



1 registration application; revising the  
2 information needed on a voter registration  
3 application to establish an applicant's  
4 eligibility; providing for verification of  
5 authenticity of certain voter registration  
6 application information; providing for a  
7 provisional ballot to be provided to an  
8 applicant if the application is not verified by  
9 a certain date; requiring a voter registration  
10 official to enter all voter registration  
11 applications into the voter registration system  
12 within a certain time period and forward such  
13 applications to the supervisor of elections;  
14 amending s. 97.0535, F.S.; providing for  
15 applicants who have no valid Florida driver's  
16 license, identification card, or social  
17 security number; amending s. 97.055, F.S.;  
18 specifying the information updates permitted  
19 for purposes of an upcoming election once  
20 registration books are closed; amending s.  
21 97.057, F.S.; revising the voter registration  
22 procedure by the Department of Highway Safety  
23 and Motor Vehicles; amending s. 97.058, F.S.;  
24 revising duties of voter registration agencies;  
25 amending s. 97.061, F.S.; revising special  
26 registration procedures for electors requiring  
27 assistance; amending s. 97.071, F.S.;  
28 redesignating the registration identification  
29 card as the voter information card; revising  
30 the required contents of the card; amending s.  
31 97.073, F.S.; revising the procedure by which

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1 an applicant must supply missing information on  
2 the voter registration application; revising  
3 provisions relating to cancellation of previous  
4 registration; amending s. 97.1031, F.S.;  
5 revising provisions relating to notice of  
6 change of residence, name, or party  
7 affiliation; amending s. 97.105, F.S., relating  
8 to establishment of the permanent single  
9 registration system, to conform; amending s.  
10 98.015, F.S.; revising the duties of  
11 supervisors of elections; creating s. 98.035,  
12 F.S.; establishing a statewide voter  
13 registration system; requiring the Secretary of  
14 State to be responsible for the implementation,  
15 operation, and maintenance of the system;  
16 prohibiting the department from contracting  
17 with any other entity to operate the system;  
18 authorizing the department to adopt rules  
19 relating to the access, use, and operation of  
20 the system; amending s. 98.045, F.S.; revising  
21 provisions relating to administration of voter  
22 registration; providing for the responsibility  
23 of such administration to be undertaken by the  
24 department in lieu of supervisors of elections;  
25 specifying ineligibility criteria; revising  
26 provisions relating to removal of registered  
27 voters; revising provisions relating to public  
28 records access and retention; providing for the  
29 establishment of a statewide electronic  
30 database of valid residential street addresses;  
31 authorizing the department to adopt rules

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1 relating to certain voter registration system  
2 forms; amending s. 98.065, F.S.; revising  
3 provisions relating to registration records  
4 maintenance; providing for change of address;  
5 providing limitations on notice and renewal;  
6 requiring supervisors of elections to certify  
7 to the department certain list maintenance  
8 activities; providing penalties; amending s.  
9 98.075, F.S.; providing for registration  
10 records maintenance by the department;  
11 providing procedures in cases involving  
12 duplicate registration, deceased persons,  
13 adjudication of mental incapacity, felony  
14 conviction, and other bases for ineligibility;  
15 providing procedures for removal; requiring  
16 supervisors of elections to certify to the  
17 department certain registration records  
18 maintenance activities; creating s. 98.0755,  
19 F.S.; providing for appeal of a determination  
20 of ineligibility; providing for jurisdiction,  
21 burden of proof, and trial costs; amending s.  
22 98.077, F.S.; revising provisions relating to  
23 updating a voter's signature; amending s.  
24 98.081, F.S., relating to removal of names from  
25 the statewide voter registration system, to  
26 conform; amending s. 98.093, F.S.; revising the  
27 duty of officials to furnish lists of deceased  
28 persons, persons adjudicated mentally  
29 incapacitated, and persons convicted of a  
30 felony; amending s. 98.212, F.S., relating to  
31 furnishing of statistical and other

1 information, to conform; amending s. 98.461,  
2 F.S.; authorizing use of an electronic database  
3 as a precinct register and use of an electronic  
4 device for voter signatures and witness  
5 initials; amending s. 100.371, F.S.; revising  
6 the procedure by which constitutional  
7 amendments proposed by initiative shall be  
8 placed on the ballot; amending s. 101.043,  
9 F.S.; revising requirements and procedures  
10 relating to identification required at polls;  
11 amending s. 101.045, F.S., relating to  
12 provisions for residence or name change at the  
13 polls, to conform; amending s. 101.048, F.S.,  
14 relating to provisional ballots, to conform;  
15 amending s. 101.161, F.S.; conforming a  
16 cross-reference; amending s. 101.56062, F.S.,  
17 relating to standards for accessible voting  
18 systems, to conform; amending s. 101.5608,  
19 F.S.; revising a provision relating to an  
20 elector's signature provided with  
21 identification prior to voting; creating s.  
22 101.573, F.S.; requiring supervisors of  
23 elections to file precinct-level election  
24 results; requiring the Department of State to  
25 adopt rules; amending s. 101.62, F.S.;  
26 conforming a cross-reference; amending ss.  
27 101.64 and 101.657, F.S.; requiring that the  
28 supervisor of elections indicate on each  
29 absentee or early voted ballot the precinct of  
30 the voter; amending s. 101.663, F.S., relating  
31 to change of residence, to conform; amending s.

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1 101.6921, F.S., relating to delivery of special  
2 absentee ballots to certain first-time voters,  
3 to conform; amending s. 101.6923, F.S.,  
4 relating to special absentee ballot  
5 instructions for certain first-time voters, to  
6 conform; amending s. 102.012, F.S., relating to  
7 conduct of elections by inspectors and clerks,  
8 to conform; amending s. 104.013, F.S., relating  
9 to unauthorized use, possession, or destruction  
10 of voter information cards, to conform;  
11 amending s. 196.141, F.S., relating to  
12 homestead exemptions and duties of property  
13 appraisers, to conform; amending s. 120.54,  
14 F.S.; including certain rules pertaining to the  
15 Florida Election Code within the definition of  
16 emergency rules governing public health,  
17 safety, or welfare during specified times;  
18 repealing s. 98.055, F.S., relating to  
19 registration list maintenance forms; repealing  
20 s. 98.095, F.S., relating to county registers  
21 open to inspection and copies; repealing s.  
22 98.0977, F.S., relating to the statewide voter  
23 registration database and its operation and  
24 maintenance; repealing s. 98.0979, F.S.,  
25 relating to inspection of the statewide voter  
26 registration; repealing s. 98.101, F.S.,  
27 relating to specifications for permanent  
28 registration binders, files, and forms;  
29 repealing s. 98.181, F.S., relating to duty of  
30 the supervisor of elections to make up indexes  
31 or records; repealing s. 98.231, F.S., relating

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1 to duty of the supervisor of elections to  
 2 furnish the department the number of registered  
 3 electors; repealing s. 98.451, F.S., relating  
 4 to automation in processing registration data;  
 5 repealing s. 98.481, F.S., relating to  
 6 challenges to electors; repealing s. 101.635,  
 7 F.S., relating to distribution of blocks of  
 8 printed ballots; providing effective dates.

9  
 10 Be It Enacted by the Legislature of the State of Florida:

11  
 12 Section 1. Subsections (1), (2), and (11) of section  
 13 97.012, Florida Statutes, are amended, and subsection (14) is  
 14 added to that section, to read:

15 97.012 Secretary of State as chief election  
 16 officer.--The Secretary of State is the chief election officer  
 17 of the state, and it is his or her responsibility to:

18 (1) Obtain and maintain uniformity in the ~~application,~~  
 19 ~~operation, and interpretation and implementation~~ of the  
 20 election laws. In order to obtain and maintain uniformity in  
 21 the interpretation and implementation of the elections laws,  
 22 the Department of State may, pursuant to ss. 120.536(1) and  
 23 120.54, adopt by rule uniform standards for the proper and  
 24 equitable interpretation and implementation of the  
 25 requirements of chapters 97 through 102 and 105 of the  
 26 Election Code.

27 (2) Provide uniform standards for the proper and  
 28 equitable implementation of the registration laws by  
 29 administrative rule of the Department of State adopted  
 30 pursuant to ss. 120.536(1) and 120.54.

31 (11) Create and administer ~~maintain~~ a statewide voter

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1 registration system as required by the Help America Vote Act  
2 of 2002 ~~database~~. The secretary may delegate voter  
3 registration duties and records maintenance activities to  
4 voter registration officials. Any responsibilities delegated  
5 by the secretary shall be performed in accordance with state  
6 and federal law.

7 (14) Bring and maintain such actions at law or in  
8 equity by mandamus or injunction to enforce the performance of  
9 any duties of a county supervisor of elections or any official  
10 performing duties with respect to chapters 97 through 102 and  
11 105 or to enforce compliance with a rule of the Department of  
12 State adopted to interpret or implement any of those chapters.

13 (a) Venue for such actions shall be in the Circuit  
14 Court of Leon County.

15 (b) When the secretary files an action under this  
16 section and not more than 60 days remain before an election as  
17 defined in s. 97.021, or during the time period after the  
18 election and before certification of the election pursuant to  
19 s. 102.112 or s. 102.12, the court, including an appellate  
20 court, shall set an immediate hearing, giving the case  
21 priority over other pending cases.

22 (c) Prior to filing an action to enforce performance  
23 of the duties of the supervisor of elections or any official  
24 described in this subsection, the secretary or his or her  
25 designee first must confer, or must make a good-faith attempt  
26 to confer, with the supervisor of elections or the official to  
27 ensure compliance with chapters 97 through 102 and 105 or the  
28 rules of the Department of State adopted under any of those  
29 chapters.

30 Section 2. Subsection (13) of section 97.021, Florida  
31 Statutes, is amended, present subsections (38) and (39) are

1 renumbered as subsections (39) and (40), respectively, and a  
2 new subsection (38) is added to that section, to read:

3           97.021 Definitions.--For the purposes of this code,  
4 except where the context clearly indicates otherwise, the  
5 term:

6           (13) "Lists of registered electors" means names and  
7 associated information ~~copies of printed lists~~ of registered  
8 electors maintained by the department in the statewide voter  
9 registration system or generated or derived from the statewide  
10 voter registration system. Lists may be produced in printed or  
11 electronic format, ~~computer tapes or disks, or any other~~  
12 ~~device used by the supervisor of elections to maintain voter~~  
13 ~~records.~~

14           (38) "Voter registration official" means any  
15 supervisor of elections or individual authorized by the  
16 Secretary of State to accept voter registration applications  
17 and execute updates to the statewide voter registration  
18 system.

19           Section 3. Section 97.026, Florida Statutes, is  
20 amended to read:

21           97.026 Forms to be available in alternative formats  
22 and via the Internet.--It is the intent of the Legislature  
23 that all forms required to be used in chapters 97-106 shall be  
24 made available upon request, in alternative formats. Such  
25 forms shall include absentee ballots as alternative formats  
26 for such ballots become available and the Division of  
27 Elections is able to certify systems that provide them. The  
28 department may, pursuant to ss. 120.536(1) and 120.54, adopt  
29 rules to administer this section. Whenever possible, such  
30 forms, with the exception of absentee ballots, shall be made  
31 available by the Department of State via the Internet.

1 Sections that contain such forms include, but are not limited  
 2 to, ss. 97.051, 97.052, 97.053, 97.057, 97.058, 97.0583,  
 3 97.071, 97.073, 97.1031, ~~98.055~~, 98.075, 99.021, 100.361,  
 4 100.371, 101.045, 101.171, 101.20, 101.6103, 101.62, 101.64,  
 5 101.65, 101.657, 105.031, 106.023, and 106.087.

6 Section 4. Section 97.051, Florida Statutes, is  
 7 amended to read:

8 97.051 Oath upon registering.--A person registering to  
 9 vote must subscribe to the following oath: "I do solemnly  
 10 swear (or affirm) that I will protect and defend the  
 11 Constitution of the United States and the Constitution of the  
 12 State of Florida, that I am qualified to register as an  
 13 elector under the Constitution and laws of the State of  
 14 Florida, and that all information provided in this application  
 15 is true ~~I am a citizen of the United States and a legal~~  
 16 ~~resident of Florida."~~

17 Section 5. Section 97.052, Florida Statutes, is  
 18 amended to read:

19 97.052 Uniform statewide voter registration  
 20 application.--

21 (1) The department shall prescribe by rule a uniform  
 22 statewide voter registration application for use in this  
 23 state.

24 (a) The uniform statewide voter registration  
 25 application must be accepted for any one or more of the  
 26 following purposes:

- 27 1. Initial registration.
- 28 2. Change of address.
- 29 3. Change of party affiliation.
- 30 4. Change of name.
- 31 5. Replacement of a voter information registration

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1 identification card.

2           6. Signature update.

3           (b) The department is responsible for printing the  
4 uniform statewide voter registration application and the voter  
5 registration application form prescribed by the ~~Federal~~  
6 Election Assistance Commission pursuant to federal law ~~the~~  
7 ~~National Voter Registration Act of 1993~~. The applications and  
8 forms must be distributed, upon request, to the following:

9           1. Individuals seeking to register to vote or update a  
10 voter registration record.

11           2. Individuals or groups conducting voter registration  
12 programs. A charge of 1 cent per application shall be assessed  
13 on requests for 10,000 or more applications.

14           3. The Department of Highway Safety and Motor  
15 Vehicles.

16           4. Voter registration agencies.

17           5. Armed forces recruitment offices.

18           6. Qualifying educational institutions.

19           7. Supervisors, who must make the applications and  
20 forms available in the following manner:

21           a. By distributing the applications and forms in their  
22 offices to any individual or group.

23           b. By distributing the applications and forms at other  
24 locations designated by each supervisor.

25           c. By mailing the applications and forms to applicants  
26 upon the request of the applicant.

27           (c) The uniform statewide voter registration  
28 application may be reproduced by any private individual or  
29 group, provided the reproduced application is in the same  
30 format as the application prescribed by rule under this  
31 section.

1           (2) The uniform statewide voter registration  
2 application must be designed to elicit the following  
3 information from the applicant:

4           (a) Last, first, and middle ~~Full~~ name, including any  
5 suffix.

6           (b) Date of birth.

7           (c) Address of legal residence.

8           (d) Mailing address, if different.

9           (e) County of legal residence.

10          ~~(f) Address of property for which the applicant has~~  
11 ~~been granted a homestead exemption, if any.~~

12          (f) ~~(g)~~ Race or ethnicity that best describes the  
13 applicant:

14           1. American Indian or Alaskan Native.

15           2. Asian or Pacific Islander.

16           3. Black, not Hispanic.

17           4. White, not Hispanic.

18           5. Hispanic.

19          (g) ~~(h)~~ State or country of birth.

20          (h) ~~(i)~~ Sex.

21          (i) ~~(j)~~ Party affiliation.

22          (j) ~~(k)~~ Whether the applicant needs assistance in  
23 voting.

24          (k) ~~(l)~~ Name and address where last registered.

25          (l) ~~(m)~~ Last four digits of the applicant's social  
26 security number.

27          (m) ~~(n)~~ Florida driver's license number or the  
28 identification number from a Florida identification card  
29 issued under s. 322.051.

30          (n) An indication, if applicable, that the applicant  
31 has not been issued a Florida driver's license, a Florida

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1 identification card, or a social security number.

2 (o) Telephone number (optional).

3 (p) Signature of applicant under penalty for false  
4 swearing pursuant to s. 104.011, by which the person  
5 subscribes to the oath required by s. 3, Art. VI of the State  
6 Constitution and s. 97.051, and swears or affirms that the  
7 information contained in the registration application is true.

8 (q) Whether the application is being used for initial  
9 registration, to update a voter registration record, or to  
10 request a replacement voter information registration  
11 identification card.

12 (r) Whether the applicant is a citizen of the United  
13 States by asking the question "Are you a citizen of the United  
14 States of America?" and providing boxes for the applicant to  
15 check to indicate whether the applicant is or is not a citizen  
16 of the United States.

17 (s) Whether That the applicant has ~~not~~ been convicted  
18 of a felony, and or, if convicted, has had his or her civil  
19 rights restored by including the statement "I affirm I am not  
20 a convicted felon or, if I am, my rights relating to voting  
21 have been restored." and providing a box for the applicant to  
22 check to affirm the statement.

23 (t) Whether That the applicant has ~~not~~ been  
24 adjudicated mentally incapacitated with respect to voting or,  
25 if so adjudicated, has had his or her right to vote restored  
26 by including the statement "I affirm I have not been  
27 adjudicated mentally incapacitated with respect to voting or,  
28 if I have, my competency has been restored." and providing a  
29 box for the applicant to check to affirm the statement.

30  
31 The registration application form must be in plain language

1 and designed so that convicted felons whose civil rights have  
 2 been restored and persons who have been adjudicated mentally  
 3 incapacitated and have had their voting rights restored are  
 4 not required to reveal their prior conviction or adjudication.

5 (3) The uniform statewide voter registration  
 6 application must also contain:

7 (a) The oath required by s. 3, Art. VI of the State  
 8 Constitution and s. 97.051.

9 (b) A statement specifying each eligibility  
 10 requirement under s. 97.041.

11 (c) The penalties provided in s. 104.011 for false  
 12 swearing in connection with voter registration.

13 (d) A statement that, if an applicant declines to  
 14 register to vote, the fact that the applicant has declined to  
 15 register will remain confidential and may be used only for  
 16 voter registration purposes.

17 (e) A statement that informs the applicant who chooses  
 18 to register to vote or update a voter registration record that  
 19 the office at which the applicant submits a voter registration  
 20 application or updates a voter registration record will remain  
 21 confidential and may be used only for voter registration  
 22 purposes.

23 ~~(f) A statement that informs the applicant that any~~  
 24 ~~person who has been granted a homestead exemption in this~~  
 25 ~~state, and who registers to vote in any precinct other than~~  
 26 ~~the one in which the property for which the homestead~~  
 27 ~~exemption has been granted, shall have that information~~  
 28 ~~forwarded to the property appraiser where such property is~~  
 29 ~~located, which may result in the person's homestead exemption~~  
 30 ~~being terminated and the person being subject to assessment of~~  
 31 ~~back taxes under s. 193.092, unless the homestead granted the~~

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1 ~~exemption is being maintained as the permanent residence of a~~  
2 ~~legal or natural dependent of the owner and the owner resides~~  
3 ~~elsewhere.~~

4       ~~(f)(g)~~ A statement informing an ~~the~~ applicant who has  
5 not been issued a Florida driver's license, a Florida  
6 identification card, or a social security number that if the  
7 application form is submitted by mail and the applicant is  
8 registering for the first time in this state, the applicant  
9 will be required to provide identification prior to voting the  
10 first time.

11       (4) A supervisor may produce a voter registration  
12 application that has the supervisor's direct mailing address  
13 if the department has reviewed the application and determined  
14 that it is substantially the same as the uniform statewide  
15 voter registration application.

16       (5) The voter registration application form prescribed  
17 by the ~~Federal~~ Election Assistance Commission pursuant to  
18 federal law ~~the National Voter Registration Act of 1993~~ or the  
19 federal postcard application must be accepted as an  
20 application for registration in this state if the completed  
21 application or postcard application contains the information  
22 required by the constitution and laws of this state.

23       Section 6. Section 97.053, Florida Statutes, is  
24 amended to read:

25       97.053 Acceptance of voter registration  
26 applications.--

27       (1) Voter registration applications, changes in  
28 registration, and requests for a replacement voter information  
29 ~~registration identification~~ card must be accepted in the  
30 office of any supervisor, the division, a driver license  
31 office, a voter registration agency, or an armed forces

1 recruitment office when hand delivered by the applicant or a  
2 third party during the hours that office is open or when  
3 mailed.

4 (2) A ~~completed~~ voter registration application is  
5 complete and that contains the information necessary to  
6 establish an applicant's eligibility pursuant to s. 97.041  
7 becomes the official voter registration record of that  
8 applicant when all information necessary to establish the  
9 applicant's eligibility pursuant to s. 97.041 is received by a  
10 voter registration official and verified pursuant to  
11 subsection (6) the appropriate supervisor. If the applicant  
12 fails to complete his or her voter registration application  
13 prior to the date of book closing for an election, then such  
14 applicant shall not be eligible to vote in that election.

15 (3) The registration date for a valid initial voter  
16 registration application that has been hand delivered is the  
17 date that the application is when received by a driver license  
18 office, a voter registration agency, an armed forces  
19 recruitment office, the division, or the office of any  
20 supervisor in the state.

21 (4) The registration date for a valid initial voter  
22 registration application that has been mailed to a driver  
23 license office, a voter registration agency, an armed forces  
24 recruitment office, the division, or the office of any  
25 supervisor in the state and bears a clear postmark is the date  
26 of that the postmark. If an initial voter registration  
27 application that has been mailed does not bear a postmark or  
28 if the postmark is unclear, the registration date is the date  
29 the application registration is received by any supervisor or  
30 the division, unless it is received within 5 days after the  
31 closing of the books for an election, excluding Saturdays,

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1 Sundays, and legal holidays, in which case the registration  
2 date is the book-closing date.

3 (5) (a) A voter registration application is complete if  
4 it contains the following information necessary to establish  
5 the applicant's eligibility pursuant to s. 97.041, including:

- 6 1. The applicant's name.
- 7 2. The applicant's legal residence address.
- 8 3. The applicant's date of birth.
- 9 4. A mark in the checkbox affirming ~~An indication~~ that  
10 the applicant is a citizen of the United States.

11 5.a. The applicant's current and valid Florida  
12 driver's license number or, the identification number from a  
13 Florida identification card issued under s. 322.051, or

14 b. If the applicant has not been issued a current and  
15 valid Florida driver's license or a Florida identification  
16 card, the last four digits of the applicant's social security  
17 number.

18  
19 In case an applicant has not been issued a current and valid  
20 Florida driver's license, Florida identification card, or  
21 social security number, the applicant shall affirm this fact  
22 in the manner prescribed in the uniform statewide voter  
23 registration application.

24 6. A mark in the checkbox affirming ~~An indication~~ that  
25 the applicant has not been convicted of a felony or that, if  
26 convicted, has had his or her civil rights restored.

27 7. A mark in the checkbox affirming ~~An indication~~ that  
28 the applicant has not been adjudicated mentally incapacitated  
29 with respect to voting or that, if so adjudicated, has had his  
30 or her right to vote restored.

31 8. The original signature or a digital signature

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1 transmitted by the Department of Highway Safety and Motor  
2 Vehicles of the applicant swearing or affirming under the  
3 penalty for false swearing pursuant to s. 104.011 that the  
4 information contained in the registration application is true  
5 and subscribing to the oath required by s. 3, Art. VI of the  
6 State Constitution and s. 97.051.

7 (b) An applicant who fails to designate party  
8 affiliation must be registered without party affiliation. The  
9 supervisor must notify the voter by mail that the voter has  
10 been registered without party affiliation and that the voter  
11 may change party affiliation as provided in s. 97.1031.

12 (6) A voter registration application may be accepted  
13 as valid only after the department has verified the  
14 authenticity or nonexistence of the driver's license number,  
15 the Florida identification card number, or the last four  
16 digits of the social security number provided by the  
17 applicant. If a completed voter registration application has  
18 been received by the book-closing deadline but the driver's  
19 license number, the Florida identification card number, or the  
20 last four digits of the social security number provided by the  
21 applicant cannot be verified prior to the applicant presenting  
22 himself or herself to vote, the applicant shall be provided a  
23 provisional ballot. The provisional ballot shall be counted  
24 only if the application is verified by the end of the  
25 canvassing period or if the applicant presents evidence to the  
26 supervisor of elections sufficient to verify the authenticity  
27 of the driver's license number, Florida identification card  
28 number, or last four digits of the social security number  
29 provided on the application no later than 5 p.m. of the third  
30 day following the election.

31 (7) All voter registration applications received by a

1 voter registration official shall be entered into the  
 2 statewide voter registration system within 15 days after  
 3 receipt. Once entered, the application shall be immediately  
 4 forwarded to the appropriate supervisor of elections.

5 Section 7. Subsections (1), (2), and (3) of section  
 6 97.0535, Florida Statutes, are amended to read:

7 97.0535 Special requirements for certain applicants.--

8 (1) Each applicant who registers by mail and who has  
 9 never previously voted in the state and who the department has  
 10 verified has not been issued a current and valid Florida  
 11 driver's license, Florida identification card, or social  
 12 security number ~~county~~ shall be required to provide a copy of  
 13 a current and valid identification, as provided in subsection  
 14 (3), or indicate that he or she is exempt from the  
 15 requirements prior to voting. ~~Such~~ ~~The applicant may provide~~  
 16 ~~the identification or indication may be provided~~ at the time  
 17 of registering, or at any time prior to voting for the first  
 18 time in the state ~~county~~. If the voter registration  
 19 application clearly provides information from which a voter  
 20 registration official ~~the supervisor~~ can determine that the  
 21 applicant meets at least one of the exemptions in subsection  
 22 (4), the voter registration official ~~supervisor~~ shall make the  
 23 notation on the registration records of the statewide voter  
 24 registration system and the applicant shall not be required to  
 25 provide the identification required by this section ~~further~~  
 26 ~~information that is required of first time voters who register~~  
 27 ~~by mail.~~

28 (2) The voter registration official ~~supervisor of~~  
 29 ~~elections~~ shall, upon accepting the voter registration  
 30 application submitted pursuant to subsection (1) ~~for an~~  
 31 ~~applicant who registered by mail and who has not previously~~

1 ~~voted in the county~~, determine if the applicant provided the  
 2 required identification at the time of registering. If the  
 3 required identification was not provided, the supervisor shall  
 4 notify the applicant that he or she must provide the  
 5 identification prior to voting the first time in the state  
 6 ~~county~~.

7 (3)(a) The following forms of identification shall be  
 8 considered current and valid if they contain the name and  
 9 photograph of the applicant and have not expired:

- 10 ~~1. Florida driver's license.~~
- 11 ~~2. Florida identification card issued by the~~  
 12 ~~Department of Highway Safety and Motor Vehicles.~~
- 13 ~~1.3.~~ United States passport.
- 14 ~~2.4.~~ Employee badge or identification.
- 15 ~~3.5.~~ Buyer's club identification.
- 16 ~~4.6.~~ Debit or credit card.
- 17 ~~5.7.~~ Military identification.
- 18 ~~6.8.~~ Student identification.
- 19 ~~7.9.~~ Retirement center identification.
- 20 ~~8.10.~~ Neighborhood association identification.
- 21 ~~9.11.~~ Entertainment identification.
- 22 ~~10.12.~~ Public assistance identification.

23 (b) The following forms of identification shall be  
 24 considered current and valid if they contain the name and  
 25 current residence address of the applicant:

- 26 1. Utility bill.
- 27 2. Bank statement.
- 28 3. Government check.
- 29 4. Paycheck.
- 30 5. Other government document (excluding voter  
 31 identification card).

1 Section 8. Subsection (1) of section 97.055, Florida  
2 Statutes, is amended to read:

3 97.055 Registration books; when closed for an  
4 election.--

5 (1) The registration books must be closed on the 29th  
6 day before each election and must remain closed until after  
7 that election. If an election is called and there are fewer  
8 than 29 days before that election, the registration books must  
9 be closed immediately. When the registration books are closed  
10 for an election, only updates to a voter's name, address, and  
11 signature pursuant to ss. 98.077 and 101.045 will be permitted  
12 for purposes of the upcoming election. Voter registration  
13 applications and party changes must be accepted but only for  
14 the purpose of subsequent elections. However, party changes  
15 received between the book-closing date of the first primary  
16 election and the date of the second primary election are not  
17 effective until after the second primary election.

18 Section 9. Section 97.057, Florida Statutes, is  
19 amended to read:

20 97.057 Voter registration by the Department of Highway  
21 Safety and Motor Vehicles.--

22 (1) The Department of Highway Safety and Motor  
23 Vehicles shall provide the opportunity to register to vote or  
24 to update a voter registration record to each individual who  
25 comes to an office of that department to:

- 26 (a) Apply for or renew a driver's license;
- 27 (b) Apply for or renew an identification card pursuant  
28 to chapter 322; or
- 29 (c) Change an address on an existing driver's license  
30 or identification card.

31 (2) The Department of Highway Safety and Motor

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1 Vehicles shall:

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

4 1. Information gathered for the completion of a  
5 driver's license or identification card application, renewal,  
6 or change of address can be automatically transferred to a  
7 voter registration application;

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

11 3. Information provided can also be used to update a  
12 voter registration record;

13 4. All declinations will remain confidential and may  
14 be used only for voter registration purposes; and

15 5. The particular driver license office in which the  
16 person applies to register to vote or updates a voter  
17 registration record will remain confidential and may be used  
18 only for voter registration purposes.

19 (b) Require a driver's license examiner to inquire  
20 orally, ~~or, if the applicant is hearing impaired,~~ inquire in  
21 writing ~~if the applicant is hearing impaired,~~ and whether the  
22 applicant wishes to register to vote or update a voter  
23 registration record during the completion of a driver's  
24 license or identification card application, renewal, or change  
25 of address.

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

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

1           b. The additional necessary information must be  
 2 obtained by the driver's license examiner and must not  
 3 duplicate any information already obtained while completing  
 4 the forms required under subsection (1).~~7~~ and

5           c. A voter registration application with all of the  
 6 applicant's voter registration information required to  
 7 establish the applicant's eligibility pursuant to s. 97.041  
 8 must be presented to the applicant to review and verify the  
 9 voter registration information received and provide an  
 10 electronic signature affirming the accuracy of the information  
 11 provided sign.

12           2. If the applicant declines to register to vote,  
 13 update the applicant's voter registration record, or change  
 14 the applicant's address by either orally declining or by  
 15 failing to sign the voter registration application, the  
 16 Department of Highway Safety and Motor Vehicles must note such  
 17 declination on its records and shall forward the declination  
 18 to the statewide voter registration system ~~keep the~~  
 19 ~~declination for 2 years but must forward a copy of the~~  
 20 ~~unsigned voter registration application within 5 days after~~  
 21 ~~receipt to the appropriate supervisor of elections.~~

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

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

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

31           (4) The Department of Highway Safety and Motor

1 Vehicles must electronically transmit ~~forward~~ completed voter  
 2 registration applications within 24 hours after receipt to the  
 3 statewide voter registration system. Completed paper voter  
 4 registration applications received by the Department of  
 5 Highway Safety and Motor Vehicles shall be forwarded within 5  
 6 days after receipt to the supervisor of the county where the  
 7 office that processed or received that application is located.

8 (5) The Department of Highway Safety and Motor  
 9 Vehicles must send, with each driver's license renewal  
 10 extension application authorized pursuant to s. 322.18(8), a  
 11 uniform statewide voter registration application, the voter  
 12 registration application prescribed under paragraph (3)(a), or  
 13 a voter registration application developed especially for the  
 14 purposes of this subsection by the Department of Highway  
 15 Safety and Motor Vehicles, with the approval of the Department  
 16 of State, which must meet the requirements of s. 97.052.

17 (6) A person providing voter registration services for  
 18 a driver license office may not:

19 (a) Seek to influence an applicant's political  
 20 preference or party registration;

21 (b) Display any political preference or party  
 22 allegiance;

23 (c) Make any statement to an applicant or take any  
 24 action the purpose or effect of which is to discourage the  
 25 applicant from registering to vote; or

26 (d) Disclose any applicant's voter registration  
 27 information except as needed for the administration of voter  
 28 registration.

29 ~~(7) The Department of Highway Safety and Motor~~  
 30 ~~Vehicles shall compile lists, by county, of those individuals~~  
 31 ~~whose names have been purged from its driver's license~~

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1 ~~database because they have been licensed in another state and~~  
2 ~~shall provide those lists annually to the appropriate~~  
3 ~~supervisors.~~

4       ~~(7)(8)~~ The Department of Highway Safety and Motor  
5 Vehicles shall collect data determined necessary by the  
6 Department of State for program evaluation and reporting to  
7 the ~~Federal~~ Election Assistance Commission pursuant to federal  
8 law the National Voter Registration Act of 1993.

9       ~~(8)(9)~~ The Department of Highway Safety and Motor  
10 Vehicles must ensure that all voter registration services  
11 provided by driver license offices are in compliance with the  
12 Voting Rights Act of 1965.

13       (9) The Department of Highway Safety and Motor  
14 Vehicles shall retain complete records of voter registration  
15 information received, processed, and submitted to the  
16 statewide voter registration system by the Department of  
17 Highway Safety and Motor Vehicles. These records shall be for  
18 the explicit purpose of supporting audit and accounting  
19 controls established to ensure accurate and complete  
20 electronic transmission of records between the statewide voter  
21 registration system and the Department of Highway Safety and  
22 Motor Vehicles.

23       (10) The department shall provide the Department of  
24 Highway Safety and Motor Vehicles with an electronic database  
25 of street addresses valid for use as the legal residence  
26 address as required in s. 97.053(5). The Department of Highway  
27 Safety and Motor Vehicles shall compare the address provided  
28 by the applicant against the database of valid street  
29 addresses. If the address provided by the applicant does not  
30 match a valid street address in the database, the applicant  
31 will be asked to verify the address provided. The Department

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1 of Highway Safety and Motor Vehicles shall not reject any  
2 application for voter registration for which a valid match  
3 cannot be made.

4 (11) The Department of Highway Safety and Motor  
5 Vehicles shall enter into an agreement with the department to  
6 match information in the statewide voter registration system  
7 with information in the database of the Department of Highway  
8 Safety and Motor Vehicles to the extent required to verify the  
9 accuracy of the driver's license number, Florida  
10 identification number, or last four digits of the social  
11 security number provided on applications for voter  
12 registration as required in s. 97.053.

13 (12) The Department of Highway Safety and Motor  
14 Vehicles shall enter into an agreement with the Commissioner  
15 of Social Security as required by the Help America Vote Act of  
16 2002 to verify the last four digits of the social security  
17 number provided in applications for voter registration as  
18 required in s. 97.053.

19 Section 10. Subsections (6), (7), and (9) of section  
20 97.058, Florida Statutes, are amended to read:

21 97.058 Voter registration agencies.--

22 (6) A voter registration agency must forward all  
23 completed and incomplete voter registration applications  
24 within 5 days after receipt to the supervisor of the county  
25 where the agency that processed or received that application  
26 is located.

27 (7) A voter registration agency must retain  
28 declinations for a period of 2 years, during which time the  
29 declinations are not considered a record of the client  
30 pursuant to the laws governing the agency's records. ~~However,~~  
31 ~~a voter registration agency must forward a copy of each~~

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1 ~~incompleted voter registration application within 5 days after~~  
2 ~~receipt to the appropriate supervisor of elections.~~

3 (9) A voter registration agency must collect data  
4 determined necessary by the department, as provided by rule,  
5 for program evaluation and reporting to the ~~Federal~~ Election  
6 Assistance Commission pursuant to federal law ~~the National~~  
7 ~~Voter Registration Act of 1993.~~

8 Section 11. Section 97.061, Florida Statutes, is  
9 amended to read:

10 97.061 Special registration for electors requiring  
11 assistance.--

12 (1) Any person who is eligible to register and who is  
13 unable to read or write or who, because of some disability,  
14 needs assistance in voting shall upon that person's request be  
15 registered ~~by the supervisor~~ under the procedure prescribed by  
16 this section and shall be entitled to receive assistance at  
17 the polls under the conditions prescribed by this section. The  
18 department may adopt rules to administer this section.

19 (2) If a person is qualified to register pursuant to  
20 this section, the voter registration official ~~supervisor~~ shall  
21 note in that person's registration record that the person  
22 needs assistance in voting.

23 (3) The precinct register generated by the supervisor  
24 shall contain ~~Upon registering any person pursuant to this~~  
25 ~~section, the supervisor must make a notation on the~~  
26 ~~registration books or records which are delivered to the polls~~  
27 ~~on election day~~ that such person is eligible for assistance in  
28 voting, and the supervisor may ~~issue such person a special~~  
29 ~~registration identification card or make a~~ some notation on  
30 the voter information ~~regular registration identification card~~  
31 that such person is eligible for assistance in voting. Such

1 person shall be entitled to receive the assistance of two  
 2 election officials or some other person of his or her own  
 3 choice, other than the person's employer, the agent of the  
 4 person's employer, or an officer or agent of the person's  
 5 union, without the necessity of executing the "Declaration to  
 6 Secure Assistance" prescribed in s. 101.051. Such person shall  
 7 notify the supervisor of any change in his or her condition  
 8 which makes it unnecessary for him or her to receive  
 9 assistance in voting.

10 Section 12. Section 97.071, Florida Statutes, is  
 11 amended to read:

12 97.071 Voter information ~~Registration identification~~  
 13 card.--

14 (1) A voter information ~~registration identification~~  
 15 card ~~shall~~ ~~must~~ be furnished by the supervisor to all  
 16 registered voters residing in the supervisor's county. The  
 17 card registering under the permanent single registration  
 18 ~~system and~~ must contain:

- 19 (a) Voter's registration number.
- 20 (b) Date of registration.
- 21 (c) Full name.
- 22 (d) Party affiliation.
- 23 (e) Date of birth.
- 24 ~~(f) Race or ethnicity, if provided by the applicant.~~
- 25 ~~(g) Sex, if provided by the applicant.~~
- 26 ~~(f)(h)~~ (f) Address of legal residence.
- 27 ~~(g)(i)~~ (g) Precinct number.
- 28 ~~(h)(j)~~ (h) Name of supervisor and contact information of  
 29 supervisor.
- 30 ~~(k)~~ ~~Place for voter's signature.~~
- 31 ~~(i)(l)~~ (i) Other information deemed necessary by the

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1 supervisor ~~department~~.

2 (2) A voter may receive a replacement voter  
3 information ~~of a registration identification~~ card by providing  
4 a signed, written request for a replacement card to a voter  
5 registration official ~~the supervisor~~. Upon verification of  
6 registration, the supervisor shall issue the voter a duplicate  
7 card without charge.

8 (3) In the case of a change of name, address, or party  
9 affiliation, the supervisor shall ~~must~~ issue the voter a new  
10 voter information ~~registration identification~~ card. However, a  
11 voter information ~~registration identification~~ card indicating  
12 a party affiliation change made between the book-closing date  
13 for the first primary election and the date of the second  
14 primary election may not be issued until after the second  
15 primary election.

16 Section 13. Section 97.073, Florida Statutes, is  
17 amended to read:

18 97.073 Disposition of voter registration applications;  
19 cancellation notice.--

20 (1) The supervisor must notify each applicant of the  
21 disposition of the applicant's voter registration application.  
22 The notice must inform the applicant that the application has  
23 been approved, is incomplete, has been denied, or is a  
24 duplicate of a current registration. A voter information  
25 ~~registration identification~~ card sent to an applicant  
26 constitutes notice of approval of registration. If the  
27 application is incomplete, the supervisor must request that  
28 the applicant supply the missing information using a voter  
29 registration application signed by the applicant ~~in writing~~  
30 ~~and sign a statement that the additional information is true~~  
31 ~~and correct~~. A notice of denial must inform the applicant of

1 the reason the application was denied.

2 (2) Within 2 weeks after approval of a voter  
3 registration application that indicates that the applicant was  
4 previously registered in another state jurisdiction, the  
5 department supervisor must notify the registration official in  
6 the prior state jurisdiction that the applicant is now  
7 registered in this state ~~the supervisor's county~~.

8 Section 14. Section 97.1031, Florida Statutes, is  
9 amended to read:

10 97.1031 Notice of change of residence within the same  
11 county, change of name, or change of party affiliation---

12 (1) When an elector moves from the address named on  
13 that person's voter registration record to another address  
14 within the state or changes his or her name by marriage or  
15 other legal process same county, the elector shall submit the  
16 new information to a voter registration official using a voter  
17 registration application signed by the elector must provide  
18 notification of such move to the supervisor of elections of  
19 that county. The elector may provide the supervisor a signed,  
20 written notice or may notify the supervisor by telephone or  
21 electronic means. However, notification of such move other  
22 than by signed, written notice must include the elector's date  
23 of birth. A voter information registration identification card  
24 reflecting the new information address of legal residence  
25 shall be issued to the elector as provided in subsection

26 ~~(3)(4)~~.

27 ~~(2) When the name of an elector is changed by marriage~~  
28 ~~or other legal process, the elector must provide a signed,~~  
29 ~~written notification of such change to the supervisor and~~  
30 ~~obtain a registration identification card reflecting the new~~  
31 ~~name.~~

1           ~~(2)(3)~~ When an elector seeks to change party  
 2 affiliation, the elector shall ~~must~~ provide notice ~~a signed,~~  
 3 ~~written notification~~ of such intent to a voter registration  
 4 official using a voter registration application signed by the  
 5 elector. A voter information ~~the supervisor and obtain a~~  
 6 ~~registration identification~~ card reflecting the new party  
 7 affiliation shall be issued by the supervisor to the elector,  
 8 subject to the issuance restriction in s. 97.071(3).

9           ~~(3)(4)~~ The voter registration official ~~supervisor~~  
 10 shall make the necessary changes in the elector's records as  
 11 soon as practical upon receipt of such notice of a change of  
 12 address of legal residence, name, or party affiliation ~~and~~  
 13 ~~shall issue the new registration identification card as~~  
 14 ~~required by s. 97.071(3).~~

15           Section 15. Section 97.105, Florida Statutes, is  
 16 amended to read:

17           97.105 Permanent single registration system  
 18 established.--A permanent single registration system for the  
 19 registration of electors to qualify them to vote in all  
 20 elections is provided for the several counties and  
 21 municipalities. This system shall be put into use by all  
 22 municipalities and shall be in lieu of any other system of  
 23 municipal registration. Electors shall be registered pursuant  
 24 to in pursuance of this system by a voter registration  
 25 official ~~the supervisor or by a deputy supervisor~~, and  
 26 electors registered shall not thereafter be required to  
 27 register or reregister except as provided by law.

28           Section 16. Subsections (3), (10), and (11) of section  
 29 98.015, Florida Statutes, are amended, and subsection (12) is  
 30 added to that section, to read:

31           98.015 Supervisor of elections; election, tenure of

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1 office, compensation, custody of books, office hours,  
2 successor, seal; appointment of deputy supervisors; duties.--

3       (3) The supervisor shall update voter registration  
4 information, enter new voter registrations into the statewide  
5 voter registration system, and act as is the official  
6 custodian of documents received by the supervisor related to  
7 the registration of electors and changes in voter registration  
8 status of electors of the supervisor's county the registration  
9 books and has the exclusive control of matters pertaining to  
10 registration of electors.

11       (10) Each supervisor shall must ensure that all voter  
12 registration and list maintenance procedures conducted by such  
13 supervisor are in compliance with any applicable requirements  
14 prescribed by rule of the department through the statewide  
15 voter registration system or prescribed by for that county  
16 under the Voting Rights Act of 1965, the National Voter  
17 Registration Act of 1993, or the Help America Vote Act of  
18 2002.

19       (11) Each supervisor shall ensure that any voter  
20 registration system used by the supervisor for administering  
21 his or her duties as a voter registration official complies  
22 with the specifications and procedures established by rule of  
23 the department and the statewide voter registration system  
24 ~~Each supervisor of elections shall forward to the property~~  
25 ~~appraiser for the county in which the homestead is claimed the~~  
26 ~~name of the person and the address of the homestead of each~~  
27 ~~person who registers to vote at an address other than that at~~  
28 ~~which the person claims a homestead exemption, as disclosed on~~  
29 ~~the uniform statewide voter registration application pursuant~~  
30 ~~to s. 97.052.~~

31       (12) Each supervisor shall maintain a list of valid

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1 residential street addresses for purposes of verifying the  
2 legal addresses of voters residing in the supervisor's county.  
3 The supervisor shall make all reasonable efforts to coordinate  
4 with county 911 service providers, property appraisers, the  
5 United States Postal Service, or other agencies as necessary  
6 to ensure the continued accuracy of such list. The supervisor  
7 shall provide the list of valid residential addresses to the  
8 statewide voter registration system in the manner and  
9 frequency specified by rule of the department.

10 Section 17. Section 98.035, Florida Statutes, is  
11 created to read:

12 98.035 Statewide voter registration system;  
13 implementation, operation, and maintenance.--

14 (1) The Secretary of State, as chief election officer  
15 of the state, shall be responsible for implementing,  
16 operating, and maintaining, in a uniform and nondiscriminatory  
17 manner, a single, uniform, official, centralized, interactive,  
18 computerized statewide voter registration system as required  
19 by the Help America Vote Act of 2002. The department may adopt  
20 rules to administer this section.

21 (2) The statewide voter registration system must  
22 contain the name and registration information of every legally  
23 registered voter in the state. All voters shall be assigned a  
24 unique identifier. The system shall be the official list of  
25 registered voters in the state and shall provide secured  
26 access by authorized voter registration officials. The system  
27 shall enable voter registration officials to provide, access,  
28 and update voter registration information.

29 (3) The department may not contract with any other  
30 entity for the operation of the statewide voter registration  
31 system.

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1       (4) The implementation of the statewide voter  
2 registration system shall not prevent any supervisor of  
3 elections from acquiring, maintaining, or using any hardware  
4 or software necessary or desirable to carry out the  
5 supervisor's responsibilities related to the use of voter  
6 registration information or the conduct of elections, provided  
7 that such hardware or software does not conflict with the  
8 operation of the statewide voter registration system.

9       (5) The department may adopt rules governing the  
10 access, use, and operation of the statewide voter registration  
11 system to ensure security, uniformity, and integrity of the  
12 system.

13       Section 18. Section 98.045, Florida Statutes, is  
14 amended to read:

15       98.045 Administration of voter registration.--

16       (1) ELIGIBILITY OF APPLICANT.--The supervisor ~~Each~~  
17 ~~supervisor~~ must ensure that any eligible applicant for voter  
18 registration is registered to vote and that each application  
19 for voter registration is processed in accordance with law.  
20 The supervisor shall determine whether a voter registration  
21 applicant is ineligible based on any of the following:

22       (a) The failure to complete a voter registration  
23 application as specified in s. 97.053.

24       (b) The applicant is deceased.

25       (c) The applicant has been convicted of a felony for  
26 which his or her civil rights have not been restored.

27       (d) The applicant has been adjudicated mentally  
28 incapacitated with respect to the right to vote and such right  
29 has not been restored.

30       (e) The applicant does not meet the age requirement  
31 pursuant to s. 97.041.

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1        (f) The applicant is not a United States citizen.

2        (g) The applicant is a fictitious person.

3        (h) The applicant has provided an address of legal  
 4 residence that is not his or her legal residence.

5        (i) The applicant has provided a driver's license  
 6 number, Florida identification card number, or the last four  
 7 digits of a social security number that is not verifiable by  
 8 the department.

9        (2) REMOVAL OF REGISTERED VOTERS.--

10       (a) Once a voter is registered, the name of that voter  
 11 may not be removed from the statewide voter registration  
 12 system books except at the written request of the voter, by  
 13 reason of the voter's conviction of a felony or adjudication  
 14 as mentally incapacitated with respect to voting, by death of  
 15 the voter, or pursuant to a registration list maintenance  
 16 program or other registration list maintenance activity  
 17 conducted pursuant to s. 98.065 ~~or~~, s. 98.075, ~~or s. 98.0977.~~

18       (b) ~~(2)~~ Information received by a voter registration  
 19 official supervisor from an election official in another state  
 20 jurisdiction indicating that a registered voter in this state  
 21 the supervisor's county has registered to vote in that other  
 22 state jurisdiction shall be considered as a written request  
 23 from the voter to have the voter's name removed from the  
 24 statewide voter registration system books of the supervisor's  
 25 county.

26       (3) PUBLIC RECORDS ACCESS AND  
 27 RETENTION.--Notwithstanding the provisions of ss. 98.095 and  
 28 98.0977, Each supervisor shall maintain for at least 2 years,  
 29 and make available for public inspection and copying, all  
 30 records concerning implementation of registration list  
 31 maintenance programs and activities conducted pursuant to ss.

1 98.065 ~~and~~, 98.075, ~~and 98.0977~~. The records must include  
 2 lists of the name and address of each person to whom ~~a an~~  
 3 ~~address confirmation final~~ notice was sent and information as  
 4 to whether each such person responded to the mailing, but may  
 5 not include any information that is confidential or exempt  
 6 from public records requirements under this code.

7 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
 8 STREET ADDRESSES.--

9 (a) The department shall compile and maintain a  
 10 statewide electronic database of valid residential street  
 11 addresses from the information provided by the supervisors of  
 12 elections pursuant to s. 98.015. The department shall evaluate  
 13 the information provided by the supervisors of elections to  
 14 identify any duplicate addresses and any address that may  
 15 overlap county boundaries.

16 (b) The department shall make the statewide database  
 17 of valid street addresses available to the Department of  
 18 Highway Safety and Motor Vehicles as provided in s.  
 19 97.057(10). The Department of Highway Safety and Motor  
 20 Vehicles shall use the database for purposes of validating the  
 21 legal residential addresses provided in voter registration  
 22 applications received by the Department of Highway Safety and  
 23 Motor Vehicles.

24 (5) FORMS.--The department may prescribe by rule forms  
 25 necessary to conduct maintenance of records in the statewide  
 26 voter registration system.

27 Section 19. Section 98.065, Florida Statutes, as  
 28 amended by chapter 2002-281, Laws of Florida, is amended to  
 29 read:

30 98.065 Registration list maintenance programs.--

31 (1) The supervisor must conduct a general registration

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1 list maintenance program to protect the integrity of the  
2 electoral process by ensuring the maintenance of accurate and  
3 current voter registration records in the statewide voter  
4 registration system. The program must be uniform,  
5 nondiscriminatory, and in compliance with the Voting Rights  
6 Act of 1965, the National Voter Registration Act of 1993, and  
7 the Help America Vote Act of 2002. As used in this subsection,  
8 the term "nondiscriminatory" applies to and includes persons  
9 with disabilities.

10 (2) A supervisor must incorporate one or more of the  
11 following procedures in the supervisor's biennial registration  
12 list maintenance program under which:

13 (a) Change-of-address information supplied by the  
14 United States Postal Service through its licensees is used to  
15 identify registered voters whose addresses might have changed;

16 (b) Change-of-address information is identified from  
17 returned nonforwardable return-if-undeliverable mail sent to  
18 all registered voters in the county; or

19 (c) Change-of-address information is identified from  
20 returned nonforwardable return-if-undeliverable address  
21 confirmation requests mailed to all registered voters who have  
22 not voted in the last 2 years and who did not make a written  
23 request that their registration records be updated during that  
24 time.

25 (3) A registration list maintenance program must be  
26 conducted by each supervisor, at a minimum, in each  
27 odd-numbered year and must be completed not later than 90 days  
28 prior to the date of any federal election. All list  
29 maintenance actions associated with each voter must be  
30 entered, tracked, and maintained in the statewide voter  
31 registration system.

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1           (4) (a) If the supervisor receives change-of-address  
2 information pursuant to the activities conducted in subsection  
3 (2), from jury notices signed by the voter and returned to the  
4 courts, from the Department of Highway Safety and Motor  
5 Vehicles, or from other sources, which information indicates  
6 that the legal address of a registered voter might have  
7 changed, the supervisor shall send by forwardable  
8 return-if-undeliverable mail an address confirmation notice to  
9 the address at which the voter was last registered. A  
10 supervisor may also send an address confirmation notice to any  
11 voter who the supervisor has reason to believe has moved from  
12 his or her legal residence.

13           (b) The address confirmation notice shall contain a  
14 postage prepaid preaddressed return form on which:

15           1. If the voter has changed his or her address of  
16 legal residence to a location outside the state, the voter  
17 shall mark that the voter's legal residence has changed to a  
18 location outside the state. The form shall also include  
19 information on how to register in the new state in order to be  
20 eligible to vote. The form must be returned within 30 days  
21 after the date of the notice. The completed form shall  
22 constitute a request to be removed from the statewide voter  
23 registration system.

24           2. If the voter has changed his or her address of  
25 legal residence to a location inside the state, the voter  
26 shall set forth the updated or corrected address and submit  
27 the return form within 30 days after the date of the notice.  
28 The completed form shall constitute a request to update the  
29 statewide voter registration system with the updated or  
30 corrected address information.

31           3. If the voter has not changed his or her address of

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1 legal residence as printed on the address confirmation notice,  
2 the voter shall confirm that his or her address of legal  
3 residence has not changed and submit the form within 30 days  
4 after the date of the notice.

5 (c) The supervisor must designate as inactive all  
6 voters who have been sent an address confirmation notice and  
7 who have not returned the postage prepaid preaddressed return  
8 form within 30 days or for which an address confirmation  
9 notice has been returned as undeliverable. Names on the  
10 inactive list may not be used to calculate the number of  
11 signatures needed on any petition. A voter on the inactive  
12 list may be restored to the active list of voters upon the  
13 voter updating his or her registration, requesting an absentee  
14 ballot, or appearing to vote. However, if the voter does not  
15 update his or her voter registration information, request an  
16 absentee ballot, or vote by the second general election after  
17 being placed on the inactive list, the voter's name shall be  
18 removed from the statewide voter registration system and the  
19 voter shall be required to reregister to have his or her name  
20 restored to the statewide voter registration system.

21 (5) A notice may not be issued pursuant to this  
22 section and a voter's name may not be removed from the  
23 statewide voter registration system later than 90 days prior  
24 to the date of a federal election. However, this section does  
25 not preclude the removal of the name of a voter from the  
26 statewide voter registration system at any time upon the  
27 voter's written request, by reason of the voter's death, or  
28 upon a determination of the voter's ineligibility as provided  
29 in s. 98.075(7).

30 (6)(a) No later than July 31 and January 31 of each  
31 year, the supervisor must certify to the department the list

1 maintenance activities conducted during the first 6 months and  
 2 the second 6 months of the year, respectively, including the  
 3 number of address confirmation requests sent, the number of  
 4 voters designated as inactive, and the number of voters  
 5 removed from the statewide voter registration system.

6       **(b) If, based on the certification provided pursuant**  
 7 **to paragraph (a), the department determines that a supervisor**  
 8 **has not conducted the list maintenance activities required by**  
 9 **this section, the department shall conduct the appropriate**  
 10 **list maintenance activities for that county. Failure to**  
 11 **conduct list maintenance activities as required in this**  
 12 **section constitutes a violation of s. 104.051. A voter's name**  
 13 ~~may not be removed from the registration books later than 90~~  
 14 ~~days prior to the date of a federal election. However, nothing~~  
 15 ~~in this section shall preclude the removal of the name of a~~  
 16 ~~voter from the voter registration books, at any time and~~  
 17 ~~without prior notification, upon the written request of the~~  
 18 ~~voter, by reason of conviction of the voter of a felony, by~~  
 19 ~~reason of adjudication of the voter as mentally incapacitated~~  
 20 ~~with respect to voting, by reason of the death of the voter,~~  
 21 ~~or upon a determination of ineligibility as provided in s.~~  
 22 ~~98.075(3).~~

23       ~~(4) If the supervisor receives change of address~~  
 24 ~~information from the United States Postal Service or its~~  
 25 ~~licensees or from jury notices signed by the voter and~~  
 26 ~~returned to the courts, which indicates that:~~

27       ~~(a) The voter has moved within the supervisor's~~  
 28 ~~county, the supervisor must change the registration records to~~  
 29 ~~show the new address and must send the voter a notice of the~~  
 30 ~~change by forwardable mail, including a postage prepaid~~  
 31 ~~preaddressed return form with which the voter may verify or~~

1 ~~correct the address information.~~

2 ~~(b) The voter has moved outside the supervisor's~~  
 3 ~~county, or contains no forwarding address, the supervisor~~  
 4 ~~shall send an address confirmation final notice and remove the~~  
 5 ~~name of the voter from the registration record if that voter~~  
 6 ~~did not.~~

- 7 ~~1. Return the postage prepaid preaddressed return~~  
 8 ~~form;~~  
 9 ~~2. Appear to vote;~~  
 10 ~~3. Change the voter's registration; or~~  
 11 ~~4. Request an absentee ballot~~

12  
 13 ~~during the period beginning on the date when the address~~  
 14 ~~confirmation final notice was sent and ending on the day after~~  
 15 ~~the date of the second general election thereafter.~~

16 ~~(5) The supervisor must designate as inactive all~~  
 17 ~~voters who have been sent an address confirmation final notice~~  
 18 ~~and who have not returned the postage prepaid preaddressed~~  
 19 ~~return form within 30 days. A voter on the inactive list must~~  
 20 ~~be allowed to vote and to change the voter's name or address~~  
 21 ~~of legal residence at the polls pursuant to s. 101.045. Names~~  
 22 ~~on the inactive list may not be used to calculate the number~~  
 23 ~~of signatures needed on any petition or the quantity of voting~~  
 24 ~~equipment needed.~~

25 Section 20. Section 98.075, Florida Statutes, is  
 26 amended to read:

27 (Substantial rewording of section. See  
 28 s. 98.075, F.S., for present text.)

29 98.075 Registration records maintenance activities;  
 30 ineligibility determinations.--

31 (1) MAINTENANCE OF RECORDS.--The department shall

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1 protect the integrity of the electoral process by ensuring the  
2 maintenance of accurate and current voter registration  
3 records. List maintenance activities must be uniform,  
4 nondiscriminatory, and in compliance with the Voting Rights  
5 Act of 1965, the National Voter Registration Act of 1993, and  
6 the Help America Vote Act of 2002. The department may adopt by  
7 rule uniform standards and procedures to interpret and  
8 administer this section.

9       (2) DUPLICATE REGISTRATION.--The department shall  
10 identify those voters who are registered more than once or  
11 those applicants whose registration applications would result  
12 in duplicate registrations. The most recent application shall  
13 be deemed an update to the voter registration record.

14       (3) DECEASED PERSONS.--The department shall identify  
15 those registered voters who are deceased by comparing  
16 information on the lists of deceased persons received from the  
17 Department of Health as provided in s. 98.093. Upon receipt of  
18 such information through the statewide voter registration  
19 system, the supervisor shall remove the name of the registered  
20 voter.

21       (4) ADJUDICATION OF MENTAL INCAPACITY.--The department  
22 shall identify those registered voters who have been  
23 adjudicated mentally incapacitated with respect to voting and  
24 who have not had their voting rights restored by comparing  
25 information received from the clerk of the circuit court as  
26 provided in s. 98.093. The department shall review such  
27 information and make an initial determination as to whether  
28 the information is credible and reliable. If the department  
29 determines that the information is credible and reliable, the  
30 department shall notify the supervisor and provide a copy of  
31 the supporting documentation indicating the potential

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1 ineligibility of the voter to be registered. Upon receipt of  
2 the notice that the department has made a determination of  
3 initial credibility and reliability, the supervisor shall  
4 adhere to the procedures set forth in subsection (7) prior to  
5 the removal of a registered voter from the statewide voter  
6 registration system.

7 (5) FELONY CONVICTION.--The department shall identify  
8 those registered voters who have been convicted of a felony  
9 and whose rights have not been restored by comparing  
10 information received from, but not limited to, a clerk of the  
11 circuit court, the Board of Executive Clemency, the Department  
12 of Corrections, the Department of Law Enforcement, or a United  
13 States Attorney's Office, as provided in s. 98.093. The  
14 department shall review such information and make an initial  
15 determination as to whether the information is credible and  
16 reliable. If the department determines that the information is  
17 credible and reliable, the department shall notify the  
18 supervisor and provide a copy of the supporting documentation  
19 indicating the potential ineligibility of the voter to be  
20 registered. Upon receipt of the notice that the department has  
21 made a determination of initial credibility and reliability,  
22 the supervisor shall adhere to the procedures set forth in  
23 subsection (7) prior to the removal of a registered voter's  
24 name from the statewide voter registration system.

25 (6) OTHER BASES FOR INELIGIBILITY.--If the department  
26 or supervisor receives information other than from the sources  
27 identified in subsections (2)-(5) that a registered voter does  
28 not meet the age requirement pursuant to s. 97.041, is not a  
29 United States citizen, is a fictitious person, or has listed a  
30 residence that is not his or her legal residence, the  
31 supervisor shall adhere to the procedures set forth in

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1 subsection (7) prior to the removal of a registered voter's  
2 name from the statewide voter registration system.

3 (7) PROCEDURES FOR REMOVAL.--

4 (a) If the supervisor receives notice or information  
5 pursuant to subsections (4)-(6), the supervisor of the county  
6 in which the voter is registered shall:

7 1. Notify the registered voter of his or her potential  
8 ineligibility by mail within 7 days after receipt of notice or  
9 information. The notice shall include:

10 a. A statement of the basis for the registered voter's  
11 potential ineligibility and a copy of any documentation upon  
12 which the potential ineligibility is based.

13 b. A statement that failure to respond within 30 days  
14 after receipt of the notice may result in a determination of  
15 ineligibility and in removal of the registered voter's name  
16 from the statewide voter registration system.

17 c. A return form that requires the registered voter to  
18 admit or deny the accuracy of the information underlying the  
19 potential ineligibility for purposes of a final determination  
20 by the supervisor.

21 d. A statement that, if the voter is denying the  
22 accuracy of the information underlying the potential  
23 ineligibility, the voter has a right to request a hearing for  
24 the purpose of determining eligibility.

25 e. Instructions for the registered voter to contact  
26 the supervisor of elections of the county in which the voter  
27 is registered if assistance is needed in resolving the matter.

28 f. Instructions for seeking restoration of civil  
29 rights following a felony conviction, if applicable.

30 2. If the mailed notice is returned as undeliverable,  
31 the supervisor shall publish notice once in a newspaper of

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1 general circulation in the county in which the voter was last  
2 registered. The notice shall contain the following:

3       a. The voter's name and address.  
4       b. A statement that the voter is potentially  
5 ineligible to be registered to vote.

6       c. A statement that failure to respond within 30 days  
7 after the notice is published may result in a determination of  
8 ineligibility by the supervisor and removal of the registered  
9 voter's name from the statewide voter registration system.

10       d. An instruction for the voter to contact the  
11 supervisor no later than 30 days after the date of the  
12 published notice to receive information regarding the basis  
13 for the potential ineligibility and the procedure to resolve  
14 the matter.

15       e. An instruction to the voter that, if further  
16 assistance is needed, the voter should contact the supervisor  
17 of elections of the county in which the voter is registered.

18       3. If a registered voter fails to respond to a notice  
19 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
20 shall make a final determination of the voter's eligibility.  
21 If the supervisor determines that the voter is ineligible, the  
22 supervisor shall remove the name of the registered voter from  
23 the statewide voter registration system. The supervisor shall  
24 notify the registered voter of the supervisor's determination  
25 and action.

26       4. If a registered voter responds to the notice  
27 pursuant to subparagraph 1. or subparagraph 2. and admits the  
28 accuracy of the information underlying the potential  
29 ineligibility, the supervisor shall make a final determination  
30 of ineligibility and shall remove the voter's name from the  
31 statewide voter registration system. The supervisor shall

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1 notify the registered voter of the supervisor's determination  
2 and action.

3 5. If a registered voter responds to the notice issued  
4 pursuant to subparagraph 1. or subparagraph 2. and denies the  
5 accuracy of the information underlying the potential  
6 ineligibility but does not request a hearing, the supervisor  
7 shall review the evidence and make a final determination of  
8 eligibility. If such registered voter requests a hearing, the  
9 supervisor shall send notice to the registered voter to attend  
10 a hearing at a time and place specified in the notice. Upon  
11 hearing all evidence presented at the hearing, the supervisor  
12 shall make a determination of eligibility. If the supervisor  
13 determines that the registered voter is ineligible, the  
14 supervisor shall remove the voter's name from the statewide  
15 voter registration system and notify the registered voter of  
16 the supervisor's determination and action.

17 (b) The following shall apply to this subsection:

18 1. All determinations of eligibility shall be based on  
19 a preponderance of the evidence.

20 2. All proceedings are exempt from the provisions of  
21 chapter 120.

22 3. Any notice shall be sent to the registered voter by  
23 certified mail, return receipt requested, or other means that  
24 provides a verification of receipt or shall be published in a  
25 newspaper of general circulation where the voter was last  
26 registered, whichever is applicable.

27 4. The supervisor shall remove the name of any  
28 registered voter from the statewide voter registration system  
29 only after the supervisor makes a final determination that the  
30 voter is ineligible to vote.

31 5. Any voter whose name has been removed from the

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1 statewide voter registration system pursuant to a  
2 determination of ineligibility may appeal that determination  
3 under the provisions of s. 98.0755.

4 6. Any voter whose name was removed from the statewide  
5 voter registration system on the basis of a determination of  
6 ineligibility who subsequently becomes eligible to vote must  
7 reregister in order to have his or her name restored to the  
8 statewide voter registration system.

9 (8) CERTIFICATION.--

10 (a) No later than July 31 and January 31 of each year,  
11 the supervisor shall certify to the department the activities  
12 conducted pursuant to this section during the first 6 months  
13 and the second 6 months of the year, respectively. The  
14 certification shall include the number of persons to whom  
15 notices were sent pursuant to subsection (7), the number of  
16 persons who responded to the notices, the number of notices  
17 returned as undeliverable, the number of notices published in  
18 the newspaper, the number of hearings conducted, and the  
19 number of persons removed from the statewide voter  
20 registration systems and the reasons for such removals.

21 (b) If, based on the certification provided pursuant  
22 to paragraph (a), the department determines that a supervisor  
23 has not satisfied the requirements of this section, the  
24 department shall satisfy the appropriate requirements for that  
25 county. Failure to satisfy the requirements of this section  
26 shall constitute a violation of s. 104.051.

27 Section 21. Section 98.0755, Florida Statutes, is  
28 created to read:

29 98.0755 Appeal of determination of  
30 ineligibility.--Appeal of the supervisor's determination of  
31 ineligibility pursuant to s. 98.075(7) may be taken to the

1 circuit court in and for the county where the person was  
 2 registered. Notice of appeal must be filed within the time and  
 3 in the manner provided by the Florida Rules of Appellate  
 4 Procedure and acts as supersedeas. Trial in the circuit court  
 5 is de novo and governed by the rules of that court. Unless the  
 6 person can show that his or her name was erroneously or  
 7 illegally removed from the statewide voter registration  
 8 system, or that he or she is indigent, the person must bear  
 9 the costs of the trial in the circuit court. Otherwise, the  
 10 cost of the appeal must be paid by the supervisor of  
 11 elections.

12 Section 22. Section 98.077, Florida Statutes, is  
 13 amended to read:

14 98.077 Update of voter signature.--

15 (1) A registered voter may update his or her signature  
 16 on file in the statewide voter registration system at any time  
 17 using a voter registration application submitted to a voter  
 18 registration official.

19 (2) The department and supervisors supervisor of  
 20 elections shall include in any correspondence, other than  
 21 postcard notifications and notices relating to eligibility,  
 22 sent to a provide to each registered voter information  
 23 regarding of the county the opportunity to update his or her  
 24 signature on file at the supervisor's office by providing  
 25 notification of the ability to do so in any correspondence,  
 26 other than postcard notifications, sent to the voter. The  
 27 notice shall advise when, where, and how to update the voter's  
 28 signature and shall provide the voter information on how to  
 29 obtain a voter registration application form from a voter  
 30 registration official which the supervisor that can be  
 31 returned to update the signature.

1           (3) ~~In addition,~~ At least once during each general  
 2 election year, the supervisor shall publish in a newspaper of  
 3 general circulation or other newspaper in the county deemed  
 4 appropriate by the supervisor a notice specifying when, where,  
 5 or how a voter can update his or her signature that is on file  
 6 and or how a voter can obtain a voter registration application  
 7 ~~form~~ from a voter registration official ~~the supervisor~~ to do  
 8 so.

9           (4) All signature updates for use in verifying  
 10 absentee and provisional ballots must be received by the  
 11 appropriate supervisor of elections no later than the start of  
 12 the canvassing of absentee ballots by the canvassing board.  
 13 The signature on file at the start of the canvass of the  
 14 absentees is the signature that shall be used in verifying the  
 15 signature on the absentee and provisional ballot certificates.

16           Section 23. Section 98.081, Florida Statutes, is  
 17 amended to read:

18           98.081 Names removed from the statewide voter  
 19 registration system books; restrictions on reregistering;  
 20 recordkeeping; restoration of erroneously or illegally removed  
 21 names.--

22           (1) Any person who requested that his or her name be  
 23 removed from the statewide voter registration system books  
 24 between the book-closing date of the first primary and the  
 25 date of the second primary may not register in a different  
 26 political party until after the date of the second primary  
 27 election.

28           (2) When the name of any elector is removed from the  
 29 statewide voter registration system books pursuant to s.  
 30 98.065 ~~or~~, s. 98.075, ~~or s. 98.093~~, the elector's original  
 31 registration application form shall be retained by the

1 supervisor of elections having custody of the application  
2 ~~filed alphabetically in the office of the supervisor.~~ As  
3 alternatives, registrations removed from the statewide voter  
4 registration system books may be microfilmed and such  
5 microfilms substituted for the original registration  
6 applications forms; or, when voter registration information,  
7 including the voter's signature, is maintained digitally or on  
8 electronic, magnetic, or optic media, such stored information  
9 may be substituted for the original registration application  
10 ~~form~~. Such microfilms or stored information shall be retained  
11 by the supervisor of elections having in the custody of the  
12 ~~supervisor~~. In the event the original registration  
13 applications forms are microfilmed or maintained digitally or  
14 on electronic or other media, such originals may be destroyed  
15 in accordance with the schedule approved by the Bureau of  
16 Archives and Records Management of the Division of Library and  
17 Information Services of the department.

18 (3) When the name of any elector has been erroneously  
19 or illegally removed from the statewide voter registration  
20 system books, the name of the elector shall be restored by a  
21 voter registration official ~~the supervisor~~ upon satisfactory  
22 proof, even though the registration period for that election  
23 is closed.

24 Section 24. Section 98.093, Florida Statutes, is  
25 amended to read:

26 98.093 Duty of officials to furnish lists of deceased  
27 persons, persons adjudicated mentally incapacitated, and  
28 persons convicted of a felony.--

29 (1) In order to ensure the maintenance of accurate and  
30 current voter registration records, it is necessary for the  
31 department to receive certain information from state and

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1 federal officials and entities. The department and supervisors  
2 of elections shall use the information provided from the  
3 sources in subsection (2) to maintain the voter registration  
4 records.

5 (2) To the maximum extent feasible, state and local  
6 government agencies shall facilitate provision of information  
7 and access to data to the department, including, but not  
8 limited to, databases that contain reliable criminal records  
9 and records of deceased persons. State and local government  
10 agencies that provide such data shall do so without charge if  
11 the direct cost incurred by those agencies is not significant.

12 (a) The Department of Health shall furnish monthly to  
13 the department ~~each supervisor of elections~~ a list containing  
14 the name, address, date of birth, ~~date of death, social~~  
15 security number, race, and sex of each deceased person 17  
16 years of age or older ~~who was a resident of such supervisor's~~  
17 county.

18 (b) ~~(2)~~ Each clerk of the circuit court shall furnish  
19 monthly to the department, at least once each month, deliver  
20 to each supervisor of elections a list of those persons who  
21 have been adjudicated mentally incapacitated with respect to  
22 voting during the preceding calendar month, a list of those  
23 persons whose mental capacity with respect to voting has been  
24 restored during the preceding calendar month, and a list of  
25 those persons who have returned signed jury notices during the  
26 preceding months to the clerk of the circuit court indicating  
27 a change of address. Each list shall include ~~stating~~ the name,  
28 address, date of birth, race, ~~and~~ sex, and, whichever is  
29 available, the Florida driver's license number, Florida  
30 identification card number, or social security number of each  
31 such person ~~convicted of a felony during the preceding~~

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1 ~~calendar month who was a resident of that supervisor's county,~~  
2 ~~a list stating the name, address, date of birth, race, and sex~~  
3 ~~of each person adjudicated mentally incapacitated with respect~~  
4 ~~to voting during the preceding calendar month who was a~~  
5 ~~resident of that supervisor's county, and a list stating the~~  
6 ~~name, address, date of birth, race, and sex of each person~~  
7 ~~whose mental capacity with respect to voting has been restored~~  
8 ~~who was a resident of that supervisor's county.~~

9       (c) ~~(3)~~ Upon receipt of information from the United  
10 States Attorney, listing persons convicted of a felony in  
11 federal court, the department shall use such information to  
12 identify registered voters or applicants for voter  
13 registration who may be potentially ineligible based on  
14 information provided in accordance with s. 98.075 immediately  
15 forward such information to the supervisor of elections for  
16 the county where the offender resides.

17       (d) The Department of Law Enforcement shall furnish  
18 monthly to the department a list of those persons who have  
19 been convicted of a felony in the preceding month or any  
20 updates to prior records which have occurred in the preceding  
21 month. The list shall contain the name, address, date of  
22 birth, race, sex, date of conviction, county of conviction,  
23 and social security number and a unique identifier of each  
24 conviction of each person.

25       (e) The Board of Executive Clemency shall furnish  
26 monthly to the department a list of those persons granted  
27 clemency in the preceding month or any updates to prior  
28 records which have occurred in the preceding month. The list  
29 shall contain the Board of Executive Clemency case number,  
30 name, address, date of birth, race, sex, social security  
31 number, if available, and references to record identifiers

1 assigned by the Department of Corrections, a unique identifier  
2 of each clemency case, and the effective date of clemency of  
3 each person.

4 (f) The Department of Corrections shall furnish  
5 monthly to the department a list of those persons transferred  
6 to the Department of Corrections in the preceding month or any  
7 updates to prior records which have occurred in the preceding  
8 month. The list shall contain the name, address, date of  
9 birth, race, sex, social security number, Department of  
10 Corrections record identification number, and associated  
11 Department of Law Enforcement felony conviction record number  
12 of each person.

13 (g) The Department of Highway Safety and Motor  
14 Vehicles shall furnish monthly to the department a list of  
15 those persons whose names have been removed from the driver's  
16 license database because they have been licensed in another  
17 state. The list shall contain the name, address, date of  
18 birth, sex, social security number, and driver's license  
19 number of each such person.

20 ~~(4) Upon receipt of any such list, the supervisor~~  
21 ~~shall remove from the registration books the name of any~~  
22 ~~person listed who is deceased, convicted of a felony, or~~  
23 ~~adjudicated mentally incapacitated with respect to voting. A~~  
24 ~~person who has had his or her mental capacity with respect to~~  
25 ~~voting restored or who has had his or her right to vote~~  
26 ~~restored after conviction of a felony shall be required to~~  
27 ~~reregister to have his or her name restored to the~~  
28 ~~registration books.~~

29 ~~(3)~~ ~~(5)~~ Nothing in this section shall limit or restrict  
30 the supervisor in his or her duty to remove the names of ~~such~~  
31 persons from the statewide voter registration system pursuant

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1 to s. 98.075(7) based upon ~~books after verification of~~  
2 information received from other sources.

3 Section 25. Section 98.212, Florida Statutes, is  
4 amended to read:

5 98.212 Department and supervisors to furnish  
6 statistical and other information.--

7 (1) (a) Upon written request, the department and any  
8 supervisor of the respective counties ~~supervisors~~ shall, as  
9 promptly as possible, furnish to recognized public or private  
10 universities and senior colleges within the state, to state or  
11 county governmental agencies, and to recognized political  
12 party committees statistical information for the purpose of  
13 analyzing election returns and results.

14 (b) The department and any supervisor ~~Supervisors~~ may  
15 require reimbursement for any part or all of the actual  
16 expenses of supplying any information requested under  
17 paragraph (a). For the purposes of this subsection, the  
18 department and supervisors may use the services of any  
19 research and statistical personnel that may be supplied.

20 (c) Lists of names submitted to the department and any  
21 supervisor of the respective counties ~~supervisors~~ for  
22 indication of registration or nonregistration or of party  
23 affiliation shall be processed at any time at cost, except  
24 that in no case shall the charge exceed 10 cents for each name  
25 on which the information is furnished.

26 (2) The supervisors shall provide information as  
27 requested by the department for program evaluation and  
28 reporting to the ~~Federal~~ Election Assistance Commission  
29 pursuant to federal law ~~the National Voter Registration Act of~~  
30 ~~1993~~.

31 Section 26. Section 98.461, Florida Statutes, is

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1 amended to read:

2           98.461 Registration application form, precinct  
3 register; contents.--

4           (1) A registration application form, approved by the  
5 Department of State, containing the information required in s.  
6 97.052 shall be retained by the supervisor of elections of the  
7 county of the applicant's registration ~~filed alphabetically in~~  
8 ~~the office of the supervisor as the master list of electors of~~  
9 ~~the county~~. However, the registration application forms may be  
10 microfilmed and such microfilm ~~microfilms~~ substituted for the  
11 original registration application forms; or, when voter  
12 registration information, including the voter's signature, is  
13 maintained digitally or on electronic, magnetic, or optic  
14 media, such stored information may be substituted for the  
15 original registration application form. Such microfilms or  
16 stored information shall be retained in the custody of the  
17 supervisor of elections of the county of the applicant's  
18 registration. In the event the original registration  
19 applications forms are microfilmed or maintained digitally or  
20 on electronic or other media, such originals may be destroyed  
21 in accordance with the schedule approved by the Bureau of  
22 Archives and Records Management of the Division of Library and  
23 Information Services of the Department of State. ~~As an~~  
24 ~~alternative, the information from the registration form,~~  
25 ~~including the signature, may be electronically reproduced and~~  
26 ~~stored as provided in s. 98.451.~~

27           (2) A computer printout or electronic database shall  
28 be used at the polls as a precinct register ~~in lieu of the~~  
29 ~~registration books~~. The precinct register shall contain the  
30 date of the election, the precinct number, and the following  
31 information concerning each registered elector: last name,

1 first name, ~~and~~ middle name or initial, and suffix; party  
 2 affiliation; residence address; registration number; date of  
 3 birth; sex, if provided; race, if provided; whether the voter  
 4 needs assistance in voting; and such other additional  
 5 information as to readily identify the elector. The precinct  
 6 register shall also contain a space for the elector's  
 7 signature and a space for the initials of the witnessing clerk  
 8 or inspector or an electronic device may be provided for this  
 9 purpose.

10 Section 27. Effective January 1, 2007, section  
 11 100.371, Florida Statutes, as amended by section 9 of chapter  
 12 2002-281, Laws of Florida, is amended to read:

13 100.371 Initiatives; procedure for placement on  
 14 ballot.--

15 (1) Constitutional amendments proposed by initiative  
 16 shall be placed on the ballot for the general election  
 17 provided the initiative has been filed with occurring in  
 18 ~~excess of 90 days from the certification of ballot position by~~  
 19 ~~the Secretary of State~~ no later than February 1 of the year  
 20 the general election is held. A petition shall be deemed to be  
 21 filed with the Secretary of State upon the date the secretary  
 22 determines that the petition has been signed by the  
 23 constitutionally required number of electors.

24 ~~(2) Such certification shall be issued when the~~  
 25 ~~Secretary of State has received verification certificates from~~  
 26 ~~the supervisors of elections indicating that the requisite~~  
 27 ~~number and distribution of valid signatures of electors have~~  
 28 ~~been submitted to and verified by the supervisors. Every~~  
 29 ~~signature shall be dated when made and shall be valid for a~~  
 30 ~~period of 4 years following such date, provided all other~~  
 31 ~~requirements of law are complied with.~~

1        ~~(2)(3)~~ The sponsor of an initiative amendment shall,  
 2 prior to obtaining any signatures, register as a political  
 3 committee pursuant to s. 106.03 and submit the text of the  
 4 proposed amendment to the Secretary of State, with the form on  
 5 which the signatures will be affixed, and shall obtain the  
 6 approval of the Secretary of State of such form. The Secretary  
 7 of State shall adopt rules pursuant to s. 120.54 prescribing  
 8 the style and requirements of such form. Upon filing with the  
 9 Secretary of State, the text of the proposed amendment and all  
 10 forms filed in connection with this section must, upon  
 11 request, be made available in alternative formats.

12        ~~(3)(4)~~ Each signature shall be dated when made and  
 13 shall be valid for a period of 4 years following such date,  
 14 provided all other requirements of law are met. The sponsor  
 15 shall submit signed and dated forms to the appropriate  
 16 supervisor of elections for verification as to the number of  
 17 registered electors whose valid signatures appear thereon. The  
 18 supervisor shall promptly verify the signatures upon payment  
 19 of the fee required by s. 99.097. The supervisor shall  
 20 promptly record each valid signature in the statewide voter  
 21 registration system in the manner prescribed by the Secretary  
 22 of State. ~~Upon completion of verification, the supervisor~~  
 23 ~~shall execute a certificate indicating the total number of~~  
 24 ~~signatures checked, the number of signatures verified as valid~~  
 25 ~~and as being of registered electors, and the distribution by~~  
 26 ~~congressional district. This certificate shall be immediately~~  
 27 ~~transmitted to the Secretary of State.~~ The supervisor shall  
 28 retain the signature forms for at least 1 year following the  
 29 election in which the issue appeared on the ballot or until  
 30 the Division of Elections notifies the supervisors of  
 31 elections that the committee which circulated the petition is

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1 no longer seeking to obtain ballot position.

2       ~~(4)(5)~~ The Secretary of State shall determine from the  
3 signatures verified by the ~~verification certificates received~~  
4 ~~from~~ supervisors of elections and recorded in the statewide  
5 voter registration system the total number of verified valid  
6 signatures and the distribution of such signatures by  
7 congressional districts. Upon a determination that the  
8 requisite number and distribution of valid signatures have  
9 been obtained, the secretary shall issue a certificate of  
10 ballot position for that proposed amendment and shall assign a  
11 designating number pursuant to s. 101.161. ~~A petition shall be~~  
12 ~~deemed to be filed with the Secretary of State upon the date~~  
13 ~~of the receipt by the secretary of a certificate or~~  
14 ~~certificates from supervisors of elections indicating the~~  
15 ~~petition has been signed by the constitutionally required~~  
16 ~~number of electors.~~

17       ~~(5)(6)~~(a) Within 45 days after receipt of a proposed  
18 revision or amendment to the State Constitution by initiative  
19 petition from the Secretary of State ~~or, within 30 days after~~  
20 ~~such receipt if receipt occurs 120 days or less before the~~  
21 ~~election at which the question of ratifying the amendment will~~  
22 ~~be presented~~, the Financial Impact Estimating Conference shall  
23 complete an analysis and financial impact statement to be  
24 placed on the ballot of the estimated increase or decrease in  
25 any revenues or costs to state or local governments resulting  
26 from the proposed initiative. The Financial Impact Estimating  
27 Conference shall submit the financial impact statement to the  
28 Attorney General and Secretary of State.

29       (b)1. The Financial Impact Estimating Conference shall  
30 provide an opportunity for any proponents or opponents of the  
31 initiative to submit information and may solicit information

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1 or analysis from any other entities or agencies, including the  
2 Office of Economic and Demographic Research. All meetings of  
3 the Financial Impact Estimating Conference shall be open to  
4 the public as provided in chapter 286.

5           2. The Financial Impact Estimating Conference is  
6 established to review, analyze, and estimate the financial  
7 impact of amendments to or revisions of the State Constitution  
8 proposed by initiative. The Financial Impact Estimating  
9 Conference shall consist of four principals: one person from  
10 the Executive Office of the Governor; the coordinator of the  
11 Office of Economic and Demographic Research, or his or her  
12 designee; one person from the professional staff of the  
13 Senate; and one person from the professional staff of the  
14 House of Representatives. Each principal shall have  
15 appropriate fiscal expertise in the subject matter of the  
16 initiative. A Financial Impact Estimating Conference may be  
17 appointed for each initiative.

18           3. Principals of the Financial Impact Estimating  
19 Conference shall reach a consensus or majority concurrence on  
20 a clear and unambiguous financial impact statement, no more  
21 than 75 words in length, and immediately submit the statement  
22 to the Attorney General. Nothing in this subsection prohibits  
23 the Financial Impact Estimating Conference from setting forth  
24 a range of potential impacts in the financial impact  
25 statement. Any financial impact statement that a court finds  
26 not to be in accordance with this section shall be remanded  
27 solely to the Financial Impact Estimating Conference for  
28 redrafting. The Financial Impact Estimating Conference shall  
29 redraft the financial impact statement within 15 days.

30           4. If the members of the Financial Impact Estimating  
31 Conference are unable to agree on the statement required by

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1 this subsection, or if the Supreme Court has rejected the  
2 initial submission by the Financial Impact Estimating  
3 Conference and no redraft has been approved by the Supreme  
4 Court by 5 p.m. on the 75th day before the election, the  
5 following statement shall appear on the ballot pursuant to s.  
6 101.161(1): "The financial impact of this measure, if any,  
7 cannot be reasonably determined at this time."

8 (c) The financial impact statement must be separately  
9 contained and be set forth after the ballot summary as  
10 required in s. 101.161(1).

11 (d)1. Any financial impact statement that the Supreme  
12 Court finds not to be in accordance with this subsection shall  
13 be remanded solely to the Financial Impact Estimating  
14 Conference for redrafting, provided the court's advisory  
15 opinion is rendered at least 75 days before the election at  
16 which the question of ratifying the amendment will be  
17 presented. The Financial Impact Estimating Conference shall  
18 prepare and adopt a revised financial impact statement no  
19 later than 5 p.m. on the 15th day after the date of the  
20 court's opinion.

21 2. If, by 5 p.m. on the 75th day before the election,  
22 the Supreme Court has not issued an advisory opinion on the  
23 initial financial impact statement prepared by the Financial  
24 Impact Estimating Conference for an initiative amendment that  
25 otherwise meets the legal requirements for ballot placement,  
26 the financial impact statement shall be deemed approved for  
27 placement on the ballot.

28 3. In addition to the financial impact statement  
29 required by this subsection, the Financial Impact Estimating  
30 Conference shall draft an initiative financial information  
31 statement. The initiative financial information statement

1 should describe in greater detail than the financial impact  
 2 statement any projected increase or decrease in revenues or  
 3 costs that the state or local governments would likely  
 4 experience if the ballot measure were approved. If  
 5 appropriate, the initiative financial information statement  
 6 may include both estimated dollar amounts and a description  
 7 placing the estimated dollar amounts into context. The  
 8 initiative financial information statement must include both a  
 9 summary of not more than 500 words and additional detailed  
 10 information that includes the assumptions that were made to  
 11 develop the financial impacts, workpapers, and any other  
 12 information deemed relevant by the Financial Impact Estimating  
 13 Conference.

14           4. The Department of State shall have printed, and  
 15 shall furnish to each supervisor of elections, a copy of the  
 16 summary from the initiative financial information statements.  
 17 The supervisors shall have the summary from the initiative  
 18 financial information statements available at each polling  
 19 place and at the main office of the supervisor of elections  
 20 upon request.

21           5. The Secretary of State and the Office of Economic  
 22 and Demographic Research shall make available on the Internet  
 23 each initiative financial information statement in its  
 24 entirety. In addition, each supervisor of elections whose  
 25 office has a website shall post the summary from each  
 26 initiative financial information statement on the website.  
 27 Each supervisor shall include the Internet addresses for the  
 28 information statements on the Secretary of State's and the  
 29 Office of Economic and Demographic Research's websites in the  
 30 publication or mailing required by s. 101.20.

31           ~~(6)-(7)~~ The Department of State may adopt rules in

1 accordance with s. 120.54 to carry out the provisions of  
2 subsections (1) - (5) ~~(1) - (6)~~.

3 Section 28. Subsections (1) and (3) of section  
4 101.043, Florida Statutes, are amended to read:

5 101.043 Identification required at polls.--

6 (1) The precinct register, as prescribed in s. 98.461,  
7 shall be used at the polls ~~in lieu of the registration books~~  
8 for the purpose of identifying the elector at the polls prior  
9 to allowing him or her to vote. The clerk or inspector shall  
10 require each elector, upon entering the polling place, to  
11 present one of the following a current and valid picture  
12 identifications:

13 (a) Florida driver's license.

14 (b) Florida identification card issued by the  
15 Department of Highway Safety and Motor Vehicles.

16 (c) United States passport.

17 (d) Employee badge or identification.

18 (e) Buyer's club identification.

19 (f) Debit or credit card.

20 (g) Military identification.

21 (h) Student identification.

22 (i) Retirement center identification.

23 (j) Neighborhood association identification.

24 (k) Entertainment identification.

25 (l) Public assistance identification ~~as provided in s.~~  
26 ~~97.0535(3)(a).~~

27  
28 If the picture identification does not contain the signature  
29 of the voter, an additional identification that provides the  
30 voter's signature shall be required. The elector shall sign  
31 his or her name in the space provided on the precinct register

1 or on an electronic device provided for recording the voter's  
 2 signature., ~~and~~ The clerk or inspector shall compare the  
 3 signature with that on the identification provided by the  
 4 elector and enter his or her initials in the space provided on  
 5 the precinct register or on an electronic device provided for  
 6 that purpose and allow the elector to vote if the clerk or  
 7 inspector is satisfied as to the identity of the elector.

8 (3) If the elector who fails to furnish the required  
 9 identification is an elector subject to s. 97.0535 ~~a~~  
 10 ~~first-time voter who registered by mail~~ and has not provided  
 11 the required identification to a voter registration official  
 12 ~~the supervisor of elections~~ prior to election day, the elector  
 13 shall be allowed to vote a provisional ballot. The canvassing  
 14 board shall determine the validity of the ballot pursuant to  
 15 s. 101.048(2).

16 Section 29. Subsections (2) and (3) of section  
 17 101.045, Florida Statutes, are amended to read:

18 101.045 Electors must be registered in precinct;  
 19 provisions for residence or name change.--

20 (2) (a) An elector who moves from the precinct ~~within~~  
 21 ~~the county~~ in which the elector is registered may be permitted  
 22 to vote in the precinct to which he or she has moved his or  
 23 her legal residence, provided such elector completes an  
 24 affirmation in substantially the following form:

25 Change of Legal Residence of Registered  
 26 Voter

27  
 28 Under penalties for false swearing, I, (Name of voter) ,  
 29 swear (or affirm) that the former address of my legal  
 30 residence was (Address of legal residence) in the  
 31 municipality of \_\_\_\_\_, in \_\_\_\_\_ County, Florida, and I was

1 registered to vote in the \_\_\_\_\_ precinct of \_\_\_\_\_ County,  
 2 Florida; that I have not voted in the precinct of my former  
 3 registration in this election; that I now reside at (Address  
 4 of legal residence) in the Municipality of \_\_\_\_\_, in \_\_\_\_\_  
 5 County, Florida, and am therefore eligible to vote in the  
 6 \_\_\_\_\_ precinct of \_\_\_\_\_ County, Florida; and I further swear  
 7 (or affirm) that I am otherwise legally registered and  
 8 entitled to vote.

9 (Signature of voter whose address of legal  
 10 residence has changed)

11 (b) An elector whose name changes because of marriage  
 12 or other legal process may be permitted to vote, provided such  
 13 elector completes an affirmation in substantially the  
 14 following form:

15 Change of Name of Registered  
 16 Voter

17  
 18 Under penalties for false swearing, I, (New name of voter) ,  
 19 swear (or affirm) that my name has been changed

20 because of marriage or other legal process. My former name and  
 21 address of legal residence appear on the registration records

22 ~~books~~ of precinct \_\_\_\_\_ as follows:

- 23 Name
- 24 Address
- 25 Municipality
- 26 County
- 27 Florida, Zip

28 My present name and address of legal residence are as follows:

- 29 Name
- 30 Address
- 31 Municipality

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1 County

2 Florida, Zip

3 and I further swear (or affirm) that I am otherwise legally  
4 registered and entitled to vote.

5 (Signature of voter whose name has changed)

6 (c) Such affirmation, when completed and presented at  
7 the precinct in which such elector is entitled to vote, and  
8 upon verification of the elector's registration, shall entitle  
9 such elector to vote as provided in this subsection. If the  
10 elector's eligibility to vote cannot be determined, he or she  
11 shall be entitled to vote a provisional ballot, subject to the  
12 requirements and procedures in s. 101.048. Upon receipt of an  
13 affirmation certifying a change in address of legal residence  
14 or name, the supervisor shall as soon as practicable make the  
15 necessary changes in the statewide voter registration system  
16 ~~records of the county~~ to indicate the change in address of  
17 legal residence or name of such elector.

18 (d) Instead of the affirmation contained in paragraph  
19 (a) or paragraph (b), an elector may complete a voter  
20 registration application that indicates the change of name or  
21 change of address of legal residence.

22 ~~(e) A request for an absentee ballot pursuant to s.~~  
23 ~~101.62 which indicates that the elector has had a change of~~  
24 ~~address of legal residence from that in the supervisor's~~  
25 ~~records shall be sufficient as the notice to the supervisor of~~  
26 ~~change of address of legal residence required by this section.~~  
27 ~~Upon receipt of such request for an absentee ballot from an~~  
28 ~~elector who has changed his or her address of legal residence,~~  
29 ~~the supervisor shall provide the elector with the proper~~  
30 ~~ballot for the precinct in which the elector then has his or~~  
31 ~~her legal residence.~~

1           ~~(3) When an elector's name does not appear on the~~  
2 ~~registration books of the election precinct in which the~~  
3 ~~elector is registered, the elector may have his or her name~~  
4 ~~restored if the supervisor is otherwise satisfied that the~~  
5 ~~elector is validly registered, that the elector's name has~~  
6 ~~been erroneously omitted from the books, and that the elector~~  
7 ~~is entitled to have his or her name restored. The supervisor,~~  
8 ~~if he or she is satisfied as to the elector's previous~~  
9 ~~registration, shall allow such person to vote and shall~~  
10 ~~thereafter issue a duplicate registration identification card.~~

11           Section 30. Subsection (1) of section 101.048, Florida  
12 Statutes, is amended to read:

13           101.048 Provisional ballots.--

14           (1) At all elections, a voter claiming to be properly  
15 registered in the state ~~county~~ and eligible to vote at the  
16 precinct in the election, but whose eligibility cannot be  
17 determined, and other persons specified in the code shall be  
18 entitled to vote a provisional ballot. Once voted, the  
19 provisional ballot shall be placed in a secrecy envelope and  
20 thereafter sealed in a provisional ballot envelope. The  
21 provisional ballot shall be deposited in a ballot box. All  
22 provisional ballots shall remain sealed in their envelopes for  
23 return to the supervisor of elections. The department shall  
24 prescribe the form of the provisional ballot envelope.

25           Section 31. Subsection (1) of section 101.161, Florida  
26 Statutes, is amended to read:

27           101.161 Referenda; ballots.--

28           (1) Whenever a constitutional amendment or other  
29 public measure is submitted to the vote of the people, the  
30 substance of such amendment or other public measure shall be  
31 printed in clear and unambiguous language on the ballot after

1 the list of candidates, followed by the word "yes" and also by  
 2 the word "no," and shall be styled in such a manner that a  
 3 "yes" vote will indicate approval of the proposal and a "no"  
 4 vote will indicate rejection. The wording of the substance of  
 5 the amendment or other public measure and the ballot title to  
 6 appear on the ballot shall be embodied in the joint  
 7 resolution, constitutional revision commission proposal,  
 8 constitutional convention proposal, taxation and budget reform  
 9 commission proposal, or enabling resolution or ordinance.  
 10 Except for amendments and ballot language proposed by joint  
 11 resolution, the substance of the amendment or other public  
 12 measure shall be an explanatory statement, not exceeding 75  
 13 words in length, of the chief purpose of the measure. In  
 14 addition, for every amendment proposed by initiative, the  
 15 ballot shall include, following the ballot summary, a separate  
 16 financial impact statement concerning the measure prepared by  
 17 the Financial Impact Estimating Conference in accordance with  
 18 s. 100.371(5)(~~6~~). The ballot title shall consist of a caption,  
 19 not exceeding 15 words in length, by which the measure is  
 20 commonly referred to or spoken of.

21 Section 32. Subsection (2) of section 101.56062,  
 22 Florida Statutes, as created by chapter 2002-281, Laws of  
 23 Florida, is amended to read:

24 101.56062 Standards for accessible voting systems.--

25 (2) Such voting system must include at least one  
 26 accessible voter interface device installed in each polling  
 27 place ~~precinct~~ which meets the requirements of this section,  
 28 except for paragraph (1)(d).

29 Section 33. Subsection (1) of section 101.5608,  
 30 Florida Statutes, is amended to read:

31 101.5608 Voting by electronic or electromechanical

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1 method; procedures.--

2 (1) Each elector desiring to vote shall be identified  
3 to the clerk or inspector of the election as a duly qualified  
4 elector of such election and shall sign his or her name on the  
5 ~~in ink or indelible pencil to an identification blank,~~  
6 ~~signature slip, precinct register, or other form or device~~  
7 ~~provided by the supervisor ballot stub on which the ballot~~  
8 ~~serial number may be recorded.~~ The inspector shall compare the  
9 signature with the signature on the identification provided by  
10 the elector. If the inspector is reasonably sure that the  
11 person is entitled to vote, the inspector shall provide the  
12 person with a ballot.

13 Section 34. Effective August 1, 2006, section 101.573,  
14 Florida Statutes, is created to read:

15 101.573 Record of votes by precinct.--

16 (1) Within 75 days after the date of a municipal  
17 election or runoff, whichever occurs later, a presidential  
18 preference primary, or a general election, the supervisor of  
19 elections shall file with the Department of State  
20 precinct-level election results for that election cycle,  
21 including any primary elections. Precinct-level election  
22 results shall record for each precinct the returns of ballots  
23 cast at the precinct location to which have been added the  
24 returns of absentee and early ballots cast by voters  
25 registered in the precinct.

26 (2) The Department of State shall adopt rules pursuant  
27 to ss. 120.536(1) and 120.54 prescribing the form by which  
28 supervisors of elections shall submit election results for  
29 each precinct.

30 Section 35. Paragraph (a) of subsection (4) of section  
31 101.62, Florida Statutes, is amended to read:

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1           101.62 Request for absentee ballots.--

2           (4) (a) To each absent qualified elector overseas who

3 has requested an absentee ballot, the supervisor of elections

4 shall, not fewer than 35 days before the first primary

5 election, mail an absentee ballot. Not fewer than 45 days

6 before the second primary and general election, the supervisor

7 of elections shall mail an advance absentee ballot to those

8 persons requesting ballots for such elections. The advance

9 absentee ballot for the second primary shall be the same as

10 the first primary absentee ballot as to the names of

11 candidates, except that for any offices where there are only

12 two candidates, those offices and all political party

13 executive committee offices shall be omitted. Except as

14 provided in ss. 99.063(4) and 100.371(5)~~(6)~~, the advance

15 absentee ballot for the general election shall be as specified

16 in s. 101.151, except that in the case of candidates of

17 political parties where nominations were not made in the first

18 primary, the names of the candidates placing first and second

19 in the first primary election shall be printed on the advance

20 absentee ballot. The advance absentee ballot or advance

21 absentee ballot information booklet shall be of a different

22 color for each election and also a different color from the

23 absentee ballots for the first primary, second primary, and

24 general election. The supervisor shall mail an advance

25 absentee ballot for the second primary and general election to

26 each qualified absent elector for whom a request is received

27 until the absentee ballots are printed. The supervisor shall

28 enclose with the advance second primary absentee ballot and

29 advance general election absentee ballot an explanation

30 stating that the absentee ballot for the election will be

31 mailed as soon as it is printed; and, if both the advance

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1 absentee ballot and the absentee ballot for the election are  
2 returned in time to be counted, only the absentee ballot will  
3 be counted. The Department of State may prescribe by rule the  
4 requirements for preparing and mailing absentee ballots to  
5 absent qualified electors overseas.

6 Section 36. Subsection (3) is added to section 101.64,  
7 Florida Statutes, to read:

8 101.64 Delivery of absentee ballots; envelopes;  
9 form.--

10 (3) The supervisor shall mark, code, indicate on, or  
11 otherwise track the precinct of the absent elector for each  
12 absentee ballot.

13 Section 37. Paragraph (a) of subsection (1) of section  
14 101.657, Florida Statutes, is amended to read:

15 101.657 Early voting.--

16 (1)(a) The supervisor of elections shall allow an  
17 elector to vote early in the main or branch office of the  
18 supervisor by depositing the voted ballot in a voting device  
19 used by the supervisor to collect or tabulate ballots. The  
20 supervisor shall mark, code, indicate on, or otherwise track  
21 the voter's precinct for each early voted ballot. In order for  
22 a branch office to be used for early voting, it shall be a  
23 full-service facility of the supervisor and shall have been  
24 designated as such at least 1 year prior to the election. The  
25 supervisor may designate any city hall or public library as  
26 early voting sites; however, if so designated, the sites must  
27 be geographically located so as to provide all voters in the  
28 county an equal opportunity to cast a ballot, insofar as is  
29 practicable. The results or tabulation may not be made before  
30 the close of the polls on election day.

31 Section 38. Section 101.663, Florida Statutes, is

1 amended to read:

2           101.663 Electors; change of residence to another  
3 state.--

4           ~~(1) An elector who changes his or her residence to~~  
5 ~~another county in Florida from the county in Florida in which~~  
6 ~~he or she is registered as an elector after the books in the~~  
7 ~~county to which the elector has changed his or her residence~~  
8 ~~are closed for any general, primary, or special election shall~~  
9 ~~be permitted to vote absentee in the county of his or her~~  
10 ~~former residence in that election for President and Vice~~  
11 ~~President, United States Senator, statewide offices, and~~  
12 ~~statewide issues. Such person shall not be permitted to vote~~  
13 ~~in the county of the person's former residence after the~~  
14 ~~general election.~~

15           (2) An elector registered in this state who moves his  
16 or her permanent residence to another state and who is  
17 prohibited by the laws of that state from voting for the  
18 offices of President and Vice President of the United States  
19 shall be permitted to vote absentee in the county of his or  
20 her former residence for those offices.

21           Section 39. Subsection (1) of section 101.6921,  
22 Florida Statutes, is amended to read:

23           101.6921 Delivery of special absentee ballot to  
24 certain first-time voters.--

25           (1) The provisions of this section apply to voters who  
26 are subject to the provisions of s. 97.0535 registered to vote  
27 ~~by mail, who have not previously voted in the county,~~ and who  
28 have not provided the identification or certification required  
29 by s. 97.0535 by the time the absentee ballot is mailed.

30           Section 40. Section 101.6923, Florida Statutes, is  
31 amended to read:

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1           101.6923 Special absentee ballot instructions for  
2 certain first-time voters.--

3           (1) The provisions of this section apply to voters who  
4 are subject to the provisions of s. 97.0535 ~~registered to vote~~  
5 ~~by mail, who have not previously voted in the county,~~ and who  
6 have not provided the identification or information required  
7 by s. 97.0535 by the time the absentee ballot is mailed.

8           (2) A voter covered by this section shall be provided  
9 with ~~the following~~ printed instructions with his or her  
10 absentee ballot in substantially the following form:

11

12           READ THESE INSTRUCTIONS CAREFULLY BEFORE  
13           MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE  
14           INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO  
15           COUNT.

16           1. In order to ensure that your absentee ballot will  
17 be counted, it should be completed and returned as soon as  
18 possible so that it can reach the supervisor of elections of  
19 the county in which your precinct is located no later than 7  
20 p.m. on the date of the election.

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

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

29           4. Place your marked ballot in the enclosed secrecy  
30 envelope and seal the envelope.

31           5. Insert the secrecy envelope into the enclosed

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1 envelope bearing the Voter's Certificate. Seal the envelope  
2 and completely fill out the Voter's Certificate on the back of  
3 the envelope.

4 a. You must sign your name on the line above (Voter's  
5 Signature).

6 b. If you are an overseas voter, you must include the  
7 date you signed the Voter's Certificate on the line above  
8 (Date) or your ballot may not be counted.

9 6. Unless you meet one of the exemptions in Item 7.,  
10 you must make a copy of one of the following forms of  
11 identification:

12 a. Identification which must include your name and  
13 photograph: ~~current and valid Florida driver's license;~~  
14 ~~Florida identification card issued by the Department of~~  
15 ~~Highway Safety and Motor Vehicles;~~ United States passport;  
16 employee badge or identification; buyer's club identification  
17 card; debit or credit card; military identification; student  
18 identification; retirement center identification; neighborhood  
19 association identification; entertainment identification; or  
20 public assistance identification; or

21 b. Identification which shows your name and current  
22 residence address: current utility bill, bank statement,  
23 government check, paycheck, or government document (excluding  
24 voter identification card).

25 7. The identification requirements of Item 6. do not  
26 apply if you meet one of the following requirements:

27 a. You are 65 years of age or older.

28 b. You have a temporary or permanent physical  
29 disability.

30 c. You are a member of a uniformed service on active  
31 duty who, by reason of such active duty, will be absent from

1 the county on election day.

2 d. You are a member of the Merchant Marine who, by  
3 reason of service in the Merchant Marine, will be absent from  
4 the county on election day.

5 e. You are the spouse or dependent of a member  
6 referred to in paragraph c. or paragraph d. who, by reason of  
7 the active duty or service of the member, will be absent from  
8 the county on election day.

9 f. You are currently residing outside the United  
10 States.

11 8. Place the envelope bearing the Voter's Certificate  
12 into the mailing envelope addressed to the supervisor. Insert  
13 a copy of your identification in the mailing envelope. DO NOT  
14 PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE  
15 BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S  
16 CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.

17 9. Mail, deliver, or have delivered the completed  
18 mailing envelope. Be sure there is sufficient postage if  
19 mailed.

20 10. FELONY NOTICE. It is a felony under Florida law to  
21 accept any gift, payment, or gratuity in exchange for your  
22 vote for a candidate. It is also a felony under Florida law to  
23 vote in an election using a false identity or false address,  
24 or under any other circumstances making your ballot false or  
25 fraudulent.

26 Section 41. Subsection (3) of section 102.012, Florida  
27 Statutes, is amended to read:

28 102.012 Inspectors and clerks to conduct elections.--

29 (3) The supervisor shall furnish inspectors of  
30 election for each precinct with the list of registered  
31 electors for that precinct ~~registration books divided~~

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1 ~~alphabetically as will best facilitate the holding of an~~  
2 ~~election.~~ The supervisor shall also furnish to the inspectors  
3 of election at the polling place at each precinct in the  
4 supervisor's county a sufficient number of forms and blanks  
5 for use on election day.

6 Section 42. Subsections (1), (2), and (3) of section  
7 104.013, Florida Statutes, are amended to read:

8 104.013 Unauthorized use, possession, or destruction  
9 of voter information ~~registration identification~~ card.--

10 (1) It is unlawful for any person knowingly to have in  
11 his or her possession any blank, forged, stolen, fictitious,  
12 counterfeit, or unlawfully issued voter information  
13 ~~registration identification~~ card unless possession by such  
14 person has been duly authorized by the supervisor.

15 (2) It is unlawful for any person to barter, trade,  
16 sell, or give away a voter information ~~registration~~  
17 ~~identification~~ card unless said person has been duly  
18 authorized to issue a voter information ~~registration~~  
19 ~~identification~~ card.

20 (3) It is unlawful for any person willfully to destroy  
21 or deface the information ~~registration identification~~ card of  
22 a duly registered voter.

23 Section 43. Section 196.141, Florida Statutes, is  
24 amended to read:

25 196.141 Homestead exemptions; duty of property  
26 appraiser.--

27 ~~(1)~~ The property appraiser shall examine each claim  
28 for exemption filed with or referred to him or her and shall  
29 allow the same, if found to be in accordance with law, by  
30 marking the same approved and by making the proper deductions  
31 on the tax books.

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1           ~~(2) The property appraiser shall examine each~~  
2 ~~referral, of a person registering to vote at an address~~  
3 ~~different from the one where the person has filed for a~~  
4 ~~homestead exemption, which has been provided by a supervisor~~  
5 ~~of elections pursuant to s. 98.015. The property appraiser~~  
6 ~~shall initiate procedures to terminate a person's homestead~~  
7 ~~exemption and assess back taxes, if appropriate, if the person~~  
8 ~~claiming such exemption is not entitled to the exemption under~~  
9 ~~law.~~

10           Section 44. Subsection (4) of section 120.54, Florida  
11 Statutes, is amended to read:

12           120.54 Rulemaking.--

13           (4) EMERGENCY RULES.--

14           (a) If an agency finds that an immediate danger to the  
15 public health, safety, or welfare requires emergency action,  
16 the agency may adopt any rule necessitated by the immediate  
17 danger. The agency may adopt a rule by any procedure which is  
18 fair under the circumstances if:

19           1. The procedure provides at least the procedural  
20 protection given by other statutes, the State Constitution, or  
21 the United States Constitution.

22           2. The agency takes only that action necessary to  
23 protect the public interest under the emergency procedure.

24           3. The agency publishes in writing at the time of, or  
25 prior to, its action the specific facts and reasons for  
26 finding an immediate danger to the public health, safety, or  
27 welfare and its reasons for concluding that the procedure used  
28 is fair under the circumstances. In any event, notice of  
29 emergency rules, other than those of educational units or  
30 units of government with jurisdiction in only one or a part of  
31 one county, including the full text of the rules, shall be

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1 published in the first available issue of the Florida  
2 Administrative Weekly and provided to the committee. The  
3 agency's findings of immediate danger, necessity, and  
4 procedural fairness shall be judicially reviewable.

5 (b) Rules pertaining to the public health, safety, or  
6 welfare shall include rules pertaining to perishable  
7 agricultural commodities or rule pertaining to the  
8 interpretation and implementation of the requirements of  
9 chapters 97 through 102 and 105 of the Election Code which are  
10 filed when not more than 670 days remain before an election as  
11 defined in s. 97.021 or which are filed during the time period  
12 after the election and before certification of the election  
13 pursuant to s. 102.1121 or s. 102.12.

14 (c) An emergency rule adopted under this subsection  
15 shall not be effective for a period longer than 90 days and  
16 shall not be renewable, except during the pendency of a  
17 challenge to proposed rules addressing the subject of the  
18 emergency rule. However, the agency may take identical action  
19 by the rulemaking procedures specified in this chapter.

20 (d) Subject to applicable constitutional and statutory  
21 provisions, an emergency rule becomes effective immediately on  
22 filing, or on a date less than 20 days thereafter if specified  
23 in the rule, if the adopting agency finds that such effective  
24 date is necessary because of immediate danger to the public  
25 health, safety, or welfare.

26 Section 45. Sections 98.055, 98.095, 98.0977, 98.0979,  
27 98.101, 98.181, 98.231, 98.451, 98.481, and 101.635, Florida  
28 Statutes, are repealed.

29 Section 46. Except as otherwise expressly provided in  
30 this act, this act shall take effect January 1, 2006.

31