

The Florida Senate

BILL ANALYSIS AND FISCAL IMPACT STATEMENT

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

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

BILL: SB 748

INTRODUCER: Senator Bracy Davis

SUBJECT: Notice of Restoration of Voting Rights Information on Sentencing Scoresheets

DATE: January 23, 2026

REVISED: _____

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Vaughan	Stokes	CJ	Favorable
2. _____	_____	EE	_____
3. _____	_____	RC	_____

I. Summary:

SB 748 amends s. 921.0024, F.S. to require that sentencing scoresheets include a notice informing defendants about the impact of their sentence on voting rights.

Defendants must receive a copy of the scoresheet containing this notice before sentencing.

The bill takes effect July 1, 2026.

II. Present Situation:

Voting Registration in Florida

Eligibility to Register to Vote

The Florida Constitution and Florida Statutes provide for a person's eligibility to vote in an election¹ and specifically state that a person is eligible to vote in Florida only if that person is:

- At least 18 years old;
- A United States citizen;
- A legal resident of Florida;
- A legal resident of the county in which the person seeks to register; and
- Registered pursuant to the Florida Election Code.²

¹ Section 97.021(12), F.S., defines "election" to mean any primary election, special primary election, special election, general election, or presidential preference primary election.

² Article VI, s. 2, FLA. CONST. and s. 97.041(1), F.S. Additionally, s. 97.011, F.S., provides that chs. 97-106 are known as the "Florida Election Code."

In part, a person is not qualified to register to vote in Florida, without having his or her voting rights restored, if he or she has been convicted of a felony³ by any court of record.⁴ The Secretary of State, who is the head of the Florida Department of State (DOS), is designated as the chief election officer of Florida⁵ and is required, in part, to:

- Obtain and maintain uniformity in the interpretation and implementation of the election laws;⁶
- Enact rules to provide uniform standards for the proper and equitable implementation of the registration laws;⁷ and
- Create and administer a uniform statewide voter registration system as required by the Help America Vote Act of 2002.⁸

The voting application must contain a question as to whether the applicant has been convicted of a felony, and, if convicted, has had his or her civil rights restored. The convicted felon who has gained his or her rights back must not be made to divulge the existence of such a conviction when filling out an application. The affirmative statement required to be included in the application is: “I affirm I am not a convicted felon, or, if I am, my rights relating to voting have been restored.”⁹

The DOS will apply the standards in s. 98.075(5), F.S., to determine whether a felon is eligible to register or vote. Therefore, if the felon has provided the required information and if the Division finds no credible and reliable information to indicate the felon is ineligible to register or to vote, the Division will issue an opinion stating that the felon is eligible.¹⁰

³ Article X, section 10, of the Florida Constitution defines “felony” to mean any criminal offense that is punishable under the laws of this state, or that would be punishable if committed in this state, by death or by imprisonment in the state penitentiary. Additionally, s. 775.08(1), F.S., defines “felony” to mean any criminal offense that is punishable under the laws of this state, or that would be punishable if committed in this state, by death or imprisonment in a state penitentiary. “State penitentiary” is further defined to include state correctional facilities. A person must be imprisoned in the state penitentiary for each sentence which, except an extended term, exceeds 1 year.

⁴ Article VI, s. 4(a), FLA. CONST. and s. 97.041(2), F.S.

⁵ Section 97.012, F.S.

⁶ Section 97.012(1), F.S.

⁷ Section 97.012(2), F.S.

⁸ Section 97.012(11), F.S. The secretary may delegate voter registration duties and records maintenance activities to voter registration officials provided that any responsibilities delegated are performed in accordance with state and federal law. Section 97.021(17), F.S., defines “lists of registered electors” to mean names and associated information of registered electors maintained by the DOS in the statewide voter registration system or generated or derived from the statewide voter registration system and provides that lists may be produced in printed or electronic format.

⁹ Section 97.052(2)(t), F.S. Section 97.053(5)(a)6., F.S., further provides that this requirement is satisfied in the application with a mark in the checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, has had his or her civil rights restored.

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

Upon a felony conviction, the civil rights of such person must be suspended in Florida until such rights are restored by a full pardon,¹¹ conditional pardon,¹² or restoration of civil rights¹³ granted pursuant to s. 8, Art. IV of the State Constitution and s. 98.0751, F.S.¹⁴

Any person who has been convicted of a felony may be entitled to the restoration of all the rights of citizenship if the person has:¹⁵

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

Sentence Scoresheets

The Criminal Punishment Code (CPC)¹⁶ requires the use of scoresheets to determine sentencing points for felony offenses. The scoresheet calculates points based on factors such as the primary offense, additional offenses, victim injury, prior record, and other enhancements. These points establish the lowest permissible sentence under the CPC. Currently, the Department of Corrections is responsible for preparing scoresheets, which are reviewed by the court before sentencing. The CPC and scoresheet process aim to ensure uniformity and proportionality in sentencing across the state.

Currently, sentencing scoresheets do not include any notice regarding voting rights restoration.

III. Effect of Proposed Changes:

The bill amends s. 921.0024, F.S. to require that sentencing scoresheets include a notice informing defendants about the impact of their sentence on voting rights.

Defendants must receive a copy of the scoresheet containing this notice before sentencing.

The notice includes a copy of s. 98.0751, F.S., relating to restoration of voting rights.

¹¹ A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms. Florida Commission on Offender Review, *Types of Clemency*, available at: <https://www.fcor.state.fl.us/clemency> (last visited January 16, 2026).

¹² An example of a conditional pardon is a pardon without firearm authority which releases a person from punishment and forgives guilty. It entitles an applicant all of the rights of citizen enjoyed prior to a conviction except the specific authority to own, possess, or use firearms. *Id.*

¹³ The restoration of civil rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed prior to the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirement or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders. *Id.*

¹⁴ Section 944.292, F.S.

¹⁵ Section 940.05, F.S.

¹⁶ Sections 921.002-921.0027, F.S. *See* chs. 97-194 and 98-204, L.O.F. The Code is effective for offenses committed on or after October 1, 1998.

IV. Constitutional Issues:**A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

None.

V. Fiscal Impact Statement:**A. Tax/Fee Issues:**

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

None.

VI. Technical Deficiencies:

None.

VII. Related Issues:

None.

VIII. Statutes Affected:

This bill substantially amends the following sections of the Florida Statutes: 921.0024

IX. Additional Information:

A. Committee Substitute – Statement of Changes:

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

None.

B. Amendments:

None.

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