it determines that:

2096 a. The covered policy is more likely than not to diminish
2097 the opportunity or ability of protected class members to
2098 participate in the political process and elect candidates of
2099 their choice or otherwise influence the outcome of elections; or

2100 b. The covered policy is more likely than not to violate
2101 this act.

2102 2. If the commission denies preclearance, the applicable
2103 covered jurisdiction may not enact or implement the covered
2104 policy. The commission shall provide a written explanation for a
2105 denial.

2106 (c) If the FLVRA Commission grants preclearance to a
2107 covered policy, the covered jurisdiction may immediately enact
2108 or implement the covered policy. A determination by the
2109 commission to grant preclearance is not admissible in, and may
2110 not be considered by, a court in any subsequent action
2111 challenging the covered policy. If the commission fails to deny
2112 or grant preclearance to a submitted covered policy within the
2113 timeframes set forth in paragraph (d), the covered policy is
2114 deemed to be precleared, and the covered jurisdiction may enact
2115 or implement the covered policy.

2116 (d) If a covered policy concerns the method of election for
2117 a legislative body, districting or redistricting, the number of

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2118 seats on the legislative body, or annexation, incorporation,
2119 dissolution, consolidation, or division of a local government,
2120 the FLVRA Commission must review the covered policy, including
2121 any comments submitted by members of the public, and make a
2122 determination to deny or grant preclearance within 60 days after
2123 the submission of the covered policy. The commission may invoke
2124 up to two extensions of 90 days each to make such a
2125 determination. For all other covered policies, the commission
2126 shall review the covered policy, including any public comment,
2127 and make a determination to deny or grant preclearance within 30
2128 days after the submission of the covered policy. The commission
2129 may invoke an extension of 60 days to make such a determination.

2130 (e) A denial of preclearance under this section may be
2131 appealed only by the covered jurisdiction and must be filed in
2132 the Second Judicial Circuit. Other parties may not file an
2133 action to appeal a denial of preclearance or intervene in any
2134 such action brought by the covered jurisdiction.

2135 (7) If a covered jurisdiction enacts or implements any
2136 covered policy without obtaining preclearance for such covered
2137 policy in accordance with this section, any individual or entity
2138 aggrieved by such violation, the director of the database and
2139 institute, the Attorney General, or the FLVRA Commission may
2140 file an action to enjoin enactment or implementation and seek
2141 sanctions against the covered jurisdiction for violations of
2142 this section. An entity aggrieved by a violation of this section
2143 includes, but is not limited to, any entity whose membership
2144 includes individuals aggrieved by this section or whose mission
2145 would be frustrated by a violation of this section, including,
2146 but not limited to, an entity that would expend or divest

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2147 resources to fulfill its mission as a result of such violation
2148 or must expend greater resources or efforts to advocate before
2149 an elected body that is less responsive to the entity or its
2150 members due to the alleged violation. An entity may not be
2151 compelled to disclose the identity of any specific member to
2152 pursue a claim on behalf of its members. This section must be
2153 liberally construed to confer standing as broadly as the State
2154 Constitution allows. Such a claim may be filed pursuant to the
2155 Florida Rules of Civil Procedure or in the Second Judicial
2156 Circuit. A claim under this subsection does not preclude, bar,
2157 or limit in any way any other claims that may be brought
2158 regarding the covered policy, including claims brought under
2159 other sections of this act.

2160 (8) If the FLVRA Commission approves preclearance for a
2161 covered policy in violation of this section, identifies or fails
2162 to identify a list of local governments that are covered
2163 jurisdictions in violation of this section, or otherwise fails
2164 to properly implement this section, any individual or entity
2165 aggrieved by such a violation may file an action seeking
2166 appropriate relief, including, but not limited to, injunctive
2167 relief on the commission or any other party, as the court deems
2168 necessary to enforce this section. An entity aggrieved by a
2169 violation of this section includes, but is not limited to, any
2170 entity whose membership includes individuals aggrieved by this
2171 section or whose mission would be frustrated by a violation of
2172 this section, including, but not limited to, an entity that
2173 would expend or divest resources to fulfill its mission as a
2174 result of such violation or must expend greater resources or
2175 efforts to advocate before an elected body that is less

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2176 responsive to the entity or its members due to the alleged
2177 violation. An entity may not be compelled to disclose the
2178 identity of any specific member to pursue a claim on behalf of
2179 its members. This section must be liberally construed to confer
2180 standing as broadly as the State Constitution allows. Such a
2181 claim may be filed pursuant to the Florida Rules of Civil
2182 Procedure or in the Second Judicial Circuit of Florida. A claim
2183 under this subsection does not preclude, bar, or limit any other
2184 claims that may be brought regarding any covered policy,
2185 including claims brought under other sections of this act.

2186 (9) The FLVRA Commission shall adopt rules to implement
2187 this section, including rules concerning the content of and
2188 procedure for preclearance submission, procedures for public
2189 comment and transparency regarding preclearance determinations,
2190 and procedures for expedited and emergency preclearance
2191 determinations that deviate from the timelines provided in
2192 paragraph (6) (d), provided that such preclearance determinations
2193 are preliminary.

2194 Section 15. Section 97.26, Florida Statutes, is created to
2195 read:

2196 97.26 Voter intimidation, deception, and obstruction.—

2197 (1) A person may not, whether acting under color of law or
2198 otherwise, engage in acts of intimidation, deception, or
2199 obstruction, or any other tactic that has the effect of or may
2200 reasonably have the effect of interfering with another person's
2201 right to vote.

2202 (2) A violation of subsection (1) includes any of the
2203 following:

2204 (a) The use of force or threats to use force, or the use of

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2205 any other conduct to practice intimidation, which causes or will
2206 reasonably have the effect of causing interference with an
2207 individual's right to vote.

2208 (b) Knowingly using or deploying a deceptive or fraudulent
2209 device, contrivance, or communication that causes or will
2210 reasonably have the effect of causing interference with an
2211 individual's right to vote.

2212 (c) The obstruction of, impediment to, or interference with
2213 access to any early voting site, polling place, secure ballot
2214 intake station, or office of the supervisor of elections in a
2215 manner that causes or will reasonably have the effect of causing
2216 interference with an individual's right to vote or causing any
2217 delay in voting or the voting process.

2218 (3) (a) In any action to enforce this section, there is a
2219 rebuttable presumption that a person has violated this section
2220 if he or she openly carries or brandishes a firearm, an
2221 imitation firearm, a toy gun, a machete, an axe, a sword, or any
2222 weapon as defined in s. 790.001 while:

2223 1. Interacting with or observing any person voting or
2224 attempting to vote;

2225 2. Urging or aiding any person to vote or attempt to vote,
2226 whether as part of official election administration activities
2227 or unofficial activities; or

2228 3. Exercising any power or duty in administering elections,
2229 including, but not limited to, vote counting, canvassing, or
2230 certifying returns.

2231 (b) A law enforcement officer as defined in s. 943.10
2232 acting within the scope of his or her official duties is not
2233 subject to the presumption under paragraph (a), but a court may

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2234 nonetheless consider a law enforcement officer's possession of a
2235 firearm in determining whether the officer violated this
2236 section.

2237 (4) Any individual or entity aggrieved by a violation of
2238 this section, the Attorney General, or the FLVRA Commission may
2239 file a civil action alleging a violation of this section. An
2240 entity aggrieved by a violation of this section includes, but is
2241 not limited to, any entity whose membership includes individuals
2242 aggrieved by this section or whose mission would be frustrated
2243 by a violation of this section, including, but not limited to,
2244 an entity that would expend or divest resources to fulfill its
2245 mission as a result of such violation or must expend greater
2246 resources or efforts to advocate before an elected body that is
2247 less responsive to the entity or its members due to the alleged
2248 violation. An entity may not be compelled to disclose the
2249 identity of any specific member to pursue a claim on behalf of
2250 its members. This section must be liberally construed to confer
2251 standing as broadly as the State Constitution allows. Such a
2252 claim may be filed pursuant to the Florida Rules of Civil
2253 Procedure or in the Second Judicial Circuit.

2254 (5) In addition to any remedies that may be imposed under
2255 s. 97.28, if the court finds a violation of this section, the
2256 court must order appropriate remedies that are tailored to
2257 addressing the violation, including, but not limited to,
2258 providing for additional time for individuals to vote in an
2259 election, a primary, or a referendum and awarding nominal
2260 damages for any violation and compensatory or punitive damages
2261 for any willful violation.

2262 Section 16. Section 97.27, Florida Statutes, is created to

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2263 read:

2264 97.27 Democracy canon.—2265 (1) Any provision of this code and any regulation, charter,
2266 home rule ordinance, or other enactment of the state or any
2267 local government relating to the right to vote must be liberally
2268 construed in favor of the rights enumerated in paragraphs (a)-
2269 (e), as follows:2270 (a) Protecting the individual's right to cast a ballot and
2271 make the ballot valid.2272 (b) Ensuring eligible individuals seeking voter
2273 registration are not impaired in being registered.2274 (c) Ensuring voters are not impaired in voting, including,
2275 but not limited to, having their votes counted.2276 (d) Making the fundamental right to vote more accessible to
2277 eligible voters.2278 (e) Ensuring equitable access for protected class members
2279 to opportunities to be registered to vote and to vote.2280 (2) It is the policy of the state that courts should
2281 exercise their discretion on any issue, including, but not
2282 limited to, questions of discovery, procedure, admissibility of
2283 evidence, or remedies, in favor of the rights enumerated in
2284 paragraphs (1) (a)-(e) to the extent allowable by law.2285 Furthermore, it is the policy of the state to promote the free
2286 flow of documents and information concerning the intent of
2287 public officials in actions concerning the right to vote.2288 Accordingly, in any action under this act, the federal Voting
2289 Rights Act, or a voting-related claim under the State
2290 Constitution or the United States Constitution, sovereign,
2291 governmental, executive, legislative, or deliberative immunities

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2292 and privileges, including any evidentiary privileges, may not be
2293 asserted. However, this section does not apply to any attorney-
2294 client or attorney work-product privileges.

2295 Section 17. Section 97.28, Florida Statutes, is created to
2296 read:

2297 97.28 Remedies.—

2298 (1) If a court finds a violation of this act, the court
2299 must order appropriate remedies that are tailored to address
2300 such violation and to ensure protected class members have
2301 equitable opportunities to fully participate in the political
2302 process and that the remedies can be implemented in a manner
2303 that will not unduly disrupt the administration of an ongoing or
2304 imminent election. Appropriate remedies include, but need not be
2305 limited to, any of the following:

2306 (a) Another method of election or changes to the existing
2307 method of election.

2308 (b) Elimination of staggered elections so that all members
2309 of the legislative body are elected at the same time.

2310 (c) Reasonably increasing the size of the legislative body.

2311 (d) Additional voting days or hours.

2312 (e) Additional polling places and early voting sites.

2313 (f) Additional opportunities to return ballots.

2314 (g) Holding special elections.

2315 (h) Expanded opportunities for voter registration.

2316 (i) Additional voter education.

2317 (j) The restoration or addition of individuals to registry
2318 lists.

2319 (k) Retaining jurisdiction for such a period of time as the
2320 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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2350 Section 18. Paragraph (b) of subsection (4) of section
2351 98.045, Florida Statutes, is amended to read:

2352 98.045 Administration of voter registration.—

2353 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
2354 STREET ADDRESSES.—

2355 (b) The department shall make the statewide database of
2356 valid street addresses available to the Department of Highway
2357 Safety and Motor Vehicles as provided in s. 97.057(8) s.
2358 97.057(10). The Department of Highway Safety and Motor Vehicles
2359 shall use the database for purposes of validating the legal
2360 residential addresses provided in voter registration
2361 applications received by the Department of Highway Safety and
2362 Motor Vehicles.

2363 Section 19. Subsections (1) and (2) of section 98.255,
2364 Florida Statutes, are amended to read:

2365 98.255 Voter education programs.—

2366 (1) The Department of State shall adopt rules prescribing
2367 minimum standards for nonpartisan voter education. The standards
2368 shall, at a minimum, address:

2369 (a) Voter registration;

2370 (b) Balloting procedures, by mail and polling place;

2371 (c) Voter rights and responsibilities;

2372 (d) Distribution of sample ballots; and

2373 (e) Public service announcements; and

2374 (f) Plain writing standards consistent with official

2375 federal guidelines for the Plain Writing Act of 2010 and United
2376 States Election Assistance Commission best practices for
2377 designing effective voter education materials.

2378 (2) Each county supervisor shall implement the minimum

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2379 voter education standards, and shall conduct additional
2380 nonpartisan education efforts as necessary to ensure that voters
2381 have a working knowledge of the voting process. This includes
2382 providing, to the extent possible, public-facing voter
2383 information in plain language reasonably calculated to be
2384 understood by persons with grade 8 reading level or lower.

2385 Section 20. Paragraphs (e) and (g) of subsection (14) of
2386 section 100.371, Florida Statutes, are amended to read:

2387 100.371 Initiatives; procedure for placement on ballot.—
2388 (14)

2389 (e) Beginning October 1, 2025, when the signature on the
2390 petition form is verified as valid, the supervisor shall, as
2391 soon as practicable, notify the voter by mail at the mailing
2392 address on file in the Florida Voter Registration System.

2393 1. Such notice must be sent by forwardable mail with a
2394 postage prepaid preaddressed form, which may be returned to the
2395 office of the supervisor of elections ~~Office of Election Crimes~~
2396 and ~~Security~~. The notice must include contact information for
2397 the office of the supervisor of elections ~~Office of Election~~
2398 ~~Crimes and Security~~, including the telephone number, fax number,
2399 mailing address, and e-mail address. The notice must include all
2400 of the following statements or information in substantially the
2401 following form:

2402
2403 NOTICE
2404

2405 A petition to place a proposed constitutional
2406 amendment on the ballot for the next general election,
2407 bearing your name and signature, has been received and

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2408 verified by the Supervisor of Elections Office in
2409 ... (insert county)

2411 The petition is for ... (insert the petition serial
2412 number and ballot title) ... and was signed on
2413 ... (insert the date the voter signed the petition)

2415 Check this box , sign, and return this notice to the
2416 Office of the Supervisor of Elections ~~Office of~~
2417 ~~Election Crimes and Security~~ if you believe your
2418 signature has been misrepresented or forged on a
2419 petition. The petition form in question will be
2420 invalidated and will not be counted toward the number
2421 of signatures required to place this proposed
2422 constitutional amendment on the ballot.

2424 A notice being returned must be received by the Office
2425 of the Supervisor of Elections Office of Election
2426 Crimes and Security on or before February 1 ... (insert
2427 the year in which the general election is held)....

2429 ... (Insert the voter's Florida voter registration
2430 number, and if applicable, the petition circulator's
2431 number)

2433 By signing below, I swear or affirm that my signature
2434 was misrepresented or forged on the petition form
2435 indicated in this notice.

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2437 ... (Voter's Signature) (Date) ...

2438

2439 This notice becomes a public record upon receipt by
2440 the Office of the Supervisor of Elections ~~Office of~~
2441 ~~Election Crimes and Security~~. It is a second degree
2442 misdemeanor, punishable as provided in s. 775.082,
2443 Florida Statutes, or s. 772.083, Florida Statutes, for
2444 a person to knowingly make a false official statement
2445 pursuant to s. 837.06, Florida Statutes.

2446

2447 2. Upon receiving a completed notice, the office of the
2448 supervisor of elections ~~Office of Election Crimes and Security~~
2449 shall transmit a copy of such notices to the division. The
2450 division shall deem the voter's petition form invalid.

2451 (g) On the last day of each month, or on the last day of
2452 each week from December 1 of an odd-numbered year through
2453 February 1 of the following year, each supervisor shall post on
2454 his or her website the total number of signatures submitted, the
2455 total number of invalid signatures, the total number of
2456 signatures processed, and the aggregate number of verified valid
2457 signatures and the distribution of such signatures by
2458 congressional district for each proposed amendment proposed by
2459 initiative, along with the following information specific to the
2460 reporting period: the total number of signed petition forms
2461 received, the total number of signatures verified, the
2462 distribution of verified valid signatures by congressional
2463 district, and the total number of verified petition forms
2464 forwarded to the Secretary of State. For any reporting period in
2465 which the percentage of petition forms deemed invalid by the

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2466 supervisor exceeds a total of 25 percent of the petition forms
2467 received by the supervisor for that reporting period, the
2468 supervisor shall notify the department Office of Election Crimes
2469 and Security. The department Office of Election Crimes and
2470 Security shall conduct a preliminary investigation into the
2471 activities of the sponsor, one or more petition circulators, or
2472 a person collecting petition forms on behalf of a sponsor, to
2473 determine whether the invalidated petitions are a result of
2474 fraud or any other violation of this section. As authorized by
2475 s. 97.012(15) ss. 97.012(15) and 97.022(1), the secretary Office
2476 of Elections Crimes and Security may, if warranted, report
2477 findings to the statewide prosecutor or the state attorney for
2478 the judicial circuit in which the alleged violation occurred for
2479 prosecution.

2480 Section 21. Section 100.51, Florida Statutes, is created to
2481 read:

2482 100.51 General Election Day paid holiday.—In order to
2483 encourage civic participation, enable more individuals to serve
2484 as poll workers, and provide additional time for the resolution
2485 of any issue that arises while a voter is casting his or her
2486 ballot, General Election Day shall be a paid holiday. A voter is
2487 entitled to absent himself or herself from any service or
2488 employment in which he or she is engaged or employed during the
2489 time the polls are open on General Election Day. A voter who
2490 absents himself or herself under this section may not be
2491 penalized in any way, and a deduction may not be made from his
2492 or her usual salary or wages, on account of his or her absence.

2493 Section 22. Section 101.016, Florida Statutes, is created
2494 to read:

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2495 101.016 Strategic elections equipment reserve.—

2496 (1) The Division of Elections shall maintain a secure
2497 election equipment reserve that may be deployed in the event of
2498 an emergency as defined in s. 101.732 or in the event of
2499 capacity issues due to unexpected voter turnout.

2500 (2) The reserve, at a minimum, must include ballot marking
2501 devices, scanners, tabulation equipment, ballot-on-demand
2502 printers, paper required for voting machines and printers,
2503 accessible voting equipment, electronic poll books,
2504 uninterrupted power supplies, generators, cabling, and power
2505 cords, and may include other related equipment necessary to
2506 ensure the continuity of elections, consistent with the voting
2507 systems certified for use by each supervisor of elections.

2508 (3) The division may, in lieu of maintaining a physical
2509 reserve of such equipment, contract with one or more certified
2510 vendors of voting systems to provide such equipment on an as-
2511 needed basis. Any such contract must include all of the
2512 following:

2513 (a) A guaranteed delivery timeframe no later than 24 hours
2514 after a request by a supervisor of election, the division, or
2515 the department.

2516 (b) Requirements for the secure transportation,
2517 installation, and removal of equipment.

2518 (c) Maintenance of secure custody and detailed chain-of-
2519 custody records for all equipment consistent with s. 101.015 and
2520 related administrative rules, including documentation of each
2521 transfer, installation, removal, and compliance with applicable
2522 state cybersecurity and physical security standards.

2523 (4) No later than February 1, 2027, and annually no later

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2524 than February 1 thereafter, the division shall submit a report
2525 to the Governor, the President of the Senate, and the Speaker of
2526 the House of Representatives which includes all of the
2527 following:

2528 (a) The current inventory of equipment held in reserve or
2529 available by vendor contract.

2530 (b) A list of all deployments of equipment under this
2531 section during the preceding calendar year, including the reason
2532 for deployment, response time, and associated costs.

2533 (c) Recommendations for improvements to ensure readiness
2534 for future elections.

2535 Section 23. Section 101.019, Florida Statutes, is repealed.

2536 Section 24. Subsections (1) and (2) of section 101.048,
2537 Florida Statutes, are amended to read:

2538 101.048 Provisional ballots.—

2539 (1) At all elections, a voter claiming to be properly
2540 registered in this ~~the~~ state and eligible to vote ~~at the~~
2541 ~~precinct~~ in the election but whose eligibility cannot be
2542 determined, a person whom an election official asserts is not
2543 eligible, including, but not limited to, a person to whom notice
2544 has been sent pursuant to s. 98.075(7), but for whom a final
2545 determination of eligibility has not been made, and other
2546 persons specified in the code is shall be entitled to vote a
2547 provisional ballot at any precinct in the county in which the
2548 voter claims to be registered. Once voted, the provisional
2549 ballot must be placed in a secrecy envelope and thereafter
2550 sealed in a provisional ballot envelope. The provisional ballot
2551 must be deposited in a ballot box. All provisional ballots must
2552 remain sealed in their envelopes for return to the supervisor of

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2553 elections. The department shall prescribe the form of the
2554 provisional ballot envelope. A person casting a provisional
2555 ballot has the right to present written evidence supporting his
2556 or her eligibility to vote to the supervisor of elections by not
2557 later than 5 p.m. on the second day following the election.

2558 (2) (a) The county canvassing board shall examine each
2559 Provisional Ballot Voter's Certificate and Affirmation to
2560 determine if the person voting that ballot was entitled to vote
2561 in the county in which at the precinct where the person cast a
2562 vote in the election and that the person had not otherwise
2563 already cast a ballot in the election. In determining whether a
2564 person casting a provisional ballot is entitled to vote, the
2565 county canvassing board shall review the information provided in
2566 the Voter's Certificate and Affirmation, written evidence
2567 provided by the person pursuant to subsection (1), information
2568 provided in any cure affidavit and accompanying supporting
2569 documentation pursuant to subsection (6), any other evidence
2570 presented by the supervisor, and, in the case of a challenge,
2571 any evidence presented by the challenger. A ballot of a person
2572 casting a provisional ballot must shall be canvassed pursuant to
2573 paragraph (b) unless the canvassing board determines by a
2574 preponderance of the evidence that the person was not entitled
2575 to vote.

2576 (b) If it is determined that the person was registered and
2577 entitled to vote in the county in which at the precinct where
2578 the person cast a vote in the election, the canvassing board
2579 must compare the signature on the Provisional Ballot Voter's
2580 Certificate and Affirmation or the provisional ballot cure
2581 affidavit with the signature on the voter's registration or

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2582 precinct register. A provisional ballot may be counted only if:

2583 1. The signature on the voter's certificate or the cure
2584 affidavit matches the elector's signature in the registration
2585 books or the precinct register; however, in the case of a cure
2586 affidavit, the supporting identification listed in subsection
2587 (6) must also confirm the identity of the elector; or

2588 2. The cure affidavit contains a signature that does not
2589 match the elector's signature in the registration books or the
2590 precinct register, but the elector has submitted a current and
2591 valid Tier 1 form of identification confirming his or her
2592 identity pursuant to subsection (6).

2593
2594 For purposes of this paragraph, any canvassing board finding
2595 that signatures do not match must be by majority vote and beyond
2596 a reasonable doubt.

2597 (c) Any provisional ballot not counted must remain in the
2598 envelope containing the Provisional Ballot Voter's Certificate
2599 and Affirmation, and the envelope must ~~shall~~ be marked "Rejected
2600 as Illegal."

2601 (d) If a provisional ballot is validated following the
2602 submission of a cure affidavit, the supervisor must make a copy
2603 of the affidavit, affix it to a voter registration application,
2604 and immediately process it as a valid request for a signature
2605 update pursuant to s. 98.077.

2606 Section 25. Subsection (1) of section 101.572, Florida
2607 Statutes, is amended to read:

2608 101.572 Public inspection of ballots.—

2609 (1) ~~The official ballots and ballot cards received from
2610 election boards and removed from vote by mail ballot mailing~~

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2611 envelopes and voter certificates on such mailing envelopes shall
2612 be open for public inspection or examination while in the
2613 custody of the supervisor of elections or the county canvassing
2614 board at any reasonable time, under reasonable conditions;
2615 however, no persons other than the supervisor of elections or
2616 his or her employees or the county canvassing board shall handle
2617 any official ballot or ballot card. If the ballots are being
2618 examined prior to the end of the contest period in s. 102.168,
2619 the supervisor of elections shall make a reasonable effort to
2620 notify all candidates whose names appear on such ballots or
2621 ballot cards by telephone or otherwise of the time and place of
2622 the inspection or examination. All such candidates, or their
2623 representatives, shall be allowed to be present during the
2624 inspection or examination.

2625 Section 26. Paragraph (a) of subsection (1) and paragraphs
2626 (c) and (d) of subsection (3) of section 101.62, Florida
2627 Statutes, are amended, and subsection (7) is added to that
2628 section, to read:

2629 101.62 Request for vote-by-mail ballots.—

2630 (1) REQUEST.—

2631 (a) The supervisor shall accept a request for a vote-by-
2632 mail ballot only from a voter or, if directly instructed by the
2633 voter, a member of the voter's immediate family or the voter's
2634 legal guardian. A request may be made in person, in writing, by
2635 telephone, or through the supervisor's website. The department
2636 shall prescribe by rule by October 1, 2023, a uniform statewide
2637 application to make a written request for a vote-by-mail ballot
2638 which includes fields for all information required in this
2639 subsection. One request is deemed sufficient to receive a vote-

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2640 by-mail ballot for all elections until the voter or the voter's
2641 designee notifies the supervisor that the voter cancels such
2642 request through the end of the calendar year of the next
2643 regularly scheduled general election, unless the voter or the
2644 voter's designee indicates at the time the request is made the
2645 elections within such period for which the voter desires to
2646 receive a vote-by-mail ballot. The supervisor must cancel a
2647 request for a vote-by-mail ballot when any first-class mail or
2648 nonforwardable mail sent by the supervisor to the voter is
2649 returned as undeliverable. If the voter requests a vote-by-mail
2650 ballot thereafter, the voter must provide or confirm his or her
2651 current residential address.

2652 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.—

2653 (c) Except as otherwise provided in paragraph (a) or
2654 paragraph (b), the supervisor shall mail vote-by-mail ballots
2655 within 2 business days after receiving a request for such a
2656 ballot, but no later than the 11th 10th day before election day.
2657 The deadline to submit a request for a ballot to be mailed is 5
2658 p.m. local time on the 12th day before an upcoming election.

2659 (d) Upon a request for a vote-by-mail ballot, the
2660 supervisor shall provide a vote-by-mail ballot to each voter by
2661 whom a request for that ballot has been made, by one of the
2662 following means:

2663 1. By nonforwardable, return-if-undeliverable mail to the
2664 voter's current mailing address on file with the supervisor or
2665 any other address the voter specifies in the request. The
2666 envelopes must be prominently marked "Do Not Forward."

2667 2. By forwardable mail, e-mail, or facsimile machine
2668 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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2698 during the mandatory early voting period and up to 7 p.m. on
2699 election day, unless there is an emergency, to the extent that
2700 the voter will be unable to go to a designated early voting site
2701 in his or her county or to his or her assigned polling place on
2702 election day. If a vote-by-mail ballot is delivered, the voter
2703 or his or her designee must execute an affidavit affirming to
2704 the facts which allow for delivery of the vote-by-mail ballot.
2705 The department shall adopt a rule providing for the form of the
2706 affidavit.

2707 (7) DEADLINE EXTENSION.—If a deadline under this section
2708 falls on a day when the office of the supervisor is scheduled to
2709 be closed, the deadline must be extended until the next business
2710 day.

2711 Section 27. Paragraph (a) of subsection (1) and subsections
2712 (2) and (4) of section 101.64, Florida Statutes, are amended to
2713 read:

2714 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

2715 (1) (a) The supervisor shall enclose with each vote-by-mail
2716 ballot two envelopes: a secrecy envelope, into which the absent
2717 voter must ~~elector shall~~ enclose his or her marked ballot; and a
2718 postage prepaid mailing envelope, into which the absent voter
2719 must ~~elector shall~~ then place the secrecy envelope, which must
2720 ~~shall~~ be addressed to the supervisor and also bear on the back
2721 side a certificate in substantially the following form:

2722
2723 Note: Please Read Instructions Carefully Before
2724 Marking Ballot and Completing Voter's Certificate.

2725 VOTER'S CERTIFICATE

2726 I,, do solemnly swear or affirm that I am a qualified

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2727 and registered voter of County, Florida, and that I have
2728 not and will not vote more than one ballot in this election. I
2729 understand that if I commit or attempt to commit any fraud in
2730 connection with voting, vote a fraudulent ballot, or vote more
2731 than once in an election, I can be convicted of a felony of the
2732 third degree and fined up to \$5,000 and/or imprisoned for up to
2733 5 years. I also understand that failure to sign this certificate
2734 will invalidate my ballot.

2735 | . . . (Date) . . .

2736 ... (Voter's Signature or Last Four Digits of Social Security
2737 Number) ...

2741 (2) The certificate must shall be arranged on the back of
2742 the mailing envelope so that the line for the signature or last
2743 four digits of the social security number of the voter are
2744 ~~absent elector~~ is across the seal of the envelope; however, a ~~no~~
2745 statement may not shall appear on the envelope which indicates
2746 that a signature or the last four digits of the social security
2747 number of the voter must cross the seal of the envelope. The
2748 voter must ~~absent elector~~ shall execute the certificate on the
2749 envelope.

2750 (4) The supervisor shall mark, code, indicate on, or
2751 otherwise track the precinct of the voter ~~absent elector~~ for
2752 each vote-by-mail ballot.

2753 Section 28. Section 101.65, Florida Statutes, is amended to
2754 read:

2755 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:

2760

2763

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.

2781 2. Mark your ballot in secret as instructed on the ballot.
2782 You must mark your own ballot unless you are unable to do so
2783 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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2785 a race as indicated on the ballot. If you are allowed to "Vote
2786 for One" candidate and you vote for more than one candidate,
2787 your vote in that race will not be counted.

2788 4. Place your marked ballot in the enclosed secrecy
2789 envelope.

2790 5. Insert the secrecy envelope into the enclosed mailing
2791 envelope which is addressed to the supervisor.

2792 6. Seal the mailing envelope and completely fill out the
2793 Voter's Certificate on the back of the mailing envelope.

2794 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
2795 be counted, you must sign your name or print the last four
2796 digits of your social security number on the line above (Voter's
2797 Signature or Last Four Digits of Social Security Number). A
2798 vote-by-mail ballot will be considered illegal and not be
2799 counted if the signature or the last four digits of the social
2800 security number on the voter's certificate do ~~does~~ not match the
2801 signature or social security number on record. The signature on
2802 file at the time the supervisor of elections in the county in
2803 which your precinct is located receives your vote-by-mail ballot
2804 is the signature that will be used to verify your signature on
2805 the voter's certificate. If you need to update your signature
2806 for this election, send your signature update on a voter
2807 registration application to your supervisor of elections ~~so that~~
2808 ~~it is received before your vote by mail ballot is received.~~

2809 8. VERY IMPORTANT. If you are an overseas voter, you must
2810 include the date you signed the Voter's Certificate or printed
2811 the last four digits of your social security number on the line
2812 above (Date) or your ballot may not be counted.

2813 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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2843 but on or before election day must shall remain listed in the
2844 registration books until the results have been certified for the
2845 election in which the ballot was cast. The supervisor shall
2846 safely keep the ballot unopened in his or her office until the
2847 county canvassing board canvasses the vote pursuant to
2848 subsection (2).

2849 (2)

2850 (c)1. The canvassing board must, if the supervisor has not
2851 already done so, compare the signature or the last four digits
2852 of the social security number of the elector on the voter's
2853 certificate or on the vote-by-mail ballot cure affidavit as
2854 provided in subsection (4) with the signature or last four
2855 digits of the social security number of the elector in the
2856 registration books or the precinct register to see that the
2857 elector is duly registered in the county and to determine the
2858 validity legality of that vote-by-mail ballot. A vote-by-mail
2859 ballot may only be counted if:

2860 a. The signature or last four digits of the social security
2861 number on the voter's certificate or the cure affidavit match
2862 matches the elector's signature or last four digits of the
2863 social security number in the registration books or precinct
2864 register; however, in the case of a cure affidavit, the
2865 supporting identification listed in subsection (4) must also
2866 confirm the identity of the elector; or

2867 b. The cure affidavit contains a signature or the last four
2868 digits of a social security number which do that does not match
2869 the elector's signature or last four digits of the social
2870 security number in the registration books or precinct register,
2871 but the elector has submitted a current and valid Tier 1

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2872 identification pursuant to subsection (4) which confirms the
2873 identity of the elector.

2874
2875 For purposes of this subparagraph, any canvassing board finding
2876 that an elector's signatures or last four digits of the
2877 elector's social security number do not match must be by
2878 majority vote and beyond a reasonable doubt.

2879 2. The ballot of an elector who casts a vote-by-mail ballot
2880 shall be counted even if the elector dies on or before election
2881 day, as long as, before the death of the voter, the ballot was
2882 postmarked by the United States Postal Service, date-stamped
2883 with a verifiable tracking number by a common carrier, or
2884 already in the possession of the supervisor.

2885 3. A vote-by-mail ballot is not considered invalid illegal
2886 if the signature or last four digits of the social security
2887 number of the elector do does not cross the seal of the mailing
2888 envelope.

2889 4. ~~If any elector or candidate present believes that a~~
2890 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~
2891 ~~voter's certificate or the cure affidavit, he or she may, at any~~
2892 ~~time before the ballot is removed from the envelope, file with~~
2893 ~~the canvassing board a protest against the canvass of that~~
2894 ~~ballot, specifying the precinct, the voter's certificate or the~~
2895 ~~cure affidavit, and the reason he or she believes the ballot to~~
2896 ~~be illegal. A challenge based upon a defect in the voter's~~
2897 ~~certificate or cure affidavit may not be accepted after the~~
2898 ~~ballot has been removed from the mailing envelope.~~

2899 5. If the canvassing board determines that a ballot is
2900 invalid illegal, a member of the board must, without opening the

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2901 envelope, mark across the face of the envelope: "rejected as
2902 invalid illegal." The cure affidavit, if applicable, the
2903 envelope, and the ballot therein must shall be preserved in the
2904 manner that official ballots are preserved.

2905 (4) (a) As soon as practicable, the supervisor shall, on
2906 behalf of the county canvassing board, attempt to notify an
2907 elector who has returned a vote-by-mail ballot that does not
2908 include the elector's signature or last four digits of the
2909 elector's social security number or contains a signature or the
2910 last four digits of a social security number that do ~~does~~ not
2911 match the elector's signature or last four digits of the
2912 elector's social security number in the registration books or
2913 precinct register by:

2914 1. Notifying the elector of the signature or last four
2915 digits of the social security number deficiency by e-mail and
2916 directing the elector to the cure affidavit and instructions on
2917 the supervisor's website;

2918 2. Notifying the elector of the signature or last four
2919 digits of the social security number deficiency by text message
2920 and directing the elector to the cure affidavit and instructions
2921 on the supervisor's website; or

2922 3. Notifying the elector of the signature or last four
2923 digits of the social security number deficiency by telephone and
2924 directing the elector to the cure affidavit and instructions on
2925 the supervisor's website.

2926
2927 In addition to the notification required under subparagraph 1.,
2928 subparagraph 2., or subparagraph 3., the supervisor must notify
2929 the elector of the signature or last four digits of the social

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2930 security number deficiency by first-class mail and direct the
2931 elector to the cure affidavit and instructions on the
2932 supervisor's website. Beginning the day before the election, the
2933 supervisor is not required to provide notice of the signature
2934 deficiency by first-class mail, but shall continue to provide
2935 notice as required under subparagraph 1., subparagraph 2., or
2936 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) ...

2957 (d) Instructions must accompany the cure affidavit in
2958 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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2988 current residence address: current utility bill, bank statement,
2989 government check, paycheck, or government document (excluding
2990 voter information card).

2991 4. Place the envelope bearing the affidavit into a mailing
2992 envelope addressed to the supervisor. Insert a copy of your
2993 identification in the mailing envelope. Mail (if time permits),
2994 deliver, or have delivered the completed affidavit along with
2995 the copy of your identification to your county supervisor of
2996 elections. Be sure there is sufficient postage if mailed and
2997 that the supervisor's address is correct. Remember, your
2998 information MUST reach your county supervisor of elections no
2999 later than 5 p.m. on the 2nd day after the election, or your
3000 ballot will not count.

3001 5. Alternatively, you may hand deliver, fax, or e-mail your
3002 completed affidavit and a copy of your identification to the
3003 supervisor of elections. If e-mailing, please provide these
3004 documents as attachments.

3005 Section 30. Section 101.69, Florida Statutes, is amended to
3006 read:

3007 101.69 Voting in person; return of vote-by-mail ballot.—

3008 (1) The provisions of this code may ~~shall~~ not be construed
3009 to prohibit any voter ~~elector~~ from voting in person at the
3010 voter's ~~elector's~~ precinct on the day of an election or at an
3011 early voting site, notwithstanding that the voter ~~elector~~ has
3012 requested a vote-by-mail ballot for that election. A voter ~~An~~
3013 ~~elector~~ who has returned a voted vote-by-mail ballot to the
3014 supervisor, however, is deemed to have cast his or her ballot
3015 and is not entitled to vote another ballot or to have a
3016 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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3046 placed at the main office of the supervisor, at each permanent
3047 branch office of the supervisor which meets the criteria set
3048 forth in s. 101.657(1)(a) for branch offices used for early
3049 voting and which is open for at least the minimum number of
3050 hours prescribed by s. 98.015(4), and at each early voting site.
3051 Secure ballot intake stations may also be placed at any other
3052 site that would otherwise qualify as an early voting site under
3053 s. 101.657(1). Secure ballot intake stations must be
3054 geographically located so as to provide all voters in the county
3055 with an equal opportunity to cast a ballot, insofar as is
3056 practicable. ~~Except for secure ballot intake stations at an~~
3057 ~~office of the supervisor, a secure ballot intake station may~~
3058 ~~only be used during the county's early voting hours of operation~~
3059 ~~and must be monitored in person by an employee of the~~
3060 ~~supervisor's office.~~ A secure ballot intake station at an office
3061 of the supervisor must be ~~continuously monitored in person by an~~
3062 ~~employee of~~ the supervisor's office when the secure ballot
3063 intake station is accessible for deposit of ballots.

3064 (b) A supervisor shall designate each secure ballot intake
3065 station location at least 30 days before an election. The
3066 supervisor shall provide the address of each secure ballot
3067 intake station location to the division at least 30 days before
3068 an election. After a secure ballot intake station location has
3069 been designated, it may not be moved or changed except as
3070 approved by the division to correct a violation of this
3071 subsection.

3072 (c)1. On each day of early voting, all secure ballot intake
3073 stations must be emptied at the end of early voting hours and
3074 all ballots retrieved from the secure ballot intake stations

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3075 must be returned to the supervisor's office.

3076 2. For secure ballot intake stations located at an office
3077 of the supervisor, all ballots must be retrieved before the
3078 secure ballot intake station is no longer monitored by ~~an~~
3079 ~~employee of~~ the supervisor.

3080 3. Employees of the supervisor must comply with procedures
3081 for the chain of custody of ballots as required by s.
3082 101.015(4).

3083 ~~(3) If any secure ballot intake station is left accessible~~
3084 ~~for ballot receipt other than as authorized by this section, the~~
3085 ~~supervisor is subject to a civil penalty of \$25,000. The~~
3086 ~~division is authorized to enforce this provision.~~

3087 Section 31. Section 104.0616, Florida Statutes, is
3088 repealed.

3089 Section 32. Subsection (1) of section 104.155, Florida
3090 Statutes, is amended to read:

3091 104.155 Unqualified noncitizen electors willfully voting;
3092 prohibited defenses; aiding or soliciting noncitizen electors in
3093 voting prohibited.—

3094 (1) Any person who is not a qualified elector because he or
3095 she is not a citizen of the United States and who willfully
3096 votes in any election is guilty of a felony of the third degree,
3097 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
3098 ~~A person's ignorance of his or her citizenship status or a~~
3099 ~~person's bona fide belief of his or her citizenship status~~
3100 ~~cannot be raised as a defense in a prosecution for a violation~~
3101 ~~of this subsection.~~

3102 Section 33. Subsection (1) of section 104.42, Florida
3103 Statutes, is amended to read:

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3104 104.42 Fraudulent registration and illegal voting;
3105 investigation.—

3106 (1) The supervisor of elections is authorized to
3107 investigate fraudulent registrations and illegal voting and to
3108 report his or her findings to the local state attorney ~~and the~~
3109 ~~Office of Election Crimes and Security.~~

3110 Section 34. Paragraph (a) of subsection (3) of section
3111 921.0022, Florida Statutes, is amended to read:

3112 921.0022 Criminal Punishment Code; offense severity ranking
3113 chart.—

3114 (3) OFFENSE SEVERITY RANKING CHART

3115 (a) LEVEL 1

Florida Statute	Felony Degree	Description
24.118(3)(a)	3rd	Counterfeit or altered state lottery ticket.
104.0616(2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.
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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3134	815.04 (4) (a)	3rd	property not specified in subsection (2).
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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3141			893.03(5) drugs.
	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.
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	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
3149	849.25(2)	3rd	Engaging in bookmaking.
3150	860.08	3rd	Interfere with a railroad signal.
3151	860.13(1)(a)	3rd	Operate aircraft while under the influence.
3152	893.13(2)(a)2.	3rd	Purchase of cannabis.
3153	893.13(6)(a)	3rd	Possession of cannabis (more than 20 grams).
3154	934.03(1)(a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

3155
3156 Section 35. Except as otherwise expressly provided in this
3157 act and except for this section, which shall take effect upon
3158 this act becoming a law, this act shall take effect July 1,
3159 2026.