

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------|-------|
| ADOPTED | _____ | (Y/N) |
| ADOPTED AS AMENDED | _____ | (Y/N) |
| ADOPTED W/O OBJECTION | _____ | (Y/N) |
| FAILED TO ADOPT | _____ | (Y/N) |
| WITHDRAWN | _____ | (Y/N) |
| OTHER | | |

1 Committee/Subcommittee hearing bill: State Affairs Committee
 2 Representative Young offered the following:

3
 4 **Amendment to Amendment (314931) by Representative Persons-**
 5 **Mulicka (with title amendment)**

6 Between lines 2005 and 2006 of the amendment, insert:

7 **Section 35. Effective upon becoming a law, subsection (1)**
 8 **of section 20.10, Florida Statutes, is amended to read:**

9 20.10 Department of State.—There is created a Department
 10 of State.

11 (1) The head of the Department of State is the Secretary
 12 of State. The Secretary of State shall be elected at the
 13 statewide general election at which the Governor, Lieutenant
 14 Governor, and Cabinet officers are elected, as provided in s. 5,
 15 Art. IV of the State Constitution, and shall serve a term of 4
 16 years beginning on the first Tuesday after the first Monday in

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17 January of the year following such election ~~appointed by the~~
18 ~~Governor, subject to confirmation by the Senate, and shall serve~~
19 ~~at the pleasure of the Governor.~~ The Secretary of State shall
20 perform the functions conferred by the State Constitution upon
21 the custodian of state records.

22 **Section 36. Subsection (4) is added to section 20.32,**
23 **Florida Statutes, to read:**

24 20.32 Florida Commission on Offender Review.—

25 (4) (a) For the purpose of assisting a person who has been
26 disqualified from voting based on a felony conviction, other
27 than a conviction for murder or a felony sexual offense, in
28 determining whether he or she has met the requirements under s.
29 98.0751 to have his or her voting rights restored pursuant to s.
30 4, Art. VI of the State Constitution, the commission shall
31 develop and maintain a database that contains for each such
32 person all of the following information:

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

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

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

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

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

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

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

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

60 (d) By July 1, 2028, the commission shall make the
61 database available on a public website. The commission shall
62 update the database monthly with the information received from
63 each governmental entity under paragraph (b). The commission
64 shall publish on the website clear instructions that a person
65 who has been disqualified from voting based on a felony

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66 conviction, other than for murder or a felony sexual offense,
67 may follow to have his or her voting rights restored and to
68 register to vote.

69 (e) By July 1, 2027, the commission shall provide a
70 comprehensive plan to the Governor, the President of the Senate,
71 and the Speaker of the House of Representatives which includes
72 all of the following:

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

76 2. A description of any infrastructure and services,
77 including, but not limited to, software, hardware, and
78 information technology services, which may be necessary to
79 create and maintain the database.

80 3. The anticipated number of additional employees
81 necessary for:

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

83 b. A governmental entity to provide the information
84 required under paragraph (b).

85 c. The Florida Digital Service to provide the assistance
86 required under paragraph (c).

87 4. The anticipated initial cost to develop the database;
88 the annual cost to maintain the database; and the annual
89 appropriation required to fund the anticipated costs incurred by

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90 the commission, each governmental entity, and the Florida
91 Digital Service.

92 5. Any legal authority necessary for the commission to
93 develop and maintain the database.

94 6. Draft legislation to implement the comprehensive plan.

95 (f) Notwithstanding any other law, a person who registers
96 to vote or who votes in reasonable reliance on information
97 contained in the database indicating that his or her voting
98 rights have been restored pursuant to s. 4, Art. VI of the State
99 Constitution has an affirmative right to register and to vote
100 and may not be charged with a violation of any criminal law of
101 this state related to fraudulently voting or registering to
102 vote.

103 (g) If an individual was registered to vote before his or
104 her felony conviction met the requirements under s. 98.0751 to
105 have his or her voting rights restored pursuant to s. 4, Art. VI
106 of the State Constitution, the Division of Elections and the
107 individual's supervisor of elections shall, as soon as
108 practicable, complete the necessary steps to automatically
109 reregister such individual to vote at his or her most recent
110 address. This process must be noted in the statewide database.

111 (h) If an individual meets the requirements under s.
112 98.0751 to have his or her voting rights restored pursuant to s.
113 4, Art. VI of the State Constitution, but was not registered to
114 vote before his or her conviction, the Division of Elections and

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115 the individual's supervisor of elections shall send by United
116 States mail to the individual's most current address information
117 on how to register to vote, including a copy of the current
118 voter registration form. This process must be noted in the
119 statewide database.

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

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

126 **Section 37. Section 97.021, Florida Statutes, is amended**
127 **to read:**

128 97.021 Definitions.—For the purposes of this code, except
129 where the context clearly indicates otherwise, the term:

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

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

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

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

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

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

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

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

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

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

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

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164 a statement of proposed constitutional amendments or other
165 questions or propositions submitted to the electorate at any
166 election, on which sheet of paper an elector casts his or her
167 vote.

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

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

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

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

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

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

183

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

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

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

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189 ~~(10)-(9)~~ "Division" means the Division of Elections of the
190 Department of State.

191 ~~(11)-(10)~~ "Early voting" means casting a ballot prior to
192 election day at a location designated by the supervisor of
193 elections and depositing the voted ballot in the tabulation
194 system.

195 ~~(12)-(11)~~ "Early voting area" means the area designated by
196 the supervisor of elections at an early voting site at which
197 early voting activities occur, including, but not limited to,
198 lines of voters waiting to be processed, the area where voters
199 check in and are processed, and the area where voters cast their
200 ballots.

201 ~~(13)-(12)~~ "Early voting site" means those locations
202 specified in s. 101.657 and the building in which early voting
203 occurs.

204 ~~(14)-(13)~~ "Election" means any primary election, special
205 primary election, special election, general election, county
206 election, municipal election, referendum, or ~~presidential~~
207 preference primary election, or any other local or state
208 election.

209 ~~(15)-(14)~~ "Election board" means the clerk and inspectors
210 appointed to conduct an election.

211 ~~(16)-(15)~~ "Election costs" shall include, but not be
212 limited to, expenditures for all paper supplies such as
213 envelopes, instructions to voters, affidavits, reports, ballot

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214 cards, ballot booklets for vote-by-mail voters, postage, notices
215 to voters; advertisements for registration book closings,
216 testing of voting equipment, sample ballots, and polling places;
217 forms used to qualify candidates; polling site rental and
218 equipment delivery and pickup; data processing time and
219 supplies; election records retention; and labor costs, including
220 those costs uniquely associated with vote-by-mail ballot
221 preparation, poll workers, and election night canvass.

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

228 (18)-(16) "Elector" is synonymous with the word "voter" or
229 "qualified elector or voter," except where the word is used to
230 describe presidential electors.

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

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

235 (21)-(17) "General election" means an election held on the
236 first Tuesday after the first Monday in November in the even-
237 numbered years, for the purpose of filling national, state,

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238 county, and district offices and for voting on constitutional
239 amendments not otherwise provided for by law.

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

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

248 (24)~~(18)~~ "Lists of registered electors" means names and
249 associated information of registered electors maintained by the
250 department in the statewide voter registration system or
251 generated or derived from the statewide voter registration
252 system. Lists may be produced in printed or electronic format.

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

258 (26)~~(19)~~ "Member of the Merchant Marine" means an
259 individual, other than a member of a uniformed service or an
260 individual employed, enrolled, or maintained on the Great Lakes
261 for the inland waterways, who is:

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

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

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

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

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

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

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

296 (28)-(20) "Minor political party" is any group as specified
297 in s. 103.095 which on January 1 preceding a primary election
298 does not have registered as members 5 percent of the total
299 registered electors of the state.

300 (29)-(21) "Newspaper of general circulation" means a
301 newspaper printed in the language most commonly spoken in the
302 area within which it circulates and which is readily available
303 for purchase by all inhabitants in the area of circulation, but
304 does not include a newspaper intended primarily for members of a
305 particular professional or occupational group, a newspaper the
306 primary function of which is to carry legal notices, or a
307 newspaper that is given away primarily to distribute
308 advertising.

309 (30)-(22) "Nominal value" means having a retail value of
310 \$10 or less.

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311 ~~(31)-(23)~~ "Nonpartisan office" means an office for which a
312 candidate is prohibited from campaigning or qualifying for
313 election or retention in office based on party affiliation.

314 ~~(32)-(24)~~ "Office that serves persons with disabilities"
315 means any state office that takes applications either in person
316 or over the telephone from persons with disabilities for any
317 program, service, or benefit primarily related to their
318 disabilities.

319 ~~(33)~~ "Organization" means a person other than an
320 individual.

321 ~~(34)-(25)~~ "Overseas voter" means:

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

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

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

332 ~~(35)-(26)~~ "Overvote" means that the elector marks or
333 designates more names than there are persons to be elected to an
334 office or designates more than one answer to a ballot question,
335 and the tabulator records no vote for the office or question.

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336 ~~(36)-(27)~~ "Persons with disabilities" means individuals who
337 have a physical or mental impairment that substantially limits
338 one or more major life activities.

339 ~~(37)-(28)~~ "Petition circulator" means an entity or
340 individual who collects signatures for the purpose of qualifying
341 a proposed constitutional amendment for ballot placement. The
342 term does not include a person who collects, delivers, or
343 otherwise physically possesses no more than 25 signed petition
344 forms in addition to his or her own signed petition form or a
345 signed petition form belonging to the person's spouse, or the
346 parent, child, grandparent, grandchild, or sibling of the person
347 or the person's spouse.

348 ~~(38)-(29)~~ "Polling place" is the building which contains
349 the polling room where ballots are cast.

350 ~~(39)-(30)~~ "Polling room" means the actual room in which
351 ballots are cast on election day and during early voting.

352 ~~(40)-(31)~~ "Primary election" means an election held
353 preceding the general election for the purpose of nominating a
354 party nominee to be voted for in the general election to fill a
355 national, state, county, or district office.

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

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

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

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

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

377 (42)-(32) "Provisional ballot" means a conditional ballot,
378 the validity of which is determined by the canvassing board.

379 (43)-(33) "Public assistance" means assistance provided
380 through the food assistance program under the federal
381 Supplemental Nutrition Assistance Program; the Medicaid program;
382 the Special Supplemental Food Program for Women, Infants, and
383 Children; and the Temporary Cash Assistance Program.

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384 ~~(44)-(34)~~ "Public office" means any federal, state, county,
385 municipal, school, or other district office or position which is
386 filled by vote of the electors.

387 ~~(45)-(35)~~ "Qualifying educational institution" means any
388 public or private educational institution receiving state
389 financial assistance which has, as its primary mission, the
390 provision of education or training to students who are at least
391 18 years of age, provided such institution has more than 200
392 students enrolled in classes with the institution and provided
393 that the recognized student government organization has
394 requested this designation in writing and has filed the request
395 with the office of the supervisor of elections in the county in
396 which the institution is located.

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

401 ~~(47)-(36)~~ "Special election" is a special election called
402 for the purpose of voting on a party nominee to fill a vacancy
403 in the national, state, county, or district office.

404 ~~(48)-(37)~~ "Special primary election" is a special
405 nomination election designated by the Governor, called for the
406 purpose of nominating a party nominee to be voted on in a
407 general or special election.

408 ~~(49)-(38)~~ "Supervisor" means the supervisor of elections.

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409 ~~(50)-(39)~~ "Tactile input device" means a device that
410 provides information to a voting system by means of a voter
411 touching the device, such as a keyboard, and that complies with
412 the requirements of s. 101.56062(1)(k) and (l).

413 ~~(51)-(40)~~ "Third-party registration organization" means any
414 person, entity, or organization soliciting or collecting voter
415 registration applications. A third-party voter registration
416 organization does not include:

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

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

424 ~~(52)-(41)~~ "Undervote" means that the elector does not
425 properly designate any choice for an office or ballot question,
426 and the tabulator records no vote for the office or question.

427 ~~(53)-(42)~~ "Uniformed services" means the Army, Navy, Air
428 Force, Marine Corps, Space Force, and Coast Guard, the
429 commissioned corps of the Public Health Service, and the
430 commissioned corps of the National Oceanic and Atmospheric
431 Administration.

432 (54) "Vote" or "voting" includes any action necessary to
433 cast a ballot and make such ballot effective in any election or

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434 primary election, which actions include, but are not limited to,
435 registering to vote, requesting a vote-by-mail ballot, and any
436 other action required by law as a prerequisite to casting a
437 ballot and having such ballot counted, canvassed, or certified
438 properly and included in the appropriate totals of votes cast
439 with respect to candidates for election or nomination and to
440 referendum questions.

441 (55)-(43) "Voter interface device" means any device that
442 communicates voting instructions and ballot information to a
443 voter and allows the voter to select and vote for candidates and
444 issues. A voter interface device may not be used to tabulate
445 votes. Any vote tabulation must be based upon a subsequent scan
446 of the marked marksense ballot or the voter-verifiable paper
447 output after the voter interface device process has been
448 completed.

449 (56)-(44) "Voter registration agency" means any office that
450 provides public assistance, any office that serves persons with
451 disabilities, any center for independent living, or any public
452 library.

453 (57)-(45) "Voter registration official" means any
454 supervisor of elections or individual authorized by the
455 Secretary of State to accept voter registration applications and
456 execute updates to the statewide voter registration system.

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457 ~~(58)-(46)~~ "Voting booth" or "booth" means that booth or
458 enclosure wherein an elector casts his or her ballot for
459 tabulation by an electronic or electromechanical device.

460 ~~(59)-(47)~~ "Voting system" means a method of casting and
461 processing votes that functions wholly or partly by use of
462 electromechanical or electronic apparatus or by use of marksense
463 ballots and includes, but is not limited to, the procedures for
464 casting and processing votes and the programs, operating
465 manuals, supplies, printouts, and other software necessary for
466 the system's operation.

467
468 Terms used in this code which are not defined in this section
469 but are used in the federal Voting Rights Act and interpreted in
470 relevant case law, including, but not limited to, "political
471 process" and "prerequisite to voting," must be construed in a
472 manner consistent with such usage and interpretation.

473 **Section 38.** Section 97.022, Florida Statutes, is repealed.

474 **Section 39.** Section 97.0291, Florida Statutes, is
475 repealed.

476 **Section 40. Section 97.0556, Florida Statutes, is created**
477 **to read:**

478 97.0556 Same-day voter registration.—A person who meets
479 the qualifications specified in s. 97.041 to register to vote
480 for the early voting period, or at his or her polling place on
481 election day, and who provides the information required under s.

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482 97.052 for the uniform statewide voter registration application,
483 may register at an early voting site or at his or her polling
484 place and immediately thereafter cast a ballot.

485 **Section 41. Section 97.057, Florida Statutes, is amended**
486 **to read:**

487 97.057 Voter registration by the Department of Highway
488 Safety and Motor Vehicles.—

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

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

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

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

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

505 (2) An application for a driver license or an
506 identification card must include a voter registration component.

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507 The voter registration component must be approved by the
508 Department of State and must include all of the following:

509 (a) The minimum amount of information necessary to prevent
510 duplicate voter registrations and to preserve the ability of the
511 department and supervisors of elections to assess the
512 eligibility of the applicant and administer voter registration
513 and other provisions of this code.

514 (b) A statement setting forth voter eligibility
515 requirements.

516 (c) An explanation that the applicant is consenting to the
517 use of his or her signature from the applicant's driver license
518 or identification card application for voter registration
519 purposes. By consenting to the use of his or her signature, the
520 applicant is deemed to have subscribed to the oaths required by
521 s. 3, Art. VI of the State Constitution and s. 97.051 and to
522 have sworn and affirmed that the voter registration information
523 contained in the application is true under penalty for false
524 swearing pursuant to s. 104.011.

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

530 (e) An option that allows the applicant to decline to
531 register to vote or preregister to vote. The Department of

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532 Highway Safety and Motor Vehicles shall note any such
533 declination in its records and forward the declination to the
534 Department of State. A declination may be used only for voter
535 registration purposes and is confidential and exempt from public
536 records requirements as provided in s. 97.0585.

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

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

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

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

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

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

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557 ~~2. If additional information and a signature are provided,~~
558 ~~the voter registration application will be completed and sent to~~
559 ~~the proper election authority;~~

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

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

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

570 ~~(b) Require a driver license examiner to inquire orally~~
571 ~~or, if the applicant is hearing impaired, inquire in writing~~
572 ~~whether the applicant wishes to register to vote or update a~~
573 ~~voter registration record during the completion of a driver~~
574 ~~license or identification card application, renewal, or change~~
575 ~~of address.~~

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

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

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582 ~~b. The additional necessary information must be obtained~~
583 ~~by the driver license examiner and must not duplicate any~~
584 ~~information already obtained while completing the forms required~~
585 ~~under subsection (1).~~

586 ~~e. A voter registration application with all of the~~
587 ~~applicant's voter registration information required to establish~~
588 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
589 ~~presented to the applicant to review and verify the voter~~
590 ~~registration information received and provide an electronic~~
591 ~~signature affirming the accuracy of the information provided.~~

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

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

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

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

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

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

615 ~~(4) The Department of Highway Safety and Motor Vehicles~~
616 ~~must electronically transmit completed voter registration~~
617 ~~applications within 24 hours after receipt to the statewide~~
618 ~~voter registration system. Completed paper voter registration~~
619 ~~applications received by the Department of Highway Safety and~~
620 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
621 ~~the supervisor of the county where the office that processed or~~
622 ~~received that application is located.~~

623 ~~(5) The Department of Highway Safety and Motor Vehicles~~
624 ~~must send, with each driver license renewal extension~~
625 ~~application authorized pursuant to s. 322.18(8), a uniform~~
626 ~~statewide voter registration application, the voter registration~~
627 ~~application prescribed under paragraph (3) (a), or a voter~~
628 ~~registration application developed especially for the purposes~~
629 ~~of this subsection by the Department of Highway Safety and Motor~~
630 ~~Vehicles, with the approval of the Department of State, which~~
631 ~~must meet the requirements of s. 97.052.~~

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632 ~~(4)-(6)~~ A person providing voter registration services for
633 a driver license office may not:

634 (a) ~~Make any change to an applicant's party affiliation~~
635 ~~unless the applicant provides a separate signature consenting to~~
636 ~~the party affiliation change or discuss or~~ Seek to influence an
637 applicant's political preference or party registration;

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

639 (c) Make any statement to an applicant or take any action
640 the purpose or effect of which is to discourage the applicant
641 from registering to vote; or

642 (d) Disclose any applicant's voter registration
643 information except as needed for the administration of voter
644 registration.

645 ~~(5)-(7)~~ The Department of Highway Safety and Motor Vehicles
646 shall collect data determined necessary by the Department of
647 State for program evaluation and reporting to the Election
648 Assistance Commission pursuant to federal law.

649 ~~(6)-(8)~~ The Department of Highway Safety and Motor Vehicles
650 shall ~~must~~ ensure that all voter registration services provided
651 by driver license offices are in compliance with all state and
652 federal laws ~~the Voting Rights Act of 1965~~.

653 ~~(7)-(9)~~ The Department of Highway Safety and Motor Vehicles
654 shall retain complete records of voter registration information
655 received, processed, and submitted to the Department of State
656 ~~statewide voter registration system~~ by the Department of Highway

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657 Safety and Motor Vehicles. The retention of such ~~These~~ records
658 is shall be for the explicit purpose of supporting audit and
659 accounting controls established to ensure accurate and complete
660 electronic transmission of records between the Department of
661 State ~~statewide voter registration system~~ and the Department of
662 Highway Safety and Motor Vehicles.

663 ~~(8)-(10)~~ The Department of State shall provide the
664 Department of Highway Safety and Motor Vehicles with an
665 electronic database of street addresses valid for use as the
666 address of legal residence as required in s. 97.053(5). The
667 Department of Highway Safety and Motor Vehicles shall compare
668 the address provided by the applicant against the database of
669 valid street addresses. If the address provided by the applicant
670 does not match a valid street address in the database, the
671 applicant will be asked to verify the address provided. The
672 Department of Highway Safety and Motor Vehicles may shall not
673 reject any application for voter registration for which a valid
674 match cannot be made.

675 ~~(9)-(11)~~ The Department of Highway Safety and Motor
676 Vehicles shall enter into an agreement with the Department of
677 State to match information in the statewide voter registration
678 system with information in the database of the Department of
679 Highway Safety and Motor Vehicles to the extent required to
680 verify the accuracy of the driver license number, Florida
681 identification number, or last four digits of the social

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682 security number provided on applications for voter registration
683 as required in s. 97.053.

684 ~~(10)-(12)~~ The Department of Highway Safety and Motor
685 Vehicles shall enter into an agreement with the Commissioner of
686 Social Security as required by the Help America Vote Act of 2002
687 to verify the last four digits of the social security number
688 provided in applications for voter registration as required in
689 s. 97.053.

690 ~~(11)-(13)~~ The Department of Highway Safety and Motor
691 Vehicles shall ~~must~~ assist the Department of State in regularly
692 identifying changes in residence address on the driver license
693 or identification card of a voter. The Department of State shall
694 ~~must~~ report each such change to the appropriate supervisor of
695 elections who must change the voter's registration records in
696 accordance with s. 98.065(4).

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

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706 be used as the sole basis to prevent an otherwise eligible
707 citizen from casting his or her ballot.

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

712 **Section 42. Section 97.0575, Florida Statutes, is amended**
713 **to read:**

714 97.0575 Third-party voter registration organizations.—

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

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

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

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

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

732 ~~(e) An affirmation that each person collecting or handling~~
733 ~~voter registration applications on behalf of the third party~~
734 ~~voter registration organization has not been convicted of a~~
735 ~~felony violation of the Election Code, a felony violation of an~~
736 ~~offense specified in s. 825.103, a felony offense specified in~~
737 ~~s. 98.0751(2) (b) or (c), or a felony offense specified in~~
738 ~~chapter 817, chapter 831, or chapter 837. A third party voter~~
739 ~~registration organization is liable for a fine in the amount of~~
740 ~~\$50,000 for each such person who has been convicted of a felony~~
741 ~~violation of the Election Code, a felony violation of an offense~~
742 ~~specified in s. 825.103, a felony offense specified in s.~~
743 ~~98.0751(2) (b) or (c), or a felony offense specified in chapter~~
744 ~~817, chapter 831, or chapter 837 who is collecting or handling~~
745 ~~voter registration applications on behalf of the third party~~
746 ~~voter registration organization.~~

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

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753 ~~registration applications on behalf of the third-party voter~~
754 ~~registration organization.~~

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

760 ~~(3)~~ The division or the supervisor of elections shall make
761 voter registration forms available to third-party voter
762 registration organizations. All such forms must contain
763 information identifying the organization to which the forms are
764 provided. The division shall maintain a database of all third-
765 party voter registration organizations and the voter
766 registration forms assigned to the third-party voter
767 registration organization. Each supervisor of elections shall
768 provide to the division information on voter registration forms
769 assigned to and received from third-party voter registration
770 organizations. The information must be provided in a format and
771 at times as required by the division by rule. The division shall
772 update information on third-party voter registrations daily and
773 make the information publicly available.

774 ~~(4) A third-party voter registration organization that~~
775 ~~collects voter registration applications shall provide a receipt~~
776 ~~to an applicant upon accepting possession of his or her~~
777 ~~application. The division shall adopt by rule a uniform format~~

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778 ~~for the receipt by October 1, 2023. The format must include, but~~
779 ~~need not be limited to, the name of the applicant, the date the~~
780 ~~application is received, the name of the third-party voter~~
781 ~~registration organization, the name of the registration agent,~~
782 ~~the applicant's political party affiliation, and the county in~~
783 ~~which the applicant resides.~~

784 ~~(3) (a) (5) (a)~~ A third-party voter registration organization
785 that collects voter registration applications serves as a
786 fiduciary to the applicant and shall ensure that any voter
787 registration application entrusted to the organization,
788 irrespective of party affiliation, race, ethnicity, or gender,
789 is promptly delivered to the division or the supervisor of
790 elections ~~in the county in which the applicant resides~~ within 14
791 ~~10~~ days after the application is completed by the applicant, but
792 not after registration closes for the next ensuing election. If
793 a voter registration application collected by any third-party
794 voter registration organization is not promptly delivered to the
795 division or supervisor of elections ~~in the county in which the~~
796 ~~applicant resides~~, the third-party voter registration
797 organization is liable for the following fines:

798 1. A fine in the amount of \$50 ~~per each day late, up to~~
799 ~~\$2,500,~~ for each application received by the division or ~~the~~
800 supervisor of elections ~~in the county in which the applicant~~
801 ~~resides~~ more than 14 ~~10~~ days after the applicant delivered the
802 completed voter registration application to the third-party

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803 voter registration organization, if the organization or any
804 person, entity, or agent acting on its behalf acted willfully. A
805 ~~fine in the amount of \$2,500 for each application received if~~
806 ~~the third party voter registration organization or person,~~
807 ~~entity, or agency acting on its behalf acted willfully.~~

808 2. A fine in the amount of \$100 ~~per each day late, up to~~
809 ~~\$5,000,~~ for each application collected by a third-party voter
810 registration organization, or any person, entity, or agent
811 acting on its behalf, before book closing for any given election
812 for federal or state office and received by the division or ~~the~~
813 supervisor of elections ~~in the county in which the applicant~~
814 ~~resides~~ after the book-closing deadline for such election. A
815 ~~fine in the amount of \$5,000 for each application received if~~
816 ~~the third party voter registration organization or any person,~~
817 ~~entity, or agency acting on its behalf acted willfully.~~

818 3. A fine in the amount of \$500 for each application
819 collected by a third-party voter registration organization, or
820 any person, entity, or agent acting on its behalf, which is not
821 submitted to the division or supervisor of elections ~~in the~~
822 ~~county in which the applicant resides. A fine in the amount of~~
823 ~~\$5,000 for any application not submitted if the third-party~~
824 ~~voter registration organization or person, entity, or agency~~
825 ~~acting on its behalf acted willfully.~~

826

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

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

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

850 ~~(6) If a person collecting voter registration applications~~
851 ~~on behalf of a third-party voter registration organization~~

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

858 ~~(7) If a person collecting voter registration applications~~
859 ~~on behalf of a third-party voter registration organization~~
860 ~~copies a voter's application or retains a voter's personal~~
861 ~~information, such as the voter's Florida driver license number,~~
862 ~~Florida identification card number, social security number, or~~
863 ~~signature, for any reason other than to provide such application~~
864 ~~or information to the third-party voter registration~~
865 ~~organization in compliance with this section, the person commits~~
866 ~~a felony of the third degree, punishable as provided in s.~~
867 ~~775.082, s. 775.083, or s. 775.084.~~

868 ~~(4)~~(8) If the Secretary of State reasonably believes that
869 a person has committed a violation of this section, the
870 secretary may refer the matter to the Attorney General for
871 enforcement. The Attorney General may institute a civil action
872 for a violation of this section or to prevent a violation of
873 this section. An action for relief may include a permanent or
874 temporary injunction, a restraining order, or any other
875 appropriate order.

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876 ~~(9) The division shall adopt by rule a form to elicit~~
877 ~~specific information concerning the facts and circumstances from~~
878 ~~a person who claims to have been registered to vote by a third-~~
879 ~~party voter registration organization but who does not appear as~~
880 ~~an active voter on the voter registration rolls. The division~~
881 ~~shall also adopt rules to ensure the integrity of the~~
882 ~~registration process, including controls to ensure that all~~
883 ~~completed forms are promptly delivered to the division or a~~
884 ~~supervisor in the county in which the applicant resides.~~

885 ~~(5)(10)~~ The date on which an applicant signs a voter
886 registration application is presumed to be the date on which the
887 third-party voter registration organization received or
888 collected the voter registration application.

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

895 ~~(12) The requirements of this section are retroactive for~~
896 ~~any third-party voter registration organization registered with~~
897 ~~the department as of July 1, 2023, and must be complied with~~
898 ~~within 90 days after the department provides notice to the~~
899 ~~third-party voter registration organization of the requirements~~
900 ~~contained in this section. Failure of the third-party voter~~

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901 ~~registration organization to comply with the requirements within~~
902 ~~90 days after receipt of the notice shall automatically result~~
903 ~~in the cancellation of the third-party voter registration~~
904 ~~organization's registration.~~

905 **Section 43. Part III of chapter 97, Florida Statutes,**
906 **consisting of sections 97.21-97.28, Florida Statutes, is created**
907 **and entitled "Florida Voting Rights Act."**

908 **Section 44. Section 97.21, Florida Statutes, is created to**
909 **read:**

910 97.21 Prohibitions on voter suppression and vote
911 dilution.—

912 (1) PROHIBITING VOTER SUPPRESSION.—

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

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

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

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

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

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

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

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

940 2. The material disparity results from:

941 a. The closure, relocation, or consolidation of, or
942 failure to provide, one or more polling places, early voting
943 sites, or secure ballot intake stations; or the reassignment of
944 voters to precincts or polling places or of precincts to polling
945 places;

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

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

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950 d. The date the local government selects for a special
951 election, and there exists an alternate date in a reasonable
952 timeframe in which the disparity would be materially less
953 significant; or

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

959 (2) PROHIBITING VOTE DILUTION.—

960 (a) A local government may not employ an at-large method
961 of election, a district-based method of election, a share-based
962 method of election, or any other method of election for any
963 office which has the effect, will likely have the effect, or is
964 motivated in part by the intent of diluting the vote of
965 protected class members.

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

968 1.a. Elections in the local government exhibit racially
969 polarized voting resulting in an impairment of the equal
970 opportunity or ability of protected class members to nominate or
971 elect candidates of their choice; or

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

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

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

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

987 a. The history of discrimination;

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

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

993 d. The extent to which protected class members or
994 candidates experienced any history of unequal access to
995 election-administration or campaign finance processes that
996 determine which candidates will receive access to the ballot or
997 receive financial or other support in a given election for an
998 office of the local government;

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999 e. The extent to which protected class members have
1000 historically made expenditures as defined in s. 106.011 at lower
1001 rates than other voters;

1002 f. The extent to which protected class members vote at
1003 lower rates than other voters;

1004 g. The extent to which protected class members are
1005 disadvantaged or otherwise bear the effects of public or private
1006 discrimination in areas that may hinder their ability to
1007 participate effectively in any stage of the political process,
1008 such as education, employment, health, criminal justice,
1009 housing, transportation, land use, or environmental protection;

1010 h. The use of overt or subtle racial appeals in political
1011 campaigns by governmental officials or in connection with the
1012 adoption or maintenance of the election policy or practice;

1013 i. The extent to which candidates face hostility or
1014 barriers while campaigning due to their membership in a
1015 protected class;

1016 j. The lack of responsiveness by elected officials to the
1017 particular needs of protected class members or a community of
1018 protected class members;

1019 k. Whether the election policy or practice was designed to
1020 advance, and does materially advance, a valid and substantial
1021 state interest; and

1022 l. Other factors deemed relevant.

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1023 2. A set number or combination of the factors in
1024 subparagraph 1. is not required to determine that a violation
1025 occurred.

1026 3. Evidence of these factors is most probative if it
1027 relates to the local government in which the alleged violation
1028 occurred, but still holds probative value if it relates to the
1029 geographic region in which the local government is located or to
1030 this state.

1031 (b) To determine whether elections in the local government
1032 exhibit racially polarized voting under sub-subparagraph
1033 (2) (b) 1.a.:

1034 1. Racially polarized voting must be assessed based on
1035 relevant election results, which may include, but are not
1036 limited to, elections for offices of the local government;
1037 elections held by the local government for other offices, such
1038 as state or federal offices; ballot measures; and other
1039 electoral choices that bear on the rights and privileges of the
1040 protected class.

1041 a. A set number or combination of elections may not be
1042 required to establish the existence of racially polarized
1043 voting.

1044 b. Evidence of nonpolarized voting in elections for
1045 offices outside the local government may not preclude a finding
1046 of racially polarized voting based on elections for offices of
1047 the local government.

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1048 c. Nonstatistical or nonquantitative evidence may not
1049 preclude a finding of racially polarized voting based on
1050 statistical or quantitative evidence.

1051 d. Low turnout or registration rates among protected class
1052 members may not preclude a finding of racially polarized voting.

1053 2. Racially polarized voting may be assessed based only on
1054 the combined electoral preferences of members of a protected
1055 class or classes. There is no requirement that the electoral
1056 preferences of each protected class or any subgroup within a
1057 protected class be separately polarized from those of other
1058 voters.

1059 3. The causes of or reasons for racially polarized voting,
1060 including partisan explanations or discriminatory intent, are
1061 not relevant.

1062 (c)1. If evaluating whether a violation of subsection (1)
1063 or subsection (2) is present, the following circumstances are
1064 never relevant to such a violation:

1065 a. The total number or share of protected class members on
1066 whom the election policy or practice does not impose a material
1067 burden;

1068 b. The degree to which the election policy or practice has
1069 a long pedigree or was in widespread use at some earlier date;

1070 c. The use of an identical or similar election policy or
1071 practice in other jurisdictions; and

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1072 d. The availability of forms of voting unimpacted by the
1073 election policy or practice.

1074 2. A state interest in preventing voter fraud or
1075 bolstering voter confidence in the integrity of elections is not
1076 relevant to an evaluation of whether a violation of subsection
1077 (1) or subsection (2) occurred unless there is substantial
1078 evidence of a number of instances that criminal activity by
1079 individual electors has occurred in the local government and the
1080 connection between the election policy or practice and a state
1081 interest in preventing voter fraud or bolstering voter
1082 confidence in the integrity of elections is supported by
1083 substantial evidence.

1084 3. Evidence concerning the intent of electors, elected
1085 officials, or public officials to discriminate against protected
1086 class members is not required under subsections (1) and (2).

1087 4. Whether protected class members typically elect
1088 candidates of their choice to the governmental body of a local
1089 government in approximate proportion to their total number or
1090 share of the population may be relevant under subsection (2).

1091 (4) Before filing an action against a local government
1092 pursuant to this section, a prospective plaintiff must send, by
1093 certified mail, return receipt requested, a notification letter
1094 to the local government asserting that the local government may
1095 be in violation of the provisions of this act. Such letter must
1096 be referred to as an "FLVRA notification letter."

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1097 (a) Except as noted in paragraph (e), a party may not file
1098 an action against a local government pursuant to this section
1099 earlier than 50 days after sending an FLVRA notification letter
1100 to the local government.

1101 (b) Before receiving an FLVRA notification letter, or not
1102 later than 50 days after any FLVRA notification letter is sent
1103 to a local government, a local government may adopt a resolution
1104 that must be referred to as an "FLVRA resolution" and that does
1105 all of the following:

1106 1. Identifies a potential violation of this section by the
1107 local government.

1108 2. Identifies a specific remedy to the potential
1109 violation.

1110 3. Affirms the local government's intent to enact and
1111 implement the remedy for the potential violation.

1112 4. Sets forth specific measures the local government will
1113 take to enact and implement the remedy.

1114 5. Provides a schedule for the enactment and
1115 implementation of the remedy.

1116 (c) Except as noted in paragraph (e), a party that has
1117 sent an FLVRA notification letter may not file an action
1118 pursuant to this section earlier than 90 days after the adoption
1119 of an FLVRA resolution.

1120 (d) If the remedy identified in an FLVRA resolution is
1121 barred by state or local law, or a legislative body of a local

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1122 government lacks authority under state or local law to enact or
1123 implement a remedy identified in an FLVRA resolution within 90
1124 days after the adoption of such resolution, or if the local
1125 government is a covered jurisdiction under s. 97.25, the local
1126 government may nonetheless enact and implement the remedy
1127 identified in such resolution upon approval of the FLVRA
1128 Commission, which may provide approval only if it finds that the
1129 local government may be in violation of this act, the proposed
1130 remedy would address a potential violation, and implementation
1131 of the proposed remedy is feasible. The approval of a remedy by
1132 the FLVRA Commission does not bar an action to challenge the
1133 remedy.

1134 (e) If, pursuant to this subsection, a local government
1135 enacts or implements a remedy or the FLVRA Commission approves a
1136 proposed remedy, a party that sent an FLVRA notification letter
1137 may submit a claim for reimbursement from the local government
1138 for the costs associated with producing and sending such
1139 notification letter. The party must submit the claim in writing
1140 and substantiate the claim with financial documentation,
1141 including a detailed invoice for any demography services or
1142 analysis of voting patterns in the local government. If a party
1143 and local government fail to agree to a reimbursement amount,
1144 either the party or local government may file an action for a
1145 declaratory judgment for a clarification of rights.

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1146 (f) Notwithstanding this subsection, a party may bring a
1147 cause of action for a violation of this section under any of the
1148 following circumstances:

1149 1. The action is commenced within 1 year after the
1150 adoption of a challenged method of election, ordinance,
1151 resolution, rule, policy, standard, regulation, procedure, or
1152 law.

1153 2. The prospect of obtaining relief under this section
1154 would be futile.

1155 3. Another party has submitted a notification letter under
1156 this subsection alleging a substantially similar violation and
1157 that party is eligible to bring a cause of action under this
1158 subsection.

1159 4. Following the party's submission of an FLVRA
1160 notification letter, the local government has adopted an FLVRA
1161 resolution that identifies a remedy that would not cure the
1162 violation identified in the notification letter.

1163 5. The party is seeking preliminary relief with respect to
1164 an upcoming election in accordance with s. 97.28.

1165 (g) Any local government that receives an FLVRA
1166 notification letter or adopts an FLVRA resolution must provide a
1167 copy to the FLVRA Commission within 1 day after receipt or
1168 adoption. The FLVRA Commission shall promptly, but not later
1169 than 1 business day after receipt, post all FLVRA notification
1170 letters and FLVRA resolutions on its website. The FLVRA

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1171 Commission may adopt rules identifying other materials and
1172 information that must be provided to the FLVRA Commission by
1173 local governments, as well as procedures for transmittal of
1174 materials and information from local governments to the FLVRA
1175 Commission.

1176 (5) A local government may not assert the doctrine of
1177 laches as a defense to claims brought under this section. A
1178 local government may not assert that plaintiffs have failed to
1179 comply with any notice, exhaustion, or other procedural
1180 requirements under state law, other than the requirements in
1181 this section, as a defense to claims brought under this section.

1182 (6) An individual or entity aggrieved by a violation of
1183 this section, the Attorney General, or the FLVRA Commission may
1184 file an action alleging a violation of this section to enforce
1185 compliance with this section. An entity aggrieved by a violation
1186 of this section includes, but is not limited to, any entity
1187 whose membership includes individuals aggrieved by a violation
1188 of this section or whose mission would be frustrated by a
1189 violation of this section, including, but not limited to, an
1190 entity that would expend or divest resources to fulfill its
1191 mission as a result of such violation or must expend greater
1192 resources or efforts to advocate before an elected body that is
1193 less responsive to the entity or its members due to the alleged
1194 violation. An entity may not be compelled to disclose the
1195 identity of any specific member to pursue a claim on behalf of

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1196 its members. This subsection must be liberally construed to
1197 confer standing as broadly as the State Constitution allows.
1198 Such a claim may be filed pursuant to the Florida Rules of Civil
1199 Procedure or in the Second Judicial Circuit of Florida. Members
1200 of two or more protected classes that are politically cohesive
1201 in a local government may jointly file an action. In an action
1202 involving a districting plan, any individual who resides in the
1203 defendant jurisdiction and is a member of the affected class or
1204 classes, whether he or she resides in any particular district,
1205 may challenge the districting plan as a whole.

1206 **Section 45. Section 97.22, Florida Statutes, is created to**
1207 **read:**

1208 97.22 Florida Voting Rights Act Commission.—

1209 (1) There is created the Florida Voting Rights Act (FLVRA)
1210 Commission within the Department of State. The FLVRA Commission
1211 is a separate budget entity, as provided in the General
1212 Appropriations Act, and shall prepare and submit a budget
1213 request in accordance with chapter 216. The commission is
1214 responsible for administering the Florida Voting Rights Act. The
1215 commission shall have its own staff, including management,
1216 research, and enforcement personnel, and is not subject to
1217 control, supervision, or direction by the Department of State.

1218 (2) (a) The FLVRA Commission shall be composed of five
1219 commissioners, each of whom shall serve a staggered 5-year term.
1220 Commissioners must be compensated for their actual time spent on

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1221 the commission's business at an hourly rate equivalent to the
1222 rate of an assistant attorney general.

1223 1. A nominating committee shall identify qualified
1224 candidates to serve as commissioners. The nominating committee
1225 shall be composed of nominating organizations that are selected
1226 as follows:

1227 a. Organizations may apply to the Secretary of State to be
1228 certified as organizational nominators for 5-year terms, after
1229 which the organizations may be recertified. The Secretary of
1230 State must certify any organization that applies to be an
1231 organizational nominator if it meets all of the following
1232 qualifications:

1233 (I) Has demonstrated commitment to the purposes of this
1234 act and to securing the voting rights of protected class
1235 members, such as referencing such class members in the
1236 organization's mission statement, involvement in numerous voting
1237 rights cases brought in this state on behalf of members of
1238 protected classes, or advocacy in support of this act.

1239 (II) Is registered as a nonprofit corporation with the
1240 Secretary of State.

1241 (III) Has been in continuous operation as a nonprofit
1242 organization under s. 501(c)(3) of the Internal Revenue Code or
1243 as a nonprofit corporation registered with the Secretary of
1244 State for at least 10 years.

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1245 b. If the Secretary of State fails to timely certify an
1246 organization that satisfies the qualifications specified in sub-
1247 subparagraph a. following the organization's application as an
1248 organizational nominator, the organization may file an action
1249 against the Secretary of State for a declaratory judgment
1250 certifying the organization as an organizational nominator.

1251 2. An organizational nominator may be removed for cause by
1252 a majority vote of all fellow nominators.

1253 3. If there are fewer than 16 organizational nominators
1254 certified by the Secretary of State, the nominating committee
1255 must be composed of all such organizational nominators. If there
1256 are 16 or more organizational nominators certified by the
1257 Secretary of State, the nominating committee must be composed of
1258 15 organizational nominators randomly selected from all the
1259 nominators by lot on an annual basis.

1260 4. The nominating committee shall select its own chair to
1261 preside over meetings and votes.

1262 (b) Commissioners shall be selected as follows:

1263 1. The nominating committee shall solicit applications
1264 from individuals to serve on the FLVRA Commission from across
1265 this state. A commissioner must satisfy all of the following
1266 criteria:

1267 a. Is a resident of this state.

1268 b. Has experience representing or advocating on behalf of
1269 members of protected classes.

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1270 c. Has not served in elected office within the preceding 5
1271 years.

1272 d. Is not currently serving in any governmental office or
1273 holding any political party office.

1274 2. The nominating committee shall maintain a qualified
1275 candidate pool composed of 30 candidates to serve on the FLVRA
1276 Commission. Individuals may be added to the qualified applicant
1277 pool only upon a vote of three-fifths of the nominating
1278 committee.

1279 3. All members of the FLVRA Commission must be randomly
1280 selected from the qualified candidate pool. Upon the initial
1281 formation of the FLVRA Commission, five commissioners must be
1282 selected by lot from the qualified candidate pool and randomly
1283 assigned to term lengths of 5 years, 4 years, 3 years, 2 years,
1284 and 1 year. At least 60 days in advance of the conclusion of
1285 each commissioner's term, a new commissioner must be randomly
1286 selected by lot from the qualified candidate pool to serve a 5-
1287 year term upon the conclusion of the incumbent commissioner's
1288 term. If a vacancy occurs, a new commissioner must be randomly
1289 selected by lot from the qualified candidate pool within 30 days
1290 after the vacancy occurring to complete the vacated term.

1291 (3) In any action or investigation to enforce this
1292 section, the FLVRA Commission may subpoena witnesses; administer
1293 oaths; examine individuals under oath; determine material facts;
1294 and compel the production of records, books, papers, contracts,

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1295 and other documents in accordance with the Florida Rules of
1296 Civil Procedure.

1297 (4) The FLVRA Commission may hire any staff and make any
1298 expenditure necessary to fulfill its responsibilities.

1299 (5) The FLVRA Commission may adopt rules to administer and
1300 enforce this part.

1301 **Section 46. Section 97.23, Florida Statutes, is created to**
1302 **read:**

1303 97.23 Statewide database and institute.—

1304 (1) The FLVRA Commission shall enter into an agreement
1305 with one or more postsecondary educational institutions in this
1306 state to create the Florida Voting and Elections Database and
1307 Institute to maintain and administer a central repository of
1308 elections and voting data available to the public from all local
1309 governments in this state, and to foster, pursue, and sponsor
1310 research on existing laws and best practices in voting and
1311 elections. The parties to that agreement shall enter into a
1312 memorandum of understanding that includes the process for
1313 selecting the director of the database and institute.

1314 (2) The database and institute shall provide a center for
1315 research, training, and information on voting systems and
1316 election administration. The database and institute may do any
1317 of the following:

1318 (a) Conduct noncredit classes and classes for credit.

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- 1319 (b) Organize interdisciplinary groups of scholars to
1320 research voting and elections in this state.
- 1321 (c) Conduct seminars involving voting and elections.
- 1322 (d) Establish a nonpartisan centralized database in order
1323 to collect, archive, and make publicly available, at no cost,
1324 accessible data pertaining to elections, voter registration, and
1325 ballot access in this state.
- 1326 (e) Assist in the dissemination of election data to the
1327 public.
- 1328 (f) Publish books and periodicals on voting and elections
1329 in this state.
- 1330 (g) Provide nonpartisan technical assistance to local
1331 governments, scholars, and the general public seeking to use the
1332 resources of the database and institute.
- 1333 (3) The database and institute shall make available, and
1334 maintain in an electronic format, all relevant election and
1335 voting data and records for at least the previous 12-year
1336 period. The data, information, and estimates maintained by the
1337 database and institute must be posted online and made available
1338 to the public at no cost. Maps, polling places, and vote-by-mail
1339 ballot secure intake stations must be made available in a
1340 geospatial file format. The database and institute shall prepare
1341 all estimates made under this section by applying the most
1342 advanced and validated peer-reviewed methodologies available.

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1343 Data and records that must be maintained include, but are not
1344 limited to, all of the following:

1345 (a) Estimates of the total population, voting age
1346 population, and citizen voting age population by racial, color,
1347 or language minority group and disability status, broken down by
1348 precinct level on a year-by-year basis, for every local
1349 government in this state, based on data from the United States
1350 Census Bureau or the American Community Survey or data of
1351 comparable quality collected by a public office.

1352 (b) Election results at the precinct level for every
1353 federal, state, and local election held in every local
1354 government in this state.

1355 (c) Contemporaneous voter registration lists, voter
1356 history files, polling places, and vote-by-mail secure ballot
1357 intake stations for every election in every local government in
1358 this state.

1359 (d) Contemporaneous maps or other documentation of the
1360 configuration of precincts.

1361 (e) Lists of polling places, including, but not limited
1362 to, lists of precincts assigned to each polling place, if
1363 applicable.

1364 (f) Adopted district or redistricting plans for every
1365 election in every local government in this state.

1366 (g) A current record, updated monthly, of persons eligible
1367 to register to vote who have a prior criminal conviction and

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1368 whose eligibility has been restored in compliance with s.
1369 98.0751.

1370 (h) Any other data that the director of the database and
1371 institute considers necessary to maintain in furtherance of the
1372 purposes of the database and institute.

1373 (4) All state agencies and local governments shall timely
1374 provide the director of the database and institute with any
1375 information requested by the director. No later than 90 days
1376 after an election, each local government shall transmit to the
1377 database and institute copies of all of the following:

1378 (a) Election results at the precinct level.

1379 (b) Contemporaneous voter registration lists.

1380 (c) Voter history files.

1381 (d) Maps, descriptions, and shapefiles for election
1382 districts.

1383 (e) Lists of polling places, shapefiles, or descriptions
1384 of the precincts assigned to each polling place.

1385 (f) Any other data as requested by the database and
1386 institute.

1387 (5) Any state entity identified by the director of the
1388 database and institute as possessing data, statistics, or other
1389 information required by the database and institute to carry out
1390 its duties and responsibilities shall provide such data,
1391 statistics, or information annually to the database and
1392 institute at the request of the director.

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1393 (6) If a state agency or local government fails to provide
1394 any information to the database and institute as required by
1395 this section, the director of the database and institute, the
1396 Attorney General, or the FLVRA Commission may file an action to
1397 enforce compliance with this section. An entity aggrieved by a
1398 violation of this section includes, but is not limited to, any
1399 entity whose membership includes individuals aggrieved by this
1400 section or whose mission would be frustrated by a violation of
1401 this section, including, but not limited to, an entity that
1402 would expend or divest resources to fulfill its mission as a
1403 result of such violation or must expend greater resources or
1404 efforts to advocate before an elected body that is less
1405 responsive to the entity or its members due to the alleged
1406 violation. An entity may not be compelled to disclose the
1407 identity of any specific member to pursue a claim on behalf of
1408 its members. This section must be liberally construed to confer
1409 standing as broadly as the State Constitution allows. Such claim
1410 may be filed pursuant to the Florida Rules of Civil Procedure or
1411 in the Second Judicial Circuit of Florida.

1412 (7) No later than 90 days after the end of each state
1413 fiscal year, the database and institute shall publish a report
1414 on the priorities and finances of the database and institute.

1415 (8) The database and institute shall provide nonpartisan
1416 technical assistance to local governments, researchers, and

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1417 members of the public seeking to use the resources of the
1418 database.

1419 (9) There is a rebuttable presumption that the data,
1420 estimates, or other information maintained by the database and
1421 institute is valid.

1422 **Section 47. Section 97.24, Florida Statutes, is created to**
1423 **read:**

1424 97.24 Language access.-

1425 (1) As used in this section, the term:

1426 (a) "Limited English proficient individual" means an
1427 individual who does not speak English as his or her primary
1428 language and who speaks, reads, or understands the English
1429 language other than "very well" in accordance with United States
1430 Census Bureau data or data of comparable quality collected by a
1431 governmental entity.

1432 (b) "Native American" includes any person recognized by
1433 the United States Census Bureau or the state as "American
1434 Indian."

1435 (2) The FLVRA Commission must designate one or more
1436 languages, other than English, for which assistance in voting
1437 and elections must be provided by a local government if the
1438 commission finds that a significant and substantial need exists
1439 for such assistance.

1440 (3) Based on the best available data, which may include
1441 information from the United States Census Bureau's American

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1442 Community Survey or data of comparable quality collected by a
1443 governmental entity, the FLVRA Commission must find that a
1444 significant and substantial need exists if:

1445 (a) More than 2 percent, but no fewer than 200 citizens of
1446 voting age, of a local government speak a language other than
1447 English and are limited English proficient individuals.

1448 (b) More than 4,000 citizens of voting age of a local
1449 government speak a language other than English and are limited
1450 English proficient individuals.

1451 (4) In the case of a local government that contains any
1452 part of a Native American reservation, if more than 2 percent of
1453 the Native American citizens of voting age within the Native
1454 American reservation are proficient in a language other than
1455 English and are limited English proficient individuals, the
1456 local government must provide materials in such language.

1457 (5) (a) On an annual basis, the FLVRA Commission shall
1458 publish on its website a list of all of the following:

1459 1. Each local government in which assistance in voting and
1460 elections in a language other than English must be provided.

1461 2. Each language in which such assistance must be provided
1462 in each local government.

1463 (b) The FLVRA Commission's determinations under this
1464 section are effective upon publication, and the commission shall
1465 distribute this information to each affected local government.

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1466 (6) Each local government described in paragraph (5) (a)
1467 shall provide assistance in voting and elections, including
1468 related materials, in any language designated by the commission
1469 under paragraph (5) (a) to voters in a local government who are
1470 limited English proficient individuals.

1471 (7) Whenever the FLVRA Commission determines that,
1472 pursuant to this section, language assistance must be provided
1473 by a local government, the local government shall provide
1474 competent assistance in each designated language and provide
1475 related materials in English and in each designated language,
1476 including voter registration or voting notices, forms,
1477 instructions, assistance, ballots, or other materials or
1478 information relating to the electoral process. However, in the
1479 case of a language that is oral or unwritten, including
1480 historically unwritten languages, as may be the case for some
1481 Native American languages, a local government must provide oral
1482 instructions, assistance, or other information on the electoral
1483 process in such language. All materials provided in a designated
1484 language must be of an equal quality to the corresponding
1485 English materials. All provided translations must convey the
1486 intent and essential meaning of the original text or
1487 communication and may not rely solely on automatic translation
1488 services. If available, live translation must be used for
1489 language assistance.

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1490 (8) The FLVRA Commission shall establish a review process
1491 under which the commission determines, upon receipt of a request
1492 submitted under this subsection, whether a significant and
1493 substantial need exists in a local government for a language to
1494 be designated for language access and assistance in voting and
1495 elections if such need has not been found under subsection (3)
1496 or subsection (4). Such process, at a minimum, must include an
1497 opportunity for any voter or entity to submit a request for the
1498 commission to consider designating a language in a local
1499 government; an opportunity for public comment; and a procedure
1500 for determining whether a local government must provide language
1501 assistance.

1502 (9) Any individual or entity aggrieved by a violation of
1503 this section, the Attorney General, or the FLVRA Commission may
1504 file an action alleging a violation of this section. An entity
1505 aggrieved by a violation of this section includes, but is not
1506 limited to, any entity whose membership includes individuals
1507 aggrieved by this section or whose mission would be frustrated
1508 by a violation of this section, including, but not limited to,
1509 an entity that would expend or divest resources to fulfill its
1510 mission as a result of such violation or must expend greater
1511 resources or efforts to advocate before an elected body that is
1512 less responsive to the entity or its members due to the alleged
1513 violation. An entity may not be compelled to disclose the
1514 identity of any specific member to pursue a claim on behalf of

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1515 its members. This section must be liberally construed to confer
1516 standing as broadly as the State Constitution allows. Such a
1517 claim may be filed pursuant to the Florida Rules of Civil
1518 Procedure or in the Second Judicial Circuit of Florida.

1519 **Section 48. Section 97.25, Florida Statutes, is created to**
1520 **read:**

1521 97.25 Preclearance.—

1522 (1) The enactment or implementation of a covered policy by
1523 a covered jurisdiction is subject to preclearance by the FLVRA
1524 Commission.

1525 (2) For purposes of this section, a covered policy
1526 includes any new or modified:

1527 (a) Election policy or practice.

1528 (b) Method of election, including districting or
1529 redistricting.

1530 (c) Form of government.

1531 (d) Annexation, incorporation, dissolution, consolidation,
1532 or division of a local government.

1533 (e) Removal of individuals from registry lists or
1534 enrollment lists and other activities concerning any such list,
1535 except where the removal is at the specific written request of
1536 the voter and other activities concerning any such list.

1537 (f) Hours of any early voting site, or location or number
1538 of early voting sites, polling places, or secure ballot intake
1539 stations.

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1540 (g) Assignment of voting precincts to polling places or
1541 secure ballot intake station locations.

1542 (h) Assistance offered to protected class members.

1543 (i) Any additional subject matter the FLVRA Commission may
1544 identify for inclusion in this subsection, pursuant to
1545 commission rule, if the commission determines that any election
1546 policy or practice may have the effect of diminishing the right
1547 to vote of any protected class member or have the effect of
1548 violating this act.

1549 (3) Following each decennial census, if a covered
1550 jurisdiction does not make changes to its method of election,
1551 including, but not limited to, maintaining an at-large method of
1552 election or not making revisions to a district-based method of
1553 election, the method of election must be deemed a covered policy
1554 and must be submitted to the FLVRA Commission pursuant to this
1555 section.

1556 (4) A covered jurisdiction includes any of the following:

1557 (a) A local government that, within the preceding 25
1558 years, has been subject to a court order, government enforcement
1559 action, court-approved consent decree, or other settlement in
1560 which the local government conceded liability, based upon a
1561 violation of this act, the federal Voting Rights Act, the 15th
1562 Amendment to the United States Constitution, a voting-related
1563 violation of the 14th Amendment to the United States
1564 Constitution, or any violation of any other state or federal

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1565 election law, concerning discrimination against members of a
1566 protected class.

1567 (b) A local government that, within the preceding 25
1568 years, has been subject to any court order, government
1569 enforcement action, court-approved consent decree, or any other
1570 settlement in which the local government conceded liability,
1571 based upon a violation of any state or federal civil rights law
1572 or the 14th Amendment to the United States Constitution,
1573 concerning discrimination against members of a protected class.

1574 (c) A local government that, during the preceding 3 years,
1575 has failed to comply with its obligation to provide data or
1576 information to the database pursuant to s. 97.23.

1577 (d) A local government that, during the preceding 25
1578 years, was found to have enacted or implemented a covered policy
1579 without obtaining preclearance for that policy pursuant to this
1580 section.

1581 (e) A local government that contains at least 1,000
1582 eligible voters of any protected class, or in which members of
1583 any protected class constitute at least 10 percent of the
1584 eligible voter population of the local government, and in which,
1585 in any year in the preceding 10 years, the percentage of voters
1586 of any protected class in a local government which participated
1587 in any general election for any local government office was at
1588 least 10 percentage points lower than the percentage of all

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1589 voters in the local government who participated in such
1590 election.

1591 (f) A local government that contains at least 1,000
1592 eligible voters of any protected class, or in which members of
1593 any protected class constitute at least 10 percent of the
1594 eligible voter population of the local government, and in which,
1595 in any year in the preceding 10 years, the percentage of
1596 eligible voters of that protected class who were registered to
1597 vote was at least 10 percentage points lower than the percentage
1598 of all eligible voters in the local government who registered to
1599 vote.

1600 (g) A local government that contains at least 1,000
1601 eligible voters of any protected class, or in which members of
1602 any protected class constitute at least 10 percent of the
1603 eligible voter population of the local government, and in which,
1604 in any year in the preceding 10 years, based on data made
1605 available by the United States Census, the dissimilarity index
1606 of such protected class, calculated using census tracts, was in
1607 excess of 50 percent with respect to the race, color, or
1608 language minority group that comprises a plurality within the
1609 local government.

1610 (h) A local government that contains at least 1,000
1611 eligible voters of any protected class, or in which members of
1612 any protected class constitute at least 10 percent of the
1613 eligible voter population of the local government, and in which,

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1614 in any year in the preceding 10 years, the poverty rate among
1615 the population of such protected class exceeded the poverty rate
1616 among the population of the local government as a whole by at
1617 least 10 percentage points.

1618 (i) A county that contains at least 1,000 eligible voters
1619 of any protected class, or in which members of any protected
1620 class constitute at least 10 percent of the eligible voter
1621 population of the county, and in which, in any year in the
1622 preceding 10 years, the arrest rate among members of such
1623 protected class exceeded the arrest rate among the population of
1624 the county as a whole by at least 10 percentage points.

1625 (j) Any school district that contains at least 1,000
1626 eligible voters of any protected class, or in which members of
1627 any protected class constitute at least 10 percent of the
1628 eligible voter population of the school district, and in which,
1629 in any year in the preceding 10 years, the graduation rate of
1630 such protected class was lower than the graduation rate of the
1631 entire district student population by at least 10 percentage
1632 points.

1633 (5) The FLVRA Commission shall determine on an annual
1634 basis which local governments are covered jurisdictions and
1635 publish a list of such jurisdictions on its website.

1636 (6) If a covered jurisdiction seeks preclearance from the
1637 FLVRA Commission for the adoption or implementation of any
1638 covered policy, the covered jurisdiction must submit the covered

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1639 policy to the commission in writing and may obtain preclearance
1640 in accordance with this section.

1641 (a) The FLVRA Commission shall review the covered policy
1642 submitted for preclearance, including any comments submitted by
1643 members of the public, and make a determination to grant or deny
1644 preclearance. The covered jurisdiction bears the burden of proof
1645 in any preclearance determinations.

1646 (b)1. The FLVRA Commission may deny preclearance to a
1647 submitted covered policy only if it determines that:

1648 a. The covered policy is more likely than not to diminish
1649 the opportunity or ability of protected class members to
1650 participate in the political process and elect candidates of
1651 their choice or otherwise influence the outcome of elections; or

1652 b. The covered policy is more likely than not to violate
1653 this act.

1654 2. If the commission denies preclearance, the applicable
1655 covered jurisdiction may not enact or implement the covered
1656 policy. The commission shall provide a written explanation for a
1657 denial.

1658 (c) If the FLVRA Commission grants preclearance to a
1659 covered policy, the covered jurisdiction may immediately enact
1660 or implement the covered policy. A determination by the
1661 commission to grant preclearance is not admissible in, and may
1662 not be considered by, a court in any subsequent action
1663 challenging the covered policy. If the commission fails to deny

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1664 or grant preclearance to a submitted covered policy within the
1665 timeframes set forth in paragraph (d), the covered policy is
1666 deemed to be precleared, and the covered jurisdiction may enact
1667 or implement the covered policy.

1668 (d) If a covered policy concerns the method of election
1669 for a legislative body, districting or redistricting, the number
1670 of seats on the legislative body, or annexation, incorporation,
1671 dissolution, consolidation, or division of a local government,
1672 the FLVRA Commission must review the covered policy, including
1673 any comments submitted by members of the public, and make a
1674 determination to deny or grant preclearance within 60 days after
1675 the submission of the covered policy. The commission may invoke
1676 up to two extensions of 90 days each to make such a
1677 determination. For all other covered policies, the commission
1678 shall review the covered policy, including any public comment,
1679 and make a determination to deny or grant preclearance within 30
1680 days after the submission of the covered policy. The commission
1681 may invoke an extension of 60 days to make such a determination.

1682 (e) A denial of preclearance under this section may be
1683 appealed only by the covered jurisdiction and must be filed in
1684 the Second Judicial Circuit. Other parties may not file an
1685 action to appeal a denial of preclearance or intervene in any
1686 such action brought by the covered jurisdiction.

1687 (7) If a covered jurisdiction enacts or implements any
1688 covered policy without obtaining preclearance for such covered

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1689 policy in accordance with this section, any individual or entity
1690 aggrieved by such violation, the director of the database and
1691 institute, the Attorney General, or the FLVRA Commission may
1692 file an action to enjoin enactment or implementation and seek
1693 sanctions against the covered jurisdiction for violations of
1694 this section. An entity aggrieved by a violation of this section
1695 includes, but is not limited to, any entity whose membership
1696 includes individuals aggrieved by this section or whose mission
1697 would be frustrated by a violation of this section, including,
1698 but not limited to, an entity that would expend or divest
1699 resources to fulfill its mission as a result of such violation
1700 or must expend greater resources or efforts to advocate before
1701 an elected body that is less responsive to the entity or its
1702 members due to the alleged violation. An entity may not be
1703 compelled to disclose the identity of any specific member to
1704 pursue a claim on behalf of its members. This section must be
1705 liberally construed to confer standing as broadly as the State
1706 Constitution allows. Such a claim may be filed pursuant to the
1707 Florida Rules of Civil Procedure or in the Second Judicial
1708 Circuit. A claim under this subsection does not preclude, bar,
1709 or limit in any way any other claims that may be brought
1710 regarding the covered policy, including claims brought under
1711 other sections of this act.

1712 (8) If the FLVRA Commission approves preclearance for a
1713 covered policy in violation of this section, identifies or fails

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1714 to identify a list of local governments that are covered
1715 jurisdictions in violation of this section, or otherwise fails
1716 to properly implement this section, any individual or entity
1717 aggrieved by such a violation may file an action seeking
1718 appropriate relief, including, but not limited to, injunctive
1719 relief on the commission or any other party, as the court deems
1720 necessary to enforce this section. An entity aggrieved by a
1721 violation of this section includes, but is not limited to, any
1722 entity whose membership includes individuals aggrieved by this
1723 section or whose mission would be frustrated by a violation of
1724 this section, including, but not limited to, an entity that
1725 would expend or divest resources to fulfill its mission as a
1726 result of such violation or must expend greater resources or
1727 efforts to advocate before an elected body that is less
1728 responsive to the entity or its members due to the alleged
1729 violation. An entity may not be compelled to disclose the
1730 identity of any specific member to pursue a claim on behalf of
1731 its members. This section must be liberally construed to confer
1732 standing as broadly as the State Constitution allows. Such a
1733 claim may be filed pursuant to the Florida Rules of Civil
1734 Procedure or in the Second Judicial Circuit of Florida. A claim
1735 under this subsection does not preclude, bar, or limit any other
1736 claims that may be brought regarding any covered policy,
1737 including claims brought under other sections of this act.

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1738 (9) The FLVRA Commission shall adopt rules to implement
1739 this section, including rules concerning the content of and
1740 procedure for preclearance submission, procedures for public
1741 comment and transparency regarding preclearance determinations,
1742 and procedures for expedited and emergency preclearance
1743 determinations that deviate from the timelines provided in
1744 paragraph (6)(d), provided that such preclearance determinations
1745 are preliminary.

1746 **Section 49. Section 97.26, Florida Statutes, is created to**
1747 **read:**

1748 97.26 Voter intimidation, deception, and obstruction.—

1749 (1) A person may not, whether acting under color of law or
1750 otherwise, engage in acts of intimidation, deception, or
1751 obstruction, or any other tactic that has the effect of or may
1752 reasonably have the effect of interfering with another person's
1753 right to vote.

1754 (2) A violation of subsection (1) includes any of the
1755 following:

1756 (a) The use of force or threats to use force, or the use
1757 of any other conduct to practice intimidation, which causes or
1758 will reasonably have the effect of causing interference with an
1759 individual's right to vote.

1760 (b) Knowingly using or deploying a deceptive or fraudulent
1761 device, contrivance, or communication that causes or will

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1762 reasonably have the effect of causing interference with an
1763 individual's right to vote.

1764 (c) The obstruction of, impediment to, or interference
1765 with access to any early voting site, polling place, secure
1766 ballot intake station, or office of the supervisor of elections
1767 in a manner that causes or will reasonably have the effect of
1768 causing interference with an individual's right to vote or
1769 causing any delay in voting or the voting process.

1770 (3) (a) In any action to enforce this section, there is a
1771 rebuttable presumption that a person has violated this section
1772 if he or she openly carries or brandishes a firearm, an
1773 imitation firearm, a toy gun, a machete, an axe, a sword, or any
1774 weapon as defined in s. 790.001 while:

1775 1. Interacting with or observing any person voting or
1776 attempting to vote;

1777 2. Urging or aiding any person to vote or attempt to vote,
1778 whether as part of official election administration activities
1779 or unofficial activities; or

1780 3. Exercising any power or duty in administering
1781 elections, including, but not limited to, vote counting,
1782 canvassing, or certifying returns.

1783 (b) A law enforcement officer as defined in s. 943.10
1784 acting within the scope of his or her official duties is not
1785 subject to the presumption under paragraph (a), but a court may
1786 nonetheless consider a law enforcement officer's possession of a

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1787 firearm in determining whether the officer violated this
1788 section.

1789 (4) Any individual or entity aggrieved by a violation of
1790 this section, the Attorney General, or the FLVRA Commission may
1791 file a civil action alleging a violation of this section. An
1792 entity aggrieved by a violation of this section includes, but is
1793 not limited to, any entity whose membership includes individuals
1794 aggrieved by this section or whose mission would be frustrated
1795 by a violation of this section, including, but not limited to,
1796 an entity that would expend or divest resources to fulfill its
1797 mission as a result of such violation or must expend greater
1798 resources or efforts to advocate before an elected body that is
1799 less responsive to the entity or its members due to the alleged
1800 violation. An entity may not be compelled to disclose the
1801 identity of any specific member to pursue a claim on behalf of
1802 its members. This section must be liberally construed to confer
1803 standing as broadly as the State Constitution allows. Such a
1804 claim may be filed pursuant to the Florida Rules of Civil
1805 Procedure or in the Second Judicial Circuit.

1806 (5) In addition to any remedies that may be imposed under
1807 s. 97.28, if the court finds a violation of this section, the
1808 court must order appropriate remedies that are tailored to
1809 addressing the violation, including, but not limited to,
1810 providing for additional time for individuals to vote in an
1811 election, a primary, or a referendum and awarding nominal

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1812 damages for any violation and compensatory or punitive damages
1813 for any willful violation.

1814 **Section 50. Section 97.27, Florida Statutes, is created to**
1815 **read:**

1816 97.27 Democracy canon.—

1817 (1) Any provision of this code and any regulation,
1818 charter, home rule ordinance, or other enactment of the state or
1819 any local government relating to the right to vote must be
1820 liberally construed in favor of the rights enumerated in
1821 paragraphs (a)-(e), as follows:

1822 (a) Protecting the individual's right to cast a ballot and
1823 make the ballot valid.

1824 (b) Ensuring eligible individuals seeking voter
1825 registration are not impaired in being registered.

1826 (c) Ensuring voters are not impaired in voting, including,
1827 but not limited to, having their votes counted.

1828 (d) Making the fundamental right to vote more accessible
1829 to eligible voters.

1830 (e) Ensuring equitable access for protected class members
1831 to opportunities to be registered to vote and to vote.

1832 (2) It is the policy of the state that courts should
1833 exercise their discretion on any issue, including, but not
1834 limited to, questions of discovery, procedure, admissibility of
1835 evidence, or remedies, in favor of the rights enumerated in
1836 paragraphs (1)(a)-(e) to the extent allowable by law.

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1837 Furthermore, it is the policy of the state to promote the free
1838 flow of documents and information concerning the intent of
1839 public officials in actions concerning the right to vote.
1840 Accordingly, in any action under this act, the federal Voting
1841 Rights Act, or a voting-related claim under the State
1842 Constitution or the United States Constitution, sovereign,
1843 governmental, executive, legislative, or deliberative immunities
1844 and privileges, including any evidentiary privileges, may not be
1845 asserted. However, this section does not apply to any attorney-
1846 client or attorney work-product privileges.

1847 **Section 51. Section 97.28, Florida Statutes, is created to**
1848 **read:**

1849 97.28 Remedies.-

1850 (1) If a court finds a violation of this act, the court
1851 must order appropriate remedies that are tailored to address
1852 such violation and to ensure protected class members have
1853 equitable opportunities to fully participate in the political
1854 process and that the remedies can be implemented in a manner
1855 that will not unduly disrupt the administration of an ongoing or
1856 imminent election. Appropriate remedies include, but need not be
1857 limited to, any of the following:

1858 (a) Another method of election or changes to the existing
1859 method of election.

1860 (b) Elimination of staggered elections so that all members
1861 of the legislative body are elected at the same time.

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- 1862 (c) Reasonably increasing the size of the legislative
1863 body.
- 1864 (d) Additional voting days or hours.
- 1865 (e) Additional polling places and early voting sites.
- 1866 (f) Additional opportunities to return ballots.
- 1867 (g) Holding special elections.
- 1868 (h) Expanded opportunities for voter registration.
- 1869 (i) Additional voter education.
- 1870 (j) The restoration or addition of individuals to registry
1871 lists.
- 1872 (k) Retaining jurisdiction for such a period of time as
1873 the court deems appropriate.
- 1874 (2) The court shall consider remedies proposed by any
1875 party to the action or by interested nonparties. The court may
1876 not give deference or priority to a proposed remedy because it
1877 is proposed by the state or local government.
- 1878 (3) If necessary to remedy a violation of this act, the
1879 court is empowered to require a local government to implement
1880 remedies that are inconsistent with any other law and any
1881 special act, charter or home rule ordinance, or other enactment
1882 of the state or local government.
- 1883 (4) Notwithstanding the Florida Rules of Civil Procedure
1884 or any other law, the court must grant a temporary injunction
1885 and any other preliminary relief requested under this section
1886 with respect to an upcoming election if the court determines

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1887 that the party is more likely than not to succeed on the merits
1888 and that it is possible to implement an appropriate temporary
1889 remedy that would resolve the violation alleged under this
1890 section before the next general election.

1891 (5) In any action to enforce this act, the court shall
1892 award reasonable attorney fees and litigation costs, including,
1893 but not limited to, expert witness fees and expenses, to the
1894 party that filed an action, other than a state or local
1895 government, and that prevailed in such action. The party that
1896 filed the action is deemed to have prevailed when, as a result
1897 of litigation, the party against whom the action was filed has
1898 yielded some or all of the relief sought in the action. In the
1899 case of a party against whom an action was filed and who
1900 prevailed, the court may not award the party any costs unless
1901 the court finds the action to be frivolous, unreasonable, or
1902 without foundation.

1903 **Section 52. Paragraph (b) of subsection (4) of section**
1904 **98.045, Florida Statutes, is amended to read:**

1905 98.045 Administration of voter registration.—

1906 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
1907 STREET ADDRESSES.—

1908 (b) The department shall make the statewide database of
1909 valid street addresses available to the Department of Highway
1910 Safety and Motor Vehicles as provided in s. 97.057(8) s.
1911 97.057(10). The Department of Highway Safety and Motor Vehicles

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1912 shall use the database for purposes of validating the legal
1913 residential addresses provided in voter registration
1914 applications received by the Department of Highway Safety and
1915 Motor Vehicles.

1916 **Section 53. Subsections (1) and (2) of section 98.255,**
1917 **Florida Statutes, are amended to read:**

1918 98.255 Voter education programs.—

1919 (1) The Department of State shall adopt rules prescribing
1920 minimum standards for nonpartisan voter education. The standards
1921 shall, at a minimum, address:

1922 (a) Voter registration;

1923 (b) Balloting procedures, by mail and polling place;

1924 (c) Voter rights and responsibilities;

1925 (d) Distribution of sample ballots; ~~and~~

1926 (e) Public service announcements; and

1927 (f) Plain writing standards consistent with official
1928 federal guidelines for the Plain Writing Act of 2010 and United
1929 States Election Assistance Commission best practices for
1930 designing effective voter education materials.

1931 (2) Each county supervisor shall implement the minimum
1932 voter education standards, and shall conduct additional
1933 nonpartisan education efforts as necessary to ensure that voters
1934 have a working knowledge of the voting process. This includes
1935 providing, to the extent possible, public-facing voter

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1936 information in plain language reasonably calculated to be
1937 understood by persons with grade 8 reading level or lower.

1938 **Section 54. Paragraphs (e) and (g) of subsection (14) of**
1939 **section 100.371, Florida Statutes, are amended to read:**

1940 100.371 Initiatives; procedure for placement on ballot.—

1941 (14)

1942 (e) Beginning October 1, 2025, when the signature on the
1943 petition form is verified as valid, the supervisor shall, as
1944 soon as practicable, notify the voter by mail at the mailing
1945 address on file in the Florida Voter Registration System.

1946 1. Such notice must be sent by forwardable mail with a
1947 postage prepaid preaddressed form, which may be returned to the
1948 office of the supervisor of elections ~~Office of Election Crimes~~
1949 ~~and Security~~. The notice must include contact information for
1950 the office of the supervisor of elections ~~Office of Election~~
1951 ~~Crimes and Security~~, including the telephone number, fax number,
1952 mailing address, and e-mail address. The notice must include all
1953 of the following statements or information in substantially the
1954 following form:

1955
1956 NOTICE

1957
1958 A petition to place a proposed constitutional
1959 amendment on the ballot for the next general election,
1960 bearing your name and signature, has been received and

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1961 verified by the Supervisor of Elections Office in
1962 ... (insert county)....
1963
1964 The petition is for ... (insert the petition serial
1965 number and ballot title)... and was signed on
1966 ... (insert the date the voter signed the petition)....
1967
1968 Check this box , sign, and return this notice to the
1969 Office of the Supervisor of Elections ~~Office of~~
1970 ~~Election Crimes and Security~~ if you believe your
1971 signature has been misrepresented or forged on a
1972 petition. The petition form in question will be
1973 invalidated and will not be counted toward the number
1974 of signatures required to place this proposed
1975 constitutional amendment on the ballot.
1976
1977 A notice being returned must be received by the Office
1978 of the Supervisor of Elections ~~Office of Election~~
1979 ~~Crimes and Security~~ on or before February 1 ... (insert
1980 the year in which the general election is held)....
1981
1982 ... (Insert the voter's Florida voter registration
1983 number, and if applicable, the petition circulator's
1984 number)....
1985

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1986 By signing below, I swear or affirm that my signature
1987 was misrepresented or forged on the petition form
1988 indicated in this notice.

1989
1990 ... (Voter's Signature) ... (Date) ...

1991
1992 This notice becomes a public record upon receipt by
1993 the Office of the Supervisor of Elections ~~Office of~~
1994 ~~Election Crimes and Security~~. It is a second degree
1995 misdemeanor, punishable as provided in s. 775.082,
1996 Florida Statutes, or s. 772.083, Florida Statutes, for
1997 a person to knowingly make a false official statement
1998 pursuant to s. 837.06, Florida Statutes.

1999
2000 2. Upon receiving a completed notice, the office of the
2001 supervisor of elections ~~Office of Election Crimes and Security~~
2002 shall transmit a copy of such notices to the division. The
2003 division shall deem the voter's petition form invalid.

2004 (g) On the last day of each month, or on the last day of
2005 each week from December 1 of an odd-numbered year through
2006 February 1 of the following year, each supervisor shall post on
2007 his or her website the total number of signatures submitted, the
2008 total number of invalid signatures, the total number of
2009 signatures processed, and the aggregate number of verified valid
2010 signatures and the distribution of such signatures by

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2011 congressional district for each proposed amendment proposed by
2012 initiative, along with the following information specific to the
2013 reporting period: the total number of signed petition forms
2014 received, the total number of signatures verified, the
2015 distribution of verified valid signatures by congressional
2016 district, and the total number of verified petition forms
2017 forwarded to the Secretary of State. For any reporting period in
2018 which the percentage of petition forms deemed invalid by the
2019 supervisor exceeds a total of 25 percent of the petition forms
2020 received by the supervisor for that reporting period, the
2021 supervisor shall notify the department ~~Office of Election Crimes~~
2022 ~~and Security~~. The department ~~Office of Election Crimes and~~
2023 ~~Security~~ shall conduct a preliminary investigation into the
2024 activities of the sponsor, one or more petition circulators, or
2025 a person collecting petition forms on behalf of a sponsor, to
2026 determine whether the invalidated petitions are a result of
2027 fraud or any other violation of this section. As authorized by
2028 s. 97.012(15) ~~ss. 97.012(15) and 97.022(1)~~, the secretary ~~Office~~
2029 ~~of Elections Crimes and Security~~ may, if warranted, report
2030 findings to the statewide prosecutor or the state attorney for
2031 the judicial circuit in which the alleged violation occurred for
2032 prosecution.

2033 **Section 55. Section 100.51, Florida Statutes, is created**
2034 **to read:**

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2035 100.51 General Election Day paid holiday.—In order to
2036 encourage civic participation, enable more individuals to serve
2037 as poll workers, and provide additional time for the resolution
2038 of any issue that arises while a voter is casting his or her
2039 ballot, General Election Day shall be a paid holiday. A voter is
2040 entitled to absent himself or herself from any service or
2041 employment in which he or she is engaged or employed during the
2042 time the polls are open on General Election Day. A voter who
2043 absents himself or herself under this section may not be
2044 penalized in any way, and a deduction may not be made from his
2045 or her usual salary or wages, on account of his or her absence.

2046 **Section 56. Section 101.016, Florida Statutes, is created**
2047 **to read:**

2048 101.016 Strategic elections equipment reserve.—

2049 (1) The Division of Elections shall maintain a secure
2050 election equipment reserve that may be deployed in the event of
2051 an emergency as defined in s. 101.732 or in the event of
2052 capacity issues due to unexpected voter turnout.

2053 (2) The reserve, at a minimum, must include ballot marking
2054 devices, scanners, tabulation equipment, ballot-on-demand
2055 printers, paper required for voting machines and printers,
2056 accessible voting equipment, electronic poll books,
2057 uninterrupted power supplies, generators, cabling, and power
2058 cords, and may include other related equipment necessary to

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2059 ensure the continuity of elections, consistent with the voting
2060 systems certified for use by each supervisor of elections.

2061 (3) The division may, in lieu of maintaining a physical
2062 reserve of such equipment, contract with one or more certified
2063 vendors of voting systems to provide such equipment on an as-
2064 needed basis. Any such contract must include all of the
2065 following:

2066 (a) A guaranteed delivery timeframe no later than 24 hours
2067 after a request by a supervisor of election, the division, or
2068 the department.

2069 (b) Requirements for the secure transportation,
2070 installation, and removal of equipment.

2071 (c) Maintenance of secure custody and detailed chain-of-
2072 custody records for all equipment consistent with s. 101.015 and
2073 related administrative rules, including documentation of each
2074 transfer, installation, removal, and compliance with applicable
2075 state cybersecurity and physical security standards.

2076 (4) No later than February 1, 2027, and annually no later
2077 than February 1 thereafter, the division shall submit a report
2078 to the Governor, the President of the Senate, and the Speaker of
2079 the House of Representatives which includes all of the
2080 following:

2081 (a) The current inventory of equipment held in reserve or
2082 available by vendor contract.

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2083 (b) A list of all deployments of equipment under this
2084 section during the preceding calendar year, including the reason
2085 for deployment, response time, and associated costs.

2086 (c) Recommendations for improvements to ensure readiness
2087 for future elections.

2088 **Section 57.** Section 101.019, Florida Statutes, is
2089 repealed.

2090 **Section 58. Subsections (1) and (2) of section 101.048,**
2091 **Florida Statutes, are amended to read:**

2092 101.048 Provisional ballots.—

2093 (1) At all elections, a voter claiming to be properly
2094 registered in this ~~the~~ state and eligible to vote ~~at the~~
2095 ~~precinct~~ in the election but whose eligibility cannot be
2096 determined, a person whom an election official asserts is not
2097 eligible, including, but not limited to, a person to whom notice
2098 has been sent pursuant to s. 98.075(7), but for whom a final
2099 determination of eligibility has not been made, and other
2100 persons specified in the code is ~~shall be~~ entitled to vote a
2101 provisional ballot at any precinct in the county in which the
2102 voter claims to be registered. Once voted, the provisional
2103 ballot must be placed in a secrecy envelope and thereafter
2104 sealed in a provisional ballot envelope. The provisional ballot
2105 must be deposited in a ballot box. All provisional ballots must
2106 remain sealed in their envelopes for return to the supervisor of
2107 elections. The department shall prescribe the form of the

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2108 provisional ballot envelope. A person casting a provisional
2109 ballot has the right to present written evidence supporting his
2110 or her eligibility to vote to the supervisor of elections by not
2111 later than 5 p.m. on the second day following the election.

2112 (2) (a) The county canvassing board shall examine each
2113 Provisional Ballot Voter's Certificate and Affirmation to
2114 determine if the person voting that ballot was entitled to vote
2115 in the county in which ~~at the precinct where~~ the person cast a
2116 vote in the election and that the person had not otherwise
2117 ~~already~~ cast a ballot in the election. In determining whether a
2118 person casting a provisional ballot is entitled to vote, the
2119 county canvassing board shall review the information provided in
2120 the Voter's Certificate and Affirmation, written evidence
2121 provided by the person pursuant to subsection (1), information
2122 provided in any cure affidavit and accompanying supporting
2123 documentation pursuant to subsection (6), any other evidence
2124 presented by the supervisor, and, in the case of a challenge,
2125 any evidence presented by the challenger. A ballot of a person
2126 casting a provisional ballot must ~~shall~~ be canvassed pursuant to
2127 paragraph (b) unless the canvassing board determines by a
2128 preponderance of the evidence that the person was not entitled
2129 to vote.

2130 (b) If it is determined that the person was registered and
2131 entitled to vote in the county in which ~~at the precinct where~~
2132 the person cast a vote in the election, the canvassing board

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2133 must compare the signature on the Provisional Ballot Voter's
2134 Certificate and Affirmation or the provisional ballot cure
2135 affidavit with the signature on the voter's registration or
2136 precinct register. A provisional ballot may be counted only if:

2137 1. The signature on the voter's certificate or the cure
2138 affidavit matches the elector's signature in the registration
2139 books or the precinct register; however, in the case of a cure
2140 affidavit, the supporting identification listed in subsection
2141 (6) must also confirm the identity of the elector; or

2142 2. The cure affidavit contains a signature that does not
2143 match the elector's signature in the registration books or the
2144 precinct register, but the elector has submitted a current and
2145 valid Tier 1 form of identification confirming his or her
2146 identity pursuant to subsection (6).

2147
2148 For purposes of this paragraph, any canvassing board finding
2149 that signatures do not match must be by majority vote and beyond
2150 a reasonable doubt.

2151 (c) Any provisional ballot not counted must remain in the
2152 envelope containing the Provisional Ballot Voter's Certificate
2153 and Affirmation, and the envelope must ~~shall~~ be marked "Rejected
2154 as Illegal."

2155 (d) If a provisional ballot is validated following the
2156 submission of a cure affidavit, the supervisor must make a copy
2157 of the affidavit, affix it to a voter registration application,

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2158 and immediately process it as a valid request for a signature
2159 update pursuant to s. 98.077.

2160 **Section 59. Subsection (1) of section 101.572, Florida**
2161 **Statutes, is amended to read:**

2162 101.572 Public inspection of ballots.-

2163 ~~(1) The official ballots and ballot cards received from~~
2164 ~~election boards and removed from vote-by-mail ballot mailing~~
2165 ~~envelopes and voter certificates on such mailing envelopes shall~~
2166 ~~be open for public inspection or examination while in the~~
2167 ~~custody of the supervisor of elections or the county canvassing~~
2168 ~~board at any reasonable time, under reasonable conditions;~~
2169 ~~however, no persons other than the supervisor of elections or~~
2170 ~~his or her employees or the county canvassing board shall handle~~
2171 ~~any official ballot or ballot card. If the ballots are being~~
2172 ~~examined prior to the end of the contest period in s. 102.168,~~
2173 ~~the supervisor of elections shall make a reasonable effort to~~
2174 ~~notify all candidates whose names appear on such ballots or~~
2175 ~~ballot cards by telephone or otherwise of the time and place of~~
2176 ~~the inspection or examination. All such candidates, or their~~
2177 ~~representatives, shall be allowed to be present during the~~
2178 ~~inspection or examination.~~

2179 **Section 60. Paragraph (a) of subsection (1) and paragraphs**
2180 **(c) and (d) of subsection (3) of section 101.62, Florida**
2181 **Statutes, are amended, and subsection (7) is added to that**
2182 **section, to read:**

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2183 101.62 Request for vote-by-mail ballots.-
2184 (1) REQUEST.-
2185 (a) The supervisor shall accept a request for a vote-by-
2186 mail ballot only from a voter or, if directly instructed by the
2187 voter, a member of the voter's immediate family or the voter's
2188 legal guardian. A request may be made in person, in writing, by
2189 telephone, or through the supervisor's website. The department
2190 shall prescribe by rule by October 1, 2023, a uniform statewide
2191 application to make a written request for a vote-by-mail ballot
2192 which includes fields for all information required in this
2193 subsection. One request is deemed sufficient to receive a vote-
2194 by-mail ballot for all elections until the voter or the voter's
2195 designee notifies the supervisor that the voter cancels such
2196 request through the end of the calendar year of the next
2197 regularly scheduled general election, unless the voter or the
2198 voter's designee indicates at the time the request is made the
2199 elections ~~within such period~~ for which the voter desires to
2200 receive a vote-by-mail ballot. The supervisor must cancel a
2201 request for a vote-by-mail ballot when any first-class mail or
2202 nonforwardable mail sent by the supervisor to the voter is
2203 returned as undeliverable. If the voter requests a vote-by-mail
2204 ballot thereafter, the voter must provide or confirm his or her
2205 current residential address.
2206 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.-

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2207 (c) Except as otherwise provided in paragraph (a) or
2208 paragraph (b), the supervisor shall mail vote-by-mail ballots
2209 within 2 business days after receiving a request for such a
2210 ballot, but no later than the 11th ~~10th~~ day before election day.
2211 The deadline to submit a request for a ballot to be mailed is 5
2212 p.m. local time on the 12th day before an upcoming election.

2213 (d) Upon a request for a vote-by-mail ballot, the
2214 supervisor shall provide a vote-by-mail ballot to each voter by
2215 whom a request for that ballot has been made, by one of the
2216 following means:

2217 1. By nonforwardable, return-if-undeliverable mail to the
2218 voter's current mailing address on file with the supervisor or
2219 any other address the voter specifies in the request. The
2220 envelopes must be prominently marked "Do Not Forward."

2221 2. By forwardable mail, e-mail, or facsimile machine
2222 transmission to absent uniformed services voters and overseas
2223 voters. The absent uniformed services voter or overseas voter
2224 may designate in the vote-by-mail ballot request the preferred
2225 method of transmission. If the voter does not designate the
2226 method of transmission, the vote-by-mail ballot must be mailed.

2227 3. By personal delivery to the voter after vote-by-mail
2228 ballots have been mailed and up to 7 p.m. on election day upon
2229 presentation of the identification required in s. 101.043.

2230 4. By delivery to the voter's designee after vote-by-mail
2231 ballots have been mailed and up to 7 p.m. on election day. Any

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2232 voter may designate in writing a person to pick up the ballot
2233 for the voter; ~~however, the person designated may not pick up~~
2234 ~~more than two vote-by-mail ballots per election, other than the~~
2235 ~~designee's own ballot, except that additional ballots may be~~
2236 ~~picked up for members of the designee's immediate family. The~~
2237 ~~designee shall provide to the supervisor the written~~
2238 ~~authorization by the voter and a picture identification of the~~
2239 ~~designee and must complete an affidavit. The designee shall~~
2240 ~~state in the affidavit that the designee is authorized by the~~
2241 ~~voter to pick up that ballot and shall indicate if the voter is~~
2242 ~~a member of the designee's immediate family and, if so, the~~
2243 ~~relationship. The department shall prescribe the form of the~~
2244 ~~affidavit. If the supervisor is satisfied that the designee is~~
2245 ~~authorized to pick up the ballot and that the signature of the~~
2246 ~~voter on the written authorization matches the signature of the~~
2247 ~~voter on file, the supervisor must give the ballot to that~~
2248 ~~designee for delivery to the voter.~~

2249 5. Except as provided in s. 101.655, the supervisor may
2250 not deliver a vote-by-mail ballot to a voter or a voter's
2251 designee pursuant to subparagraph 3. or subparagraph 4.,
2252 respectively, during the mandatory early voting period and up to
2253 7 p.m. on election day, unless there is an emergency, to the
2254 extent that the voter will be unable to go to a designated early
2255 voting site in his or her county or to his or her assigned
2256 polling place on election day. If a vote-by-mail ballot is

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2257 delivered, the voter or his or her designee must execute an
2258 affidavit affirming to the facts which allow for delivery of the
2259 vote-by-mail ballot. The department shall adopt a rule providing
2260 for the form of the affidavit.

2261 (7) DEADLINE EXTENSION.—If a deadline under this section
2262 falls on a day when the office of the supervisor is scheduled to
2263 be closed, the deadline must be extended until the next business
2264 day.

2265 **Section 61. Paragraph (a) of subsection (1) and**
2266 **subsections (2) and (4) of section 101.64, Florida Statutes, are**
2267 **amended to read:**

2268 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

2269 (1) (a) The supervisor shall enclose with each vote-by-mail
2270 ballot two envelopes: a secrecy envelope, into which the absent
2271 voter must ~~elector shall~~ enclose his or her marked ballot; and a
2272 postage prepaid mailing envelope, into which the absent voter
2273 must ~~elector shall~~ then place the secrecy envelope, which must
2274 ~~shall~~ be addressed to the supervisor and also bear on the back
2275 side a certificate in substantially the following form:

2276
2277 Note: Please Read Instructions Carefully Before
2278 Marking Ballot and Completing Voter's Certificate.

2279 VOTER'S CERTIFICATE

2280 I,, do solemnly swear or affirm that I am a qualified
2281 and registered voter of County, Florida, and that I have

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2307 **Section 62. Section 101.65, Florida Statutes, is amended**
2308 **to read:**

2309 101.65 Instructions to absent electors.—The supervisor
2310 shall enclose with each vote-by-mail ballot separate printed
2311 instructions in substantially the following form; however, where
2312 the instructions appear in capitalized text, the text of the
2313 printed instructions must be in bold font:

2314
2315 READ THESE INSTRUCTIONS CAREFULLY
2316 BEFORE MARKING BALLOT.

2317
2318 1. VERY IMPORTANT. In order to ensure that your vote-by-
2319 mail ballot will be counted, it should be completed and returned
2320 as soon as possible so that it can reach the supervisor of
2321 elections of the county in which your precinct is located no
2322 later than 7 p.m. on the day of the election. However, if you
2323 are an overseas voter casting a ballot in a presidential
2324 preference primary or general election, your vote-by-mail ballot
2325 must be postmarked or dated no later than the date of the
2326 election and received by the supervisor of elections of the
2327 county in which you are registered to vote no later than 10 days
2328 after the date of the election. Note that the later you return
2329 your ballot, the less time you will have to cure any signature
2330 deficiencies, which may cause your ballot not to be counted ~~is~~
2331 ~~authorized until 5 p.m. on the 2nd day after the election. If~~ If

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2332 there is a problem with your signature, the supervisor of
2333 elections must notify you as soon as practicable, and you have
2334 until 5 p.m. on the second day after the election to correct it.

2335 2. Mark your ballot in secret as instructed on the ballot.
2336 You must mark your own ballot unless you are unable to do so
2337 because of blindness, disability, or inability to read or write.

2338 3. Mark only the number of candidates or issue choices for
2339 a race as indicated on the ballot. If you are allowed to "Vote
2340 for One" candidate and you vote for more than one candidate,
2341 your vote in that race will not be counted.

2342 4. Place your marked ballot in the enclosed secrecy
2343 envelope.

2344 5. Insert the secrecy envelope into the enclosed mailing
2345 envelope which is addressed to the supervisor.

2346 6. Seal the mailing envelope and completely fill out the
2347 Voter's Certificate on the back of the mailing envelope.

2348 7. VERY IMPORTANT. In order for your vote-by-mail ballot
2349 to be counted, you must sign your name or print the last four
2350 digits of your social security number on the line above (Voter's
2351 Signature or Last Four Digits of Social Security Number). A
2352 vote-by-mail ballot will be considered illegal and not be
2353 counted if the signature or the last four digits of the social
2354 security number on the voter's certificate do ~~does~~ not match the
2355 signature or social security number on record. The signature on
2356 file at the time the supervisor of elections in the county in

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2357 | which your precinct is located receives your vote-by-mail ballot
2358 | is the signature that will be used to verify your signature on
2359 | the voter's certificate. If you need to update your signature
2360 | for this election, send your signature update on a voter
2361 | registration application to your supervisor of elections ~~so that~~
2362 | ~~it is received before your vote-by-mail ballot is received.~~

2363 | 8. VERY IMPORTANT. If you are an overseas voter, you must
2364 | include the date you signed the Voter's Certificate or printed
2365 | the last four digits of your social security number on the line
2366 | above (Date) or your ballot may not be counted.

2367 | 9. Mail, deliver, or have delivered the completed mailing
2368 | envelope. If mailing, be sure there is sufficient postage if the
2369 | mailing envelope is not already postage-paid mailed. THE
2370 | COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
2371 | SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
2372 | LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE
2373 | STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

2374 | 10. FELONY NOTICE. It is a felony under Florida law to
2375 | accept any gift, payment, or gratuity in exchange for your vote
2376 | for a candidate. It is also a felony under Florida law to vote
2377 | in an election using a false identity or false address, or under
2378 | any other circumstances making your ballot false or fraudulent.

2379 | **Section 63. Paragraphs (a) and (b) of subsection (1),**
2380 | **paragraph (c) of subsection (2), and paragraphs (a), (c), and**

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2381 **(d) of subsection (4) of section 101.68, Florida Statutes, are**
2382 **amended to read:**

2383 101.68 Canvassing of vote-by-mail ballot.-

2384 (1) (a) The supervisor of the county where the absent
2385 elector resides shall receive the voted ballot, at which time
2386 the supervisor shall compare the signature or the last four
2387 digits of the social security number of the elector on the
2388 voter's certificate with the signature or the last four digits
2389 of the social security number of the elector in the registration
2390 books or the precinct register to determine whether the elector
2391 is duly registered in the county and must record on the
2392 elector's registration record that the elector has voted. During
2393 the signature comparison process, the supervisor may not use any
2394 knowledge of the political affiliation of the elector whose
2395 signature is subject to verification.

2396 (b) An elector who dies after casting a vote-by-mail
2397 ballot but on or before election day must ~~shall~~ remain listed in
2398 the registration books until the results have been certified for
2399 the election in which the ballot was cast. The supervisor shall
2400 safely keep the ballot unopened in his or her office until the
2401 county canvassing board canvasses the vote pursuant to
2402 subsection (2).

2403 (2)

2404 (c)1. The canvassing board must, if the supervisor has not
2405 already done so, compare the signature or the last four digits

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2406 of the social security number of the elector on the voter's
2407 certificate or on the vote-by-mail ballot cure affidavit as
2408 provided in subsection (4) with the signature or last four
2409 digits of the social security number of the elector in the
2410 registration books or the precinct register to see that the
2411 elector is duly registered in the county and to determine the
2412 validity ~~legality~~ of that vote-by-mail ballot. A vote-by-mail
2413 ballot may only be counted if:

2414 a. The signature or last four digits of the social
2415 security number on the voter's certificate or the cure affidavit
2416 match ~~matches~~ the elector's signature or last four digits of the
2417 social security number in the registration books or precinct
2418 register; however, in the case of a cure affidavit, the
2419 supporting identification listed in subsection (4) must also
2420 confirm the identity of the elector; or

2421 b. The cure affidavit contains a signature or the last
2422 four digits of a social security number which do ~~that does~~ not
2423 match the elector's signature or last four digits of the social
2424 security number in the registration books or precinct register,
2425 but the elector has submitted a current and valid Tier 1
2426 identification pursuant to subsection (4) which confirms the
2427 identity of the elector.

2428
2429 For purposes of this subparagraph, any canvassing board finding
2430 that an elector's signatures or last four digits of the

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2431 elector's social security number do not match must be by
2432 majority vote and beyond a reasonable doubt.

2433 2. The ballot of an elector who casts a vote-by-mail
2434 ballot shall be counted even if the elector dies on or before
2435 election day, as long as, before the death of the voter, the
2436 ballot was postmarked by the United States Postal Service, date-
2437 stamped with a verifiable tracking number by a common carrier,
2438 or already in the possession of the supervisor.

2439 3. A vote-by-mail ballot is not considered invalid ~~illegal~~
2440 if the signature or last four digits of the social security
2441 number of the elector do ~~does~~ not cross the seal of the mailing
2442 envelope.

2443 4. ~~If any elector or candidate present believes that a~~
2444 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~
2445 ~~voter's certificate or the cure affidavit, he or she may, at any~~
2446 ~~time before the ballot is removed from the envelope, file with~~
2447 ~~the canvassing board a protest against the canvass of that~~
2448 ~~ballot, specifying the precinct, the voter's certificate or the~~
2449 ~~cure affidavit, and the reason he or she believes the ballot to~~
2450 ~~be illegal. A challenge based upon a defect in the voter's~~
2451 ~~certificate or cure affidavit may not be accepted after the~~
2452 ~~ballot has been removed from the mailing envelope.~~

2453 5. If the canvassing board determines that a ballot is
2454 invalid ~~illegal~~, a member of the board must, without opening the
2455 envelope, mark across the face of the envelope: "rejected as

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2456 invalid ~~illegal~~." The cure affidavit, if applicable, the
2457 envelope, and the ballot therein must ~~shall~~ be preserved in the
2458 manner that official ballots are preserved.

2459 (4) (a) As soon as practicable, the supervisor shall, on
2460 behalf of the county canvassing board, attempt to notify an
2461 elector who has returned a vote-by-mail ballot that does not
2462 include the elector's signature or last four digits of the
2463 elector's social security number or contains a signature or the
2464 last four digits of a social security number that do ~~does~~ not
2465 match the elector's signature or last four digits of the
2466 elector's social security number in the registration books or
2467 precinct register by:

2468 1. Notifying the elector of the signature or last four
2469 digits of the social security number deficiency by e-mail and
2470 directing the elector to the cure affidavit and instructions on
2471 the supervisor's website;

2472 2. Notifying the elector of the signature or last four
2473 digits of the social security number deficiency by text message
2474 and directing the elector to the cure affidavit and instructions
2475 on the supervisor's website; or

2476 3. Notifying the elector of the signature or last four
2477 digits of the social security number deficiency by telephone and
2478 directing the elector to the cure affidavit and instructions on
2479 the supervisor's website.

2480

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2481 In addition to the notification required under subparagraph 1.,
2482 subparagraph 2., or subparagraph 3., the supervisor must notify
2483 the elector of the signature or last four digits of the social
2484 security number deficiency by first-class mail and direct the
2485 elector to the cure affidavit and instructions on the
2486 supervisor's website. Beginning the day before the election, the
2487 supervisor is not required to provide notice of the signature
2488 deficiency by first-class mail, but shall continue to provide
2489 notice as required under subparagraph 1., subparagraph 2., or
2490 subparagraph 3.

2491 (c) The elector must complete a cure affidavit in
2492 substantially the following form:

2493

2494 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

2495

2496 I,, am a qualified voter in this election and
2497 registered voter of County, Florida. I do solemnly swear or
2498 affirm that I requested and returned the vote-by-mail ballot and
2499 that I have not and will not vote more than one ballot in this
2500 election. I understand that if I commit or attempt any fraud in
2501 connection with voting, vote a fraudulent ballot, or vote more
2502 than once in an election, I may be convicted of a felony of the
2503 third degree and fined up to \$5,000 and imprisoned for up to 5
2504 years. I understand that my failure to sign this affidavit means
2505 that my vote-by-mail ballot will be invalidated.

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2506
2507 ... (Voter's Signature or Last Four Digits of Social Security
2508 Number) ...
2509 ... (Address) ...

2510
2511 (d) Instructions must accompany the cure affidavit in
2512 substantially the following form:

2513
2514 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
2515 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
2516 BALLOT NOT TO COUNT.

2517
2518 1. In order to ensure that your vote-by-mail ballot will
2519 be counted, your affidavit should be completed and returned as
2520 soon as possible so that it can reach the supervisor of
2521 elections of the county in which your precinct is located no
2522 later than 5 p.m. on the 2nd day after the election.

2523 2. You must sign your name or print the last four digits
2524 of your social security number on the line above (Voter's
2525 Signature or Last Four Digits of Social Security Number).

2526 3. You must make a copy of one of the following forms of
2527 identification:

2528 a. Tier 1 identification.—Current and valid identification
2529 that includes your name and photograph: Florida driver license;
2530 Florida identification card issued by the Department of Highway

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2531 Safety and Motor Vehicles; United States passport; debit or
2532 credit card; military identification; student identification;
2533 retirement center identification; neighborhood association
2534 identification; public assistance identification; veteran health
2535 identification card issued by the United States Department of
2536 Veterans Affairs; a Florida license to carry a concealed weapon
2537 or firearm; or an employee identification card issued by any
2538 branch, department, agency, or entity of the Federal Government,
2539 the state, a county, or a municipality; or

2540 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
2541 FORM OF IDENTIFICATION, identification that shows your name and
2542 current residence address: current utility bill, bank statement,
2543 government check, paycheck, or government document (excluding
2544 voter information card).

2545 4. Place the envelope bearing the affidavit into a mailing
2546 envelope addressed to the supervisor. Insert a copy of your
2547 identification in the mailing envelope. Mail (if time permits),
2548 deliver, or have delivered the completed affidavit along with
2549 the copy of your identification to your county supervisor of
2550 elections. Be sure there is sufficient postage if mailed and
2551 that the supervisor's address is correct. Remember, your
2552 information MUST reach your county supervisor of elections no
2553 later than 5 p.m. on the 2nd day after the election, or your
2554 ballot will not count.

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2555 5. Alternatively, you may hand deliver, fax, or e-mail
2556 your completed affidavit and a copy of your identification to
2557 the supervisor of elections. If e-mailing, please provide these
2558 documents as attachments.

2559 **Section 64. Section 101.69, Florida Statutes, is amended**
2560 **to read:**

2561 101.69 Voting in person; return of vote-by-mail ballot.—

2562 (1) The provisions of this code may ~~shall~~ not be construed
2563 to prohibit any voter ~~elector~~ from voting in person at the
2564 voter's ~~elector's~~ precinct on the day of an election or at an
2565 early voting site, notwithstanding that the voter ~~elector~~ has
2566 requested a vote-by-mail ballot for that election. A voter ~~An~~
2567 ~~elector~~ who has returned a voted vote-by-mail ballot to the
2568 supervisor, however, is deemed to have cast his or her ballot
2569 and is not entitled to vote another ballot or to have a
2570 provisional ballot counted by the county canvassing board. A
2571 voter ~~An~~ ~~elector~~ who has received a vote-by-mail ballot and has
2572 not returned the voted ballot to the supervisor, but desires to
2573 vote in person, shall return the ballot, whether voted or not,
2574 to the election board in the voter's ~~elector's~~ precinct or to an
2575 early voting site. The returned ballot must ~~shall~~ be marked
2576 "canceled" by the board and placed with other canceled ballots.
2577 However, if the voter ~~elector~~ does not return the ballot and the
2578 election official:

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2579 (a) Confirms that the supervisor has received the voter's
2580 ~~elector's~~ vote-by-mail ballot, the voter may ~~elector shall~~ not
2581 be allowed to vote in person. If the voter ~~elector~~ maintains
2582 that he or she has not returned the vote-by-mail ballot or
2583 remains eligible to vote, the voter must ~~elector shall~~ be
2584 provided a provisional ballot as provided in s. 101.048.

2585 (b) Confirms that the supervisor has not received the
2586 voter's ~~elector's~~ vote-by-mail ballot, the voter must ~~elector~~
2587 ~~shall~~ be allowed to vote in person as provided in this code. The
2588 voter's ~~elector's~~ vote-by-mail ballot, if subsequently received,
2589 may shall not be counted and must shall remain in the mailing
2590 envelope, and the envelope must shall be marked "Rejected as
2591 Illegal."

2592 (c) Cannot determine whether the supervisor has received
2593 the voter's ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ may
2594 vote a provisional ballot as provided in s. 101.048.

2595 (2) (a) The supervisor shall allow a voter ~~an elector~~ who
2596 has received a vote-by-mail ballot to physically return a voted
2597 vote-by-mail ballot to the supervisor by placing the return mail
2598 envelope containing his or her marked ballot in a secure ballot
2599 intake station. Secure ballot intake stations must shall be
2600 placed at the main office of the supervisor, at each permanent
2601 branch office of the supervisor which meets the criteria set
2602 forth in s. 101.657(1) (a) for branch offices used for early
2603 voting and which is open for at least the minimum number of

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2604 hours prescribed by s. 98.015(4), and at each early voting site.
2605 Secure ballot intake stations may also be placed at any other
2606 site that would otherwise qualify as an early voting site under
2607 s. 101.657(1). Secure ballot intake stations must be
2608 geographically located so as to provide all voters in the county
2609 with an equal opportunity to cast a ballot, insofar as is
2610 practicable. ~~Except for secure ballot intake stations at an~~
2611 ~~office of the supervisor, a secure ballot intake station may~~
2612 ~~only be used during the county's early voting hours of operation~~
2613 ~~and must be monitored in person by an employee of the~~
2614 ~~supervisor's office.~~ A secure ballot intake station at an office
2615 of the supervisor must be ~~continuously~~ monitored ~~in person~~ by an
2616 ~~employee of~~ the supervisor's office when the secure ballot
2617 intake station is accessible for deposit of ballots.

2618 (b) A supervisor shall designate each secure ballot intake
2619 station location at least 30 days before an election. The
2620 supervisor shall provide the address of each secure ballot
2621 intake station location to the division at least 30 days before
2622 an election. After a secure ballot intake station location has
2623 been designated, it may not be moved or changed except as
2624 approved by the division to correct a violation of this
2625 subsection.

2626 (c)1. On each day of early voting, all secure ballot
2627 intake stations must be emptied at the end of early voting hours

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2628 and all ballots retrieved from the secure ballot intake stations
2629 must be returned to the supervisor's office.

2630 2. For secure ballot intake stations located at an office
2631 of the supervisor, all ballots must be retrieved before the
2632 secure ballot intake station is no longer monitored by ~~an~~
2633 ~~employee~~ of the supervisor.

2634 3. Employees of the supervisor must comply with procedures
2635 for the chain of custody of ballots as required by s.
2636 101.015(4).

2637 ~~(3) If any secure ballot intake station is left accessible~~
2638 ~~for ballot receipt other than as authorized by this section, the~~
2639 ~~supervisor is subject to a civil penalty of \$25,000. The~~
2640 ~~division is authorized to enforce this provision.~~

2641 **Section 65.** Section 104.0616, Florida Statutes, is
2642 repealed.

2643 **Section 66. Subsection (1) of section 104.155, Florida**
2644 **Statutes, is amended to read:**

2645 104.155 Unqualified noncitizen electors willfully voting;
2646 prohibited defenses; aiding or soliciting noncitizen electors in
2647 voting prohibited.—

2648 (1) Any person who is not a qualified elector because he
2649 or she is not a citizen of the United States and who willfully
2650 votes in any election is guilty of a felony of the third degree,
2651 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
2652 ~~A person's ignorance of his or her citizenship status or a~~

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2653 ~~person's bona fide belief of his or her citizenship status~~
 2654 ~~cannot be raised as a defense in a prosecution for a violation~~
 2655 ~~of this subsection.~~

2656 **Section 67. Subsection (1) of section 104.42, Florida**
 2657 **Statutes, is amended to read:**

2658 104.42 Fraudulent registration and illegal voting;
 2659 investigation.—

2660 (1) The supervisor of elections is authorized to
 2661 investigate fraudulent registrations and illegal voting and to
 2662 report his or her findings to the local state attorney ~~and the~~
 2663 ~~Office of Election Crimes and Security.~~

2664 **Section 68. Paragraph (a) of subsection (3) of section**
 2665 **921.0022, Florida Statutes, is amended to read:**

2666 921.0022 Criminal Punishment Code; offense severity
 2667 ranking chart.—

2668 (3) OFFENSE SEVERITY RANKING CHART

2669 (a) LEVEL 1

2670

| Florida | Felony | |
|--------------|--------|---|
| Statute | Degree | Description |
| 24.118(3)(a) | 3rd | Counterfeit or altered state lottery ticket. |

2671

2672

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 991 (2026)

Amendment No.

| | | | |
|------|------------------------|-----|---|
| 2673 | 104.0616(2) | 3rd | Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote by mail ballots. |
| 2674 | 212.054(2)(b) | 3rd | Discretionary sales surtax; limitations, administration, and collection. |
| 2675 | 212.15(2)(b) | 3rd | Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000. |
| 2676 | 316.1935(1) | 3rd | Fleeing or attempting to elude law enforcement officer. |
| 2677 | 319.30(5) | 3rd | Sell, exchange, give away certificate of title or identification number plate. |

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 991 (2026)

Amendment No.

| | | | |
|------|--------------------------|-----|---|
| 2678 | 319.35 (1) (a) | 3rd | Tamper, adjust, change, etc., an odometer. |
| 2679 | 320.26 (1) (a) | 3rd | Counterfeit, manufacture, or sell registration license plates or validation stickers. |
| 2680 | 322.212 (1) (a) - (c) | 3rd | Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification. |
| 2681 | 322.212 (4) | 3rd | Supply or aid in supplying unauthorized driver license or identification card. |
| 2682 | 322.212 (5) (a) | 3rd | False application for driver license or identification card. |
| | 414.39 (3) (a) | 3rd | Fraudulent misappropriation of public assistance funds by |

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 991 (2026)

Amendment No.

| | | | |
|------|-----------------|-----|---|
| 2683 | | | employee/official, value more than \$200. |
| 2683 | 443.071 (1) | 3rd | False statement or representation to obtain or increase reemployment assistance benefits. |
| 2684 | 509.151 (1) | 3rd | Defraud an innkeeper, food or lodging value \$1,000 or more. |
| 2685 | 517.302 (1) | 3rd | Violation of the Florida Securities and Investor Protection Act. |
| 2686 | 713.69 | 3rd | Tenant removes property upon which lien has accrued, value \$1,000 or more. |
| 2687 | 812.014 (3) (c) | 3rd | Petit theft (3rd conviction); theft of any property not specified in subsection (2). |

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 991 (2026)

Amendment No.

| | | | |
|------|----------------|-----|---|
| 2688 | 815.04 (4) (a) | 3rd | Offense against intellectual property (i.e., computer programs, data). |
| 2689 | 817.52 (2) | 3rd | Hiring with intent to defraud, motor vehicle services. |
| 2690 | 817.569 (2) | 3rd | Use of public record or public records information or providing false information to facilitate commission of a felony. |
| 2691 | 826.01 | 3rd | Bigamy. |
| 2692 | 828.122 (3) | 3rd | Fighting or baiting animals. |
| 2693 | 831.04 (1) | 3rd | Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28. |

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 991 (2026)

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| | | | |
|------|--------------------------|-----|--|
| 2694 | 831.31 (1) (a) | 3rd | Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs. |
| 2695 | 832.041 (1) | 3rd | Stopping payment with intent to defraud \$150 or more. |
| 2696 | 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. |
| 2697 | 838.15 (2) | 3rd | Commercial bribe receiving. |
| 2698 | 838.16 | 3rd | Commercial bribery. |
| 2699 | 843.18 | 3rd | Fleeing by boat to elude a law enforcement officer. |
| 2700 | | | |

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COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. CS/HB 991 (2026)

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| | | | |
|------|----------------------|-----|---|
| 2701 | 847.011 (1) (a) | 3rd | Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction). |
| 2702 | 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. |
| 2703 | 849.23 | 3rd | Gambling-related machines; "common offender" as to property rights. |
| 2704 | 849.25 (2) | 3rd | Engaging in bookmaking. |
| 2705 | 860.08 | 3rd | Interfere with a railroad signal. |
| | 860.13 (1) (a) | 3rd | Operate aircraft while under the influence. |

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2723 monthly basis; requiring the Department of Management
2724 Services, acting through the Florida Digital Service,
2725 to provide technical assistance to the commission in
2726 developing and maintaining the database; authorizing
2727 the Department of Management Services to adopt rules;
2728 requiring the commission to make the database publicly
2729 available on a website by a specified date; requiring
2730 the commission to update the database monthly;
2731 requiring the commission to publish certain
2732 instructions on the website; requiring the commission
2733 to submit a certain comprehensive plan to the Governor
2734 and the Legislature by a specified date; specifying
2735 requirements for the comprehensive plan; providing
2736 that certain persons who register to vote may not be
2737 charged with certain violations as a result of such
2738 registration or voting; requiring the Division of
2739 Elections and the supervisors of elections to complete
2740 the necessary steps to reregister individuals under
2741 specified conditions; requiring the division and
2742 supervisors to send certain mail to individuals under
2743 specified conditions; requiring the information in the
2744 statewide database to be updated weekly rather than
2745 monthly during a specified timeframe; requiring the
2746 commission to adopt rules; amending s. 97.021, F.S.;
2747 defining terms; revising the definition of the term

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Amendment No.

2748 "election"; providing construction; repealing s.
2749 97.022, F.S., relating to the Office of Election
2750 Crimes and Security; repealing s. 97.0291, F.S.,
2751 relating to prohibiting the use of private funds for
2752 election-related expenses; creating s. 97.0556, F.S.;
2753 authorizing a person who meets certain requirements to
2754 register to vote for the early voting period or
2755 election day at an early voting site or his or her
2756 polling place and cast a ballot immediately
2757 thereafter; amending s. 97.057, F.S.; authorizing the
2758 Department of Highway Safety and Motor Vehicles to
2759 preregister certain individuals to vote; providing
2760 that driver license or identification card
2761 applications, driver license or identification card
2762 renewal applications, and applications for changes of
2763 address for existing driver licenses or identification
2764 cards submitted to the department serve as voter
2765 registration applications; providing that an applicant
2766 is deemed to have consented to the use of his or her
2767 signature for voter registration purposes unless a
2768 declination is made; requiring that specified
2769 applications include a voter registration component,
2770 subject to approval by the Department of State;
2771 providing requirements for the voter registration
2772 component; requiring the Department of Highway Safety

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Amendment No.

2773 and Motor Vehicles to transmit voter registration
2774 information electronically to the Department of State
2775 within a specified timeframe; requiring the Department
2776 of State to provide such information to supervisors of
2777 elections; deleting a provision prohibiting persons
2778 providing voter registration services for a driver
2779 license office from making changes to an applicant's
2780 party affiliation without the applicant's consent and
2781 separate signature; requiring the Department of
2782 Highway Safety and Motor Vehicles to ensure that all
2783 registration services comply with state and federal
2784 laws; requiring the Department of Highway Safety and
2785 Motor Vehicles, as soon as practicable, to notify the
2786 Department of State of any change to a driver license
2787 number or identification card number; requiring the
2788 Department of State to transmit such changes to the
2789 appropriate supervisor; requiring such supervisors to
2790 update registration records and provide notice by mail
2791 of such change to the registrant; prohibiting a change
2792 in a driver license or an identification card number
2793 from being the sole basis that prevents an otherwise
2794 eligible citizen from casting his or her ballot;
2795 deleting obsolete language; making technical changes;
2796 amending s. 97.0575, F.S.; revising the information a
2797 third-party voter registration organization is

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2798 required to provide to the Division of Elections of
2799 the Department of State; deleting a provision that
2800 provides for the expiration of such organization's
2801 registration at the conclusion of the general election
2802 cycle for which the organization is registered;
2803 deleting provisions requiring such organizations to
2804 provide a specified receipt in a uniform format to
2805 applicants; revising the timeframe within which such
2806 organizations must deliver completed applications to
2807 the division or a supervisor of elections; revising
2808 certain penalties; revising the aggregate limit of
2809 such penalties; requiring that fines be remitted to
2810 specified supervisors of elections; requiring such
2811 supervisors to expend monies collected from such fines
2812 for specified purposes; deleting criminal and
2813 administrative penalties; deleting provisions
2814 requiring the division to adopt certain rules;
2815 deleting provisions that prohibit providing applicants
2816 a pre-filled voter registration application and the
2817 specified fine for such action; deleting provisions
2818 for retroactive application; creating part III of ch.
2819 97, F.S., entitled "Florida Voting Rights Act";
2820 creating s. 97.21, F.S.; prohibiting local
2821 governments, state agencies, and state officials from
2822 implementing, imposing, or enforcing election

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Amendment No.

2823 policies, practices, or actions that result in, will
2824 result in, or are intended to result in specified
2825 disparities or impairments; providing that it is not a
2826 violation if such entities demonstrate, by a specified
2827 evidentiary standard, certain conditions; providing
2828 that it is always a violation if specified
2829 circumstances exist; prohibiting local governments
2830 from employing methods of election that have the
2831 effect, will likely have the effect, or are motivated
2832 in part by the intent of diluting the vote of
2833 protected class members; providing the requirements to
2834 establish a violation; providing relevant factors to
2835 evaluate the totality of circumstances related to
2836 voter suppression and vote dilution; providing
2837 construction; providing that such factors are most
2838 probative under a specified condition; providing
2839 circumstances used to determine whether elections in
2840 the local government exhibit racially polarized
2841 voting; providing construction; providing
2842 circumstances that are never relevant to violations of
2843 specified provisions; providing that a state interest
2844 in preventing voter fraud or bolstering voter
2845 confidence in the integrity of elections is relevant
2846 under specified circumstances; providing that evidence
2847 concerning the intent of electors, elected officials,

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2848 and public officials is not required to prove such
2849 violations; providing that voting habits of protected
2850 class members may be relevant to certain violations;
2851 requiring a prospective plaintiff, before filing a
2852 certain action against a local government, to send a
2853 notification letter, by specified means, to the local
2854 government; prohibiting a party from filing an action
2855 under specified circumstances; authorizing a local
2856 government to adopt a specified resolution within a
2857 specified timeframe; providing that, under certain
2858 circumstances, a proposed remedy in such resolution
2859 may be approved by the Florida Voting Rights Act
2860 Commission if certain conditions are met; authorizing
2861 a party that sent a notification letter to submit a
2862 claim for reimbursement from the local government
2863 under specified circumstances; providing requirements
2864 for such claim; authorizing the party or local
2865 government to file an action for declaratory judgment
2866 for a clarification of rights under certain
2867 circumstances; authorizing a party to bring a cause of
2868 action for a specified violation under specified
2869 circumstances; requiring certain local governments to
2870 take certain action; requiring the commission to post
2871 notification letters and resolutions on its website
2872 under certain circumstances; authorizing the

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Amendment No.

2873 commission to adopt certain rules; prohibiting local
2874 governments from asserting specified defenses;
2875 authorizing specified entities to file certain
2876 enforcement actions; prohibiting certain entities from
2877 being compelled to disclose the identity of a member;
2878 providing construction; creating s. 97.22, F.S.;
2879 creating the Florida Voting Rights Act Commission
2880 within the Department of State; providing that the
2881 commission is a separate budget entity and must submit
2882 a budget in accordance with specified provisions;
2883 requiring the commission to have its own staff;
2884 providing that the commission is not subject to
2885 control, supervision, or direction by the Department
2886 of State; providing for the composition of the
2887 commission; providing that commissioners serve
2888 staggered terms; requiring that commissioners be
2889 compensated at a specified hourly rate; requiring the
2890 formation of a nominating committee; providing for the
2891 appointment and removal of nominating committee
2892 members; requiring the nominating committee to select
2893 a chair; requiring that commissioners be selected
2894 using a specified process; requiring that upon initial
2895 formation of the commission, a specified number of
2896 commissioners be selected by lot and randomly assigned
2897 term lengths for purposes of achieving staggered

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Amendment No.

2898 terms; providing for filling vacancies on the
2899 commission; authorizing the commission to take
2900 specified actions in any action or investigation to
2901 enforce specified provisions; authorizing the
2902 commission to hire staff and make expenditures for a
2903 specified purpose; authorizing the commission to adopt
2904 rules; creating s. 97.23, F.S.; requiring the
2905 commission to enter into agreements with one or more
2906 postsecondary educational institutions to create the
2907 Florida Voting and Elections Database and Institute
2908 for specified purposes; requiring the parties to the
2909 agreement to enter into a memorandum of understanding
2910 that includes the process for selecting a director of
2911 the database and institute; requiring the database and
2912 institute to provide a center for specified purposes;
2913 authorizing the database and institute to perform
2914 specified actions; requiring the database and
2915 institute to make election and voting data records for
2916 a specified timeframe available to the public at no
2917 cost and to maintain such records in an electronic
2918 format; requiring the database and institute to use
2919 certain methodologies when preparing estimates;
2920 specifying the data and records that must be
2921 maintained; requiring state agencies and local
2922 governments to timely provide any information

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2923 requested by the director of the database and
2924 institute; requiring local governments to transmit
2925 specified information to the database and institute
2926 within a certain timeframe; requiring specified
2927 entities to provide data, statistics, and other
2928 information annually to the database and institute;
2929 authorizing specified entities to file enforcement
2930 actions; providing construction; prohibiting certain
2931 entities from being compelled to disclose the identity
2932 of a member for a certain purpose; providing that
2933 enforcement actions may be filed in accordance with
2934 the Florida Rules of Civil Procedure or in a specified
2935 venue; requiring the database and institute to
2936 annually publish a certain report within a specified
2937 timeframe; requiring the database and institute to
2938 provide nonpartisan technical assistance to specified
2939 entities; providing that a rebuttable presumption
2940 exists that data, estimates, or other information from
2941 the database and institute is valid; creating s.
2942 97.24, F.S.; defining terms; requiring the Florida
2943 Voting Rights Act Commission to designate languages
2944 other than English for which language assistance must
2945 be provided by a local government, if certain
2946 conditions exist; providing the circumstances under
2947 which the commission must designate languages other

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2948 | than English for voting and elections; requiring the
2949 | commission to publish specified information annually
2950 | on its website and distribute such information to
2951 | local governments; requiring local governments to
2952 | provide language assistance for specified purposes if
2953 | the commission makes a certain determination;
2954 | requiring that certain materials be provided in such
2955 | language; requiring that certain information be given
2956 | orally to voters; requiring that translated materials
2957 | be of a certain quality, convey a specified intent and
2958 | meaning, and may not rely solely on automatic
2959 | translation services; requiring that live translation
2960 | be used if available; requiring the commission to
2961 | establish a specified review process; providing
2962 | requirements for such review process; authorizing
2963 | specified entities to file enforcement actions;
2964 | prohibiting certain entities from being compelled to
2965 | disclose the identity of a member for a certain
2966 | purpose; providing construction; requiring that
2967 | enforcement actions be filed in accordance with the
2968 | Florida Rules of Civil Procedure or in a specified
2969 | venue; creating s. 97.25, F.S.; providing that the
2970 | enactment or implementation of a covered policy by a
2971 | covered jurisdiction is subject to preclearance by the
2972 | commission; specifying actions by a local government

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2973 | which are covered policies; requiring that if a
2974 | covered jurisdiction does not make changes to its
2975 | method of election, such method is deemed a covered
2976 | policy that must be submitted to the commission;
2977 | specifying which local governments are covered
2978 | jurisdictions; requiring the commission to determine
2979 | and publish annually on its website a list of local
2980 | governments that are covered jurisdictions; requiring
2981 | a covered jurisdiction, if seeking preclearance, to
2982 | submit the covered policy to the commission in
2983 | writing; requiring the commission to review the
2984 | covered policy and grant or deny preclearance;
2985 | providing that the covered jurisdiction bears the
2986 | burden of proof in the preclearance process; providing
2987 | that the commission may deny preclearance only if it
2988 | makes certain determinations; providing that if
2989 | preclearance is denied, the covered policy may not be
2990 | enacted or implemented; requiring the commission to
2991 | provide a written explanation for a denial;
2992 | authorizing a covered jurisdiction to immediately
2993 | enact or implement a covered policy if granted
2994 | preclearance; providing that such determination is not
2995 | admissible and may not be considered by a court in a
2996 | subsequent action challenging the covered policy;
2997 | providing that a covered policy is deemed precleared

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2998 and may be implemented or enacted by the covered
2999 jurisdiction if the commission fails to approve or
3000 deny the covered policy within specified timeframes;
3001 requiring the commission to grant or deny preclearance
3002 within specified timeframes; authorizing the
3003 commission to invoke a specified number of extensions
3004 of a specified timeframe to determine preclearance;
3005 providing that a denial of preclearance may be
3006 appealed only by the covered jurisdiction in a
3007 specified venue; authorizing specified entities to
3008 enjoin the enactment or implementation of specified
3009 policies and to seek sanctions against covered
3010 jurisdictions in specified circumstances; authorizing
3011 specified entities to file enforcement actions;
3012 prohibiting certain entities from being compelled to
3013 disclose the identity of a member for a certain
3014 purpose; providing construction; specifying that
3015 enforcement actions must be filed in accordance with
3016 the Florida Rules of Civil Procedure or in a specified
3017 venue; requiring the commission to adopt rules;
3018 creating s. 97.26, F.S.; prohibiting a person from
3019 engaging in acts of intimidation, deception, or
3020 obstruction, or any other tactic that has the effect
3021 or will reasonably have the effect, of interfering
3022 with another person's right to vote; specifying acts

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3023 that are deemed violations; providing a rebuttable
3024 presumption; providing an exception; authorizing
3025 specified entities to file a civil action alleging a
3026 violation of specified provisions; prohibiting certain
3027 entities from being compelled to disclose the identity
3028 of a member for a certain purpose; providing
3029 construction; specifying that actions must be filed in
3030 accordance with the Florida Rules of Civil Procedure
3031 or in a specified venue; requiring the court to order
3032 specified remedies; creating s. 97.27, F.S.; providing
3033 construction; providing applicability; creating s.
3034 97.28, F.S.; requiring the court to order appropriate
3035 remedies for violations of the act; specifying
3036 appropriate remedies; requiring the court to consider
3037 remedies proposed by specified parties; prohibiting
3038 the court from giving deference to a remedy proposed
3039 by the state or local government; providing that the
3040 court is empowered to require local governments to
3041 implement certain remedies under specified conditions;
3042 requiring the court to grant a temporary injunction or
3043 other preliminary relief requested under specified
3044 conditions; requiring the court to award attorney fees
3045 and litigation costs to the prevailing party in
3046 actions to enforce specified provisions; providing
3047 that a party is deemed to prevail if certain

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3048 conditions are met; prohibiting the court from
3049 awarding costs for the prevailing party under
3050 specified circumstances; amending s. 98.045, F.S.;
3051 conforming a cross-reference; amending s. 98.255,
3052 F.S.; revising the standards the Department of State
3053 is required to prescribe by rule for nonpartisan voter
3054 education; requiring that supervisors provide public-
3055 facing voter information in plain language to be
3056 understood by certain persons; amending s. 100.371,
3057 F.S.; providing that a certain notice may be returned
3058 to the supervisor of elections instead of the Office
3059 of Elections Crime and Security; requiring that such
3060 notice contain specified information relating to the
3061 supervisor of elections; requiring supervisors to
3062 transmit a copy of such notice to the Division of
3063 Elections; requiring supervisors to notify the
3064 Department of State instead of the Office of Election
3065 Crimes and Security if a specified percentage of
3066 petition forms are deemed invalid; requiring the
3067 department instead of the Office of Election Crimes
3068 and Security to conduct a certain preliminary
3069 investigation; authorizing the Secretary of State
3070 instead of the Office of Election Crimes and Security
3071 to report findings to the statewide prosecutor; making
3072 conforming changes; creating s. 100.51, F.S.;

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Amendment No.

3073 establishing General Election Day as a paid holiday;
3074 providing that a voter may absent himself or herself
3075 from service or employment at a specific time on
3076 General Election Day and may not be penalized or have
3077 salary or wages deducted for such absence; creating s.
3078 101.016, F.S.; requiring the Division of Elections to
3079 maintain a secure election equipment reserve for
3080 specified purposes; requiring that such reserve
3081 include specified equipment; authorizing the division
3082 to contract with specified entities rather than
3083 physically maintain such reserve; providing contract
3084 requirements; requiring the division to annually
3085 submit a specified report to the Governor and the
3086 Legislature, beginning on a specified date; repealing
3087 s. 101.019, F.S., relating to the prohibition against
3088 ranked-choice voting; amending s. 101.048, F.S.;

3089 providing that a voter may cast a provisional ballot
3090 at any precinct in the county in which the voter
3091 claims to be registered; making technical changes;
3092 amending s. 101.572, F.S.; deleting provisions on the
3093 public inspection of ballots and ballot cards and
3094 notification to candidates; amending s. 101.62, F.S.;

3095 providing that a request for a vote-by-mail ballot is
3096 valid until the voter cancels the request; revising
3097 the timeframe during which the supervisor must mail

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Amendment No.

3098 | vote-by-mail ballots before election day; deleting
3099 | requirements for a person designated by a voter to
3100 | pick up the voter's vote-by-mail ballot; providing for
3101 | extension of deadlines under certain conditions;
3102 | amending s. 101.64, F.S.; requiring supervisors of
3103 | elections to enclose a postage prepaid mailing
3104 | envelope with each vote-by-mail ballot; providing that
3105 | vote-by-mail ballot voter certificates may be signed
3106 | with the last four digits of the voter's social
3107 | security number; making technical changes; amending s.
3108 | 101.65, F.S.; revising the instructions that must be
3109 | provided with a vote-by-mail ballot; amending s.
3110 | 101.68, F.S.; requiring supervisors of elections to
3111 | compare the signature or last four digits of the
3112 | social security number on a voter's certificate with
3113 | the signature or last four digits of the social
3114 | security number in the registration books or precinct
3115 | register when canvassing a vote-by-mail ballot;
3116 | requiring a canvassing board to compare the signature
3117 | or last four digits of the social security number on a
3118 | voter's certificate or vote-by-mail ballot cure
3119 | affidavit with the signature or last four digits of
3120 | the social security number in the registration books
3121 | or precinct register when canvassing a vote-by-mail
3122 | ballot and to determine the validity of such ballot;

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Amendment No.

3123 deleting the authorization for certain persons to file
3124 a protest against the canvass of a ballot; revising
3125 the instructions on a cure affidavit; amending s.
3126 101.69, F.S.; deleting a provision providing that
3127 specified secure ballot intake stations be used only
3128 during specified timeframes and be monitored by an
3129 employee of the supervisor's office; requiring that
3130 secure ballot intake stations be monitored by the
3131 supervisor's office during specified timeframes
3132 instead of continuously monitored in person by an
3133 employee; deleting a provision authorizing a certain
3134 civil penalty; making technical changes; repealing s.
3135 104.0616, F.S., relating to violations regarding vote-
3136 by-mail ballots and voting; amending s. 104.155, F.S.;
3137 deleting a provision prohibiting a person from raising
3138 his or her ignorance regarding citizenship as a
3139 defense to specified violations; amending ss. 104.42
3140 and 921.0022, F.S.; conforming provisions to changes
3141 made by the act; providing