

1 A bill to be entitled
2 An act relating to elections; amending s. 20.10, F.S.;
3 requiring that the Secretary of State be elected,
4 rather than appointed, and serve a specified term;
5 specifying when such election must occur; amending s.
6 20.32, F.S.; requiring the Florida Commission on
7 Offender Review to develop and maintain a database for
8 a specified purpose; specifying database requirements;
9 requiring specified entities to provide specified
10 information to the commission on a monthly basis;
11 requiring the Department of Management Services,
12 acting through the Florida Digital Service, to provide
13 technical assistance to the commission in developing
14 and maintaining the database; authorizing the
15 Department of Management Services to adopt rules;
16 requiring the commission to make the database publicly
17 available on a website by a specified date; requiring
18 the commission to update the database monthly;
19 requiring the commission to publish certain
20 instructions on the website; requiring the commission
21 to submit a certain comprehensive plan to the Governor
22 and the Legislature by a specified date; specifying
23 requirements for the comprehensive plan; providing
24 that certain persons who register to vote may not be
25 charged with certain violations as a result of such

26 registration or voting; requiring the Division of
27 Elections and the supervisors of elections to complete
28 the necessary steps to reregister individuals under
29 specified conditions; requiring the division and
30 supervisors to send certain mail to individuals under
31 specified conditions; requiring the information in the
32 statewide database to be updated weekly rather than
33 monthly during a specified timeframe; requiring the
34 commission to adopt rules; amending s. 97.021, F.S.;
35 defining terms; revising the definition of the term
36 "election"; providing construction; repealing s.
37 97.022, F.S., relating to the Office of Election
38 Crimes and Security; repealing s. 97.0291, F.S.,
39 relating to prohibiting the use of private funds for
40 election-related expenses; creating s. 97.0556, F.S.;
41 authorizing a person who meets certain requirements to
42 register to vote for the early voting period or
43 election day at an early voting site or his or her
44 polling place and cast a ballot immediately
45 thereafter; amending s. 97.057, F.S.; authorizing the
46 Department of Highway Safety and Motor Vehicles to
47 preregister certain individuals to vote; providing
48 that driver license or identification card
49 applications, driver license or identification card
50 renewal applications, and applications for changes of

51 address for existing driver licenses or identification
52 cards submitted to the department serve as voter
53 registration applications; providing that an applicant
54 is deemed to have consented to the use of his or her
55 signature for voter registration purposes unless a
56 declination is made; requiring that specified
57 applications include a voter registration component,
58 subject to approval by the Department of State;
59 providing requirements for the voter registration
60 component; requiring the Department of Highway Safety
61 and Motor Vehicles to transmit voter registration
62 information electronically to the Department of State
63 within a specified timeframe; requiring the Department
64 of State to provide such information to supervisors of
65 elections; deleting a provision prohibiting persons
66 providing voter registration services for a driver
67 license office from making changes to an applicant's
68 party affiliation without the applicant's consent and
69 separate signature; requiring the Department of
70 Highway Safety and Motor Vehicles to ensure that all
71 registration services comply with state and federal
72 laws; requiring the Department of Highway Safety and
73 Motor Vehicles, as soon as practicable, to notify the
74 Department of State of any change to a driver license
75 number or identification card number; requiring the

76 Department of State to transmit such changes to the
77 appropriate supervisor; requiring such supervisors to
78 update registration records and provide notice by mail
79 of such change to the registrant; prohibiting a change
80 in a driver license or an identification card number
81 from being the sole basis that prevents an otherwise
82 eligible citizen from casting his or her ballot;
83 deleting obsolete language; making technical changes;
84 amending s. 97.0575, F.S.; revising the information a
85 third-party voter registration organization is
86 required to provide to the Division of Elections of
87 the Department of State; deleting a provision that
88 provides for the expiration of such organization's
89 registration at the conclusion of the general election
90 cycle for which the organization is registered;
91 deleting provisions requiring such organizations to
92 provide a specified receipt in a uniform format to
93 applicants; revising the timeframe within which such
94 organizations must deliver completed applications to
95 the division or a supervisor of elections; revising
96 certain penalties; revising the aggregate limit of
97 such penalties; requiring that fines be remitted to
98 specified supervisors of elections; requiring such
99 supervisors to expend monies collected from such fines
100 for specified purposes; deleting criminal and

101 administrative penalties; deleting provisions
102 requiring the division to adopt certain rules;
103 deleting provisions that prohibit providing applicants
104 a pre-filled voter registration application and the
105 specified fine for such action; deleting provisions
106 for retroactive application; creating part III of ch.
107 97, F.S., entitled "Florida Voting Rights Act";
108 creating s. 97.21, F.S.; prohibiting local
109 governments, state agencies, and state officials from
110 implementing, imposing, or enforcing election
111 policies, practices, or actions that result in, will
112 result in, or are intended to result in specified
113 disparities or impairments; providing that it is not a
114 violation if such entities demonstrate, by a specified
115 evidentiary standard, certain conditions; providing
116 that it is always a violation if specified
117 circumstances exist; prohibiting local governments
118 from employing methods of election that have the
119 effect, will likely have the effect, or are motivated
120 in part by the intent of diluting the vote of
121 protected class members; providing the requirements to
122 establish a violation; providing relevant factors to
123 evaluate the totality of circumstances related to
124 voter suppression and vote dilution; providing
125 construction; providing that such factors are most

126 probative under a specified condition; providing
127 circumstances used to determine whether elections in
128 the local government exhibit racially polarized
129 voting; providing construction; providing
130 circumstances that are never relevant to violations of
131 specified provisions; providing that a state interest
132 in preventing voter fraud or bolstering voter
133 confidence in the integrity of elections is relevant
134 under specified circumstances; providing that evidence
135 concerning the intent of electors, elected officials,
136 and public officials is not required to prove such
137 violations; providing that voting habits of protected
138 class members may be relevant to certain violations;
139 requiring a prospective plaintiff, before filing a
140 certain action against a local government, to send a
141 notification letter, by specified means, to the local
142 government; prohibiting a party from filing an action
143 under specified circumstances; authorizing a local
144 government to adopt a specified resolution within a
145 specified timeframe; providing that, under certain
146 circumstances, a proposed remedy in such resolution
147 may be approved by the Florida Voting Rights Act
148 Commission if certain conditions are met; authorizing
149 a party that sent a notification letter to submit a
150 claim for reimbursement from the local government

151 under specified circumstances; providing requirements
152 for such claim; authorizing the party or local
153 government to file an action for declaratory judgment
154 for a clarification of rights under certain
155 circumstances; authorizing a party to bring a cause of
156 action for a specified violation under specified
157 circumstances; requiring certain local governments to
158 take certain action; requiring the commission to post
159 notification letters and resolutions on its website
160 under certain circumstances; authorizing the
161 commission to adopt certain rules; prohibiting local
162 governments from asserting specified defenses;
163 authorizing specified entities to file certain
164 enforcement actions; prohibiting certain entities from
165 being compelled to disclose the identity of a member;
166 providing construction; creating s. 97.22, F.S.;
167 creating the Florida Voting Rights Act Commission
168 within the Department of State; providing that the
169 commission is a separate budget entity and must submit
170 a budget in accordance with specified provisions;
171 requiring the commission to have its own staff;
172 providing that the commission is not subject to
173 control, supervision, or direction by the Department
174 of State; providing for the composition of the
175 commission; providing that commissioners serve

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

201 authorizing the database and institute to perform
202 specified actions; requiring the database and
203 institute to make election and voting data records for
204 a specified timeframe available to the public at no
205 cost and to maintain such records in an electronic
206 format; requiring the database and institute to use
207 certain methodologies when preparing estimates;
208 specifying the data and records that must be
209 maintained; requiring state agencies and local
210 governments to timely provide any information
211 requested by the director of the database and
212 institute; requiring local governments to transmit
213 specified information to the database and institute
214 within a certain timeframe; requiring specified
215 entities to provide data, statistics, and other
216 information annually to the database and institute;
217 authorizing specified entities to file enforcement
218 actions; providing construction; prohibiting certain
219 entities from being compelled to disclose the identity
220 of a member for a certain purpose; providing that
221 enforcement actions may be filed in accordance with
222 the Florida Rules of Civil Procedure or in a specified
223 venue; requiring the database and institute to
224 annually publish a certain report within a specified
225 timeframe; requiring the database and institute to

226 provide nonpartisan technical assistance to specified
227 entities; providing that a rebuttable presumption
228 exists that data, estimates, or other information from
229 the database and institute is valid; creating s.
230 97.24, F.S.; defining terms; requiring the Florida
231 Voting Rights Act Commission to designate languages
232 other than English for which language assistance must
233 be provided by a local government, if certain
234 conditions exist; providing the circumstances under
235 which the commission must designate languages other
236 than English for voting and elections; requiring the
237 commission to publish specified information annually
238 on its website and distribute such information to
239 local governments; requiring local governments to
240 provide language assistance for specified purposes if
241 the commission makes a certain determination;
242 requiring that certain materials be provided in such
243 language; requiring that certain information be given
244 orally to voters; requiring that translated materials
245 be of a certain quality, convey a specified intent and
246 meaning, and may not rely solely on automatic
247 translation services; requiring that live translation
248 be used if available; requiring the commission to
249 establish a specified review process; providing
250 requirements for such review process; authorizing

251 specified entities to file enforcement actions;
252 prohibiting certain entities from being compelled to
253 disclose the identity of a member for a certain
254 purpose; providing construction; requiring that
255 enforcement actions be filed in accordance with the
256 Florida Rules of Civil Procedure or in a specified
257 venue; creating s. 97.25, F.S.; providing that the
258 enactment or implementation of a covered policy by a
259 covered jurisdiction is subject to preclearance by the
260 commission; specifying actions by a local government
261 which are covered policies; requiring that if a
262 covered jurisdiction does not make changes to its
263 method of election, such method is deemed a covered
264 policy that must be submitted to the commission;
265 specifying which local governments are covered
266 jurisdictions; requiring the commission to determine
267 and publish annually on its website a list of local
268 governments that are covered jurisdictions; requiring
269 a covered jurisdiction, if seeking preclearance, to
270 submit the covered policy to the commission in
271 writing; requiring the commission to review the
272 covered policy and grant or deny preclearance;
273 providing that the covered jurisdiction bears the
274 burden of proof in the preclearance process; providing
275 that the commission may deny preclearance only if it

276 makes certain determinations; providing that if
277 preclearance is denied, the covered policy may not be
278 enacted or implemented; requiring the commission to
279 provide a written explanation for a denial;
280 authorizing a covered jurisdiction to immediately
281 enact or implement a covered policy if granted
282 preclearance; providing that such determination is not
283 admissible and may not be considered by a court in a
284 subsequent action challenging the covered policy;
285 providing that a covered policy is deemed precleared
286 and may be implemented or enacted by the covered
287 jurisdiction if the commission fails to approve or
288 deny the covered policy within specified timeframes;
289 requiring the commission to grant or deny preclearance
290 within specified timeframes; authorizing the
291 commission to invoke a specified number of extensions
292 of a specified timeframe to determine preclearance;
293 providing that a denial of preclearance may be
294 appealed only by the covered jurisdiction in a
295 specified venue; authorizing specified entities to
296 enjoin the enactment or implementation of specified
297 policies and to seek sanctions against covered
298 jurisdictions in specified circumstances; authorizing
299 specified entities to file enforcement actions;
300 prohibiting certain entities from being compelled to

301 disclose the identity of a member for a certain
302 purpose; providing construction; specifying that
303 enforcement actions must be filed in accordance with
304 the Florida Rules of Civil Procedure or in a specified
305 venue; requiring the commission to adopt rules;
306 creating s. 97.26, F.S.; prohibiting a person from
307 engaging in acts of intimidation, deception, or
308 obstruction, or any other tactic that has the effect
309 or will reasonably have the effect, of interfering
310 with another person's right to vote; specifying acts
311 that are deemed violations; providing a rebuttable
312 presumption; providing an exception; authorizing
313 specified entities to file a civil action alleging a
314 violation of specified provisions; prohibiting certain
315 entities from being compelled to disclose the identity
316 of a member for a certain purpose; providing
317 construction; specifying that actions must be filed in
318 accordance with the Florida Rules of Civil Procedure
319 or in a specified venue; requiring the court to order
320 specified remedies; creating s. 97.27, F.S.; providing
321 construction; providing applicability; creating s.
322 97.28, F.S.; requiring the court to order appropriate
323 remedies for violations of the act; specifying
324 appropriate remedies; requiring the court to consider
325 remedies proposed by specified parties; prohibiting

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

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

376 ranked-choice voting; amending s. 101.048, F.S.;
377 providing that a voter may cast a provisional ballot
378 at any precinct in the county in which the voter
379 claims to be registered; making technical changes;
380 amending s. 101.572, F.S.; deleting provisions on the
381 public inspection of ballots and ballot cards and
382 notification to candidates; amending s. 101.62, F.S.;
383 providing that a request for a vote-by-mail ballot is
384 valid until the voter cancels the request; revising
385 the timeframe during which the supervisor must mail
386 vote-by-mail ballots before election day; deleting
387 requirements for a person designated by a voter to
388 pick up the voter's vote-by-mail ballot; providing for
389 extension of deadlines under certain conditions;
390 amending s. 101.64, F.S.; requiring supervisors of
391 elections to enclose a postage prepaid mailing
392 envelope with each vote-by-mail ballot; providing that
393 vote-by-mail ballot voter certificates may be signed
394 with the last four digits of the voter's social
395 security number; making technical changes; amending s.
396 101.65, F.S.; revising the instructions that must be
397 provided with a vote-by-mail ballot; amending s.
398 101.68, F.S.; requiring supervisors of elections to
399 compare the signature or last four digits of the
400 social security number on a voter's certificate with

401 the signature or last four digits of the social
402 security number in the registration books or precinct
403 register when canvassing a vote-by-mail ballot;
404 requiring a canvassing board to compare the signature
405 or last four digits of the social security number on a
406 voter's certificate or vote-by-mail ballot cure
407 affidavit with the signature or last four digits of
408 the social security number in the registration books
409 or precinct register when canvassing a vote-by-mail
410 ballot and to determine the validity of such ballot;
411 deleting the authorization for certain persons to file
412 a protest against the canvass of a ballot; revising
413 the instructions on a cure affidavit; amending s.
414 101.69, F.S.; deleting a provision providing that
415 specified secure ballot intake stations be used only
416 during specified timeframes and be monitored by an
417 employee of the supervisor's office; requiring that
418 secure ballot intake stations be monitored by the
419 supervisor's office during specified timeframes
420 instead of continuously monitored in person by an
421 employee; deleting a provision authorizing a certain
422 civil penalty; making technical changes; repealing s.
423 104.0616, F.S., relating to violations regarding vote-
424 by-mail ballots and voting; amending s. 104.155, F.S.;
425 deleting a provision prohibiting a person from raising

426 his or her ignorance regarding citizenship as a
427 defense to specified violations; amending ss. 104.42
428 and 921.0022, F.S.; conforming provisions to changes
429 made by the act; providing effective dates.

430

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

434 WHEREAS, the Moores, and the organizations they helped
435 found and lead, were instrumental in registering more than
436 100,000 black voters in this state, and

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

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

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

447 WHEREAS, electoral systems that deny race, color, or
448 language minority groups an equal opportunity to elect
449 candidates of their choice and influence the outcome of an
450 election are inconsistent with the right to equal treatment

451 before the law as provided in Articles I and II of the State
 452 Constitution, as well as protections found in the 14th and 15th
 453 Amendments to the United States Constitution, and

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

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

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

466

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

468

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

471 20.10 Department of State.—There is created a Department
 472 of State.

473 (1) The head of the Department of State is the Secretary
 474 of State. The Secretary of State shall be elected at the
 475 statewide general election at which the Governor, Lieutenant

476 Governor, and Cabinet officers are elected, as provided in s. 5,
477 Art. IV of the State Constitution, and shall serve a term of 4
478 years beginning on the first Tuesday after the first Monday in
479 January of the year following such election ~~appointed by the~~
480 ~~Governor, subject to confirmation by the Senate, and shall serve~~
481 ~~at the pleasure of the Governor.~~ The Secretary of State shall
482 perform the functions conferred by the State Constitution upon
483 the custodian of state records.

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

486 20.32 Florida Commission on Offender Review.—

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

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

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

500 3. The remaining amount of any restitution he or she owes

501 to a victim as ordered by a court as part of his or her
502 sentence.

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

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

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

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

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

522 (d) By July 1, 2028, the commission shall make the
523 database available on a public website. The commission shall
524 update the database monthly with the information received from
525 each governmental entity under paragraph (b). The commission

526 shall publish on the website clear instructions that a person
527 who has been disqualified from voting based on a felony
528 conviction, other than for murder or a felony sexual offense,
529 may follow to have his or her voting rights restored and to
530 register to vote.

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

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

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

542 3. The anticipated number of additional employees
543 necessary for:

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

545 b. A governmental entity to provide the information
546 required under paragraph (b).

547 c. The Florida Digital Service to provide the assistance
548 required under paragraph (c).

549 4. The anticipated initial cost to develop the database;
550 the annual cost to maintain the database; and the annual

551 appropriation required to fund the anticipated costs incurred by
552 the commission, each governmental entity, and the Florida
553 Digital Service.

554 5. Any legal authority necessary for the commission to
555 develop and maintain the database.

556 6. Draft legislation to implement the comprehensive plan.

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

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

573 (h) If an individual meets the requirements under s.
574 98.0751 to have his or her voting rights restored pursuant to s.
575 4, Art. VI of the State Constitution, but was not registered to

576 vote before his or her conviction, the Division of Elections and
577 the individual's supervisor of elections shall send by United
578 States mail to the individual's most current address information
579 on how to register to vote, including a copy of the current
580 voter registration form. This process must be noted in the
581 statewide database.

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

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

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

590 97.021 Definitions.—For the purposes of this code, except
591 where the context clearly indicates otherwise, the term:

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

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

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

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

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

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

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

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

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

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

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

626 a statement of proposed constitutional amendments or other
627 questions or propositions submitted to the electorate at any
628 election, on which sheet of paper an elector casts his or her
629 vote.

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

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

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

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

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

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

645

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

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

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

651 (10)~~(9)~~ "Division" means the Division of Elections of the
 652 Department of State.

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

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

663 (13)~~(12)~~ "Early voting site" means those locations
 664 specified in s. 101.657 and the building in which early voting
 665 occurs.

666 (14)~~(13)~~ "Election" means any primary election, special
 667 primary election, special election, general election, county
 668 election, municipal election, referendum, or ~~or~~ presidential
 669 preference primary election, or any other local or state
 670 election.

671 (15)~~(14)~~ "Election board" means the clerk and inspectors
 672 appointed to conduct an election.

673 (16)~~(15)~~ "Election costs" shall include, but not be
 674 limited to, expenditures for all paper supplies such as
 675 envelopes, instructions to voters, affidavits, reports, ballot

676 cards, ballot booklets for vote-by-mail voters, postage, notices
677 to voters; advertisements for registration book closings,
678 testing of voting equipment, sample ballots, and polling places;
679 forms used to qualify candidates; polling site rental and
680 equipment delivery and pickup; data processing time and
681 supplies; election records retention; and labor costs, including
682 those costs uniquely associated with vote-by-mail ballot
683 preparation, poll workers, and election night canvass.

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

690 (18)~~(16)~~ "Elector" is synonymous with the word "voter" or
691 "qualified elector or voter," except where the word is used to
692 describe presidential electors.

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

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

697 (21)~~(17)~~ "General election" means an election held on the
698 first Tuesday after the first Monday in November in the even-
699 numbered years, for the purpose of filling national, state,
700 county, and district offices and for voting on constitutional

701 amendments not otherwise provided for by law.

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

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

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

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

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

724 (a) Employed as an officer or crew member of a vessel
725 documented under the laws of the United States, a vessel owned

726 by the United States, or a vessel of foreign-flag registry under
727 charter to or control of the United States; or

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

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

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

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

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

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

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

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

771 (30)-(22) "Nominal value" means having a retail value of
772 \$10 or less.

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

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

781 (33) "Organization" means a person other than an
782 individual.

783 (34)~~(25)~~ "Overseas voter" means:

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

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

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

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

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

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

810 ~~(38)-(29)~~ "Polling place" is the building which contains
811 the polling room where ballots are cast.

812 ~~(39)-(30)~~ "Polling room" means the actual room in which
813 ballots are cast on election day and during early voting.

814 ~~(40)-(31)~~ "Primary election" means an election held
815 preceding the general election for the purpose of nominating a
816 party nominee to be voted for in the general election to fill a
817 national, state, county, or district office.

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

823 (a) For the purposes of this subsection, the term
824 "language minority group" means a group based on the best
825 available data that may include information from the United

826 States Census Bureau American Community Survey or data of
827 comparable quality collected by a governmental entity:

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

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

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

839 (42)-(32) "Provisional ballot" means a conditional ballot,
840 the validity of which is determined by the canvassing board.

841 (43)-(33) "Public assistance" means assistance provided
842 through the food assistance program under the federal
843 Supplemental Nutrition Assistance Program; the Medicaid program;
844 the Special Supplemental Food Program for Women, Infants, and
845 Children; and the Temporary Cash Assistance Program.

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

849 (45)-(35) "Qualifying educational institution" means any
850 public or private educational institution receiving state

851 financial assistance which has, as its primary mission, the
852 provision of education or training to students who are at least
853 18 years of age, provided such institution has more than 200
854 students enrolled in classes with the institution and provided
855 that the recognized student government organization has
856 requested this designation in writing and has filed the request
857 with the office of the supervisor of elections in the county in
858 which the institution is located.

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

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

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

870 (49)~~(38)~~ "Supervisor" means the supervisor of elections.

871 (50)~~(39)~~ "Tactile input device" means a device that
872 provides information to a voting system by means of a voter
873 touching the device, such as a keyboard, and that complies with
874 the requirements of s. 101.56062(1)(k) and (l).

875 (51)~~(40)~~ "Third-party registration organization" means any

876 person, entity, or organization soliciting or collecting voter
 877 registration applications. A third-party voter registration
 878 organization does not include:

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

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

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

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

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

901 with respect to candidates for election or nomination and to
 902 referendum questions.

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

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

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

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

922 (59)~~(47)~~ "Voting system" means a method of casting and
 923 processing votes that functions wholly or partly by use of
 924 electromechanical or electronic apparatus or by use of marksense
 925 ballots and includes, but is not limited to, the procedures for

926 casting and processing votes and the programs, operating
 927 manuals, supplies, printouts, and other software necessary for
 928 the system's operation.

929
 930 Terms used in this code which are not defined in this section
 931 but are used in the federal Voting Rights Act and interpreted in
 932 relevant case law, including, but not limited to, "political
 933 process" and "prerequisite to voting," must be construed in a
 934 manner consistent with such usage and interpretation.

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

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

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

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

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

948 97.057 Voter registration by the Department of Highway
 949 Safety and Motor Vehicles.—

950 (1) (a) Each of the following serves as an application ~~The~~

951 ~~Department of Highway Safety and Motor Vehicles shall provide~~
952 ~~the opportunity to~~ preregister to vote, register to vote, ~~or to~~
953 update a voter registration record when submitted to the
954 Department of Highway Safety and Motor Vehicles ~~to each~~
955 ~~individual who comes to an office of that department to:~~

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

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

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

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

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

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

975 (b) A statement setting forth voter eligibility

976 requirements.

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

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

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

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

1000 (a) Develop a voter registration component for

1001 applications which meets the requirements set forth in
1002 subsection (2).

1003 (b) Electronically transmit the voter registration
1004 component of an applicant's driver license or identification
1005 card application to the Department of State within 24 hours
1006 after receipt. Upon receipt of the voter registration component,
1007 the Department of State shall provide the information to the
1008 supervisor of the county in which the applicant is registering
1009 or preregistering to vote or updating his or her voter
1010 registration record.

1011 ~~(2) The Department of Highway Safety and Motor Vehicles~~
1012 ~~shall:~~

1013 ~~(a) Notify each individual, orally or in writing, that:~~

1014 ~~1. Information gathered for the completion of a driver~~
1015 ~~license or identification card application, renewal, or change~~
1016 ~~of address can be automatically transferred to a voter~~
1017 ~~registration application;~~

1018 ~~2. If additional information and a signature are provided,~~
1019 ~~the voter registration application will be completed and sent to~~
1020 ~~the proper election authority;~~

1021 ~~3. Information provided can also be used to update a voter~~
1022 ~~registration record, except that party affiliation will not be~~
1023 ~~changed unless the individual designates a change in party~~
1024 ~~affiliation and separately consents to such change in writing;~~

1025 ~~4. All declinations will remain confidential and may be~~

1026 ~~used only for voter registration purposes; and~~

1027 ~~5. The particular driver license office in which the~~
1028 ~~person applies to register to vote or updates a voter~~
1029 ~~registration record will remain confidential and may be used~~
1030 ~~only for voter registration purposes.~~

1031 ~~(b) Require a driver license examiner to inquire orally~~
1032 ~~or, if the applicant is hearing impaired, inquire in writing~~
1033 ~~whether the applicant wishes to register to vote or update a~~
1034 ~~voter registration record during the completion of a driver~~
1035 ~~license or identification card application, renewal, or change~~
1036 ~~of address.~~

1037 ~~1. If the applicant chooses to register to vote or to~~
1038 ~~update a voter registration record:~~

1039 ~~a. All applicable information received by the Department~~
1040 ~~of Highway Safety and Motor Vehicles in the course of filling~~
1041 ~~out the forms necessary under subsection (1) must be transferred~~
1042 ~~to a voter registration application.~~

1043 ~~b. The additional necessary information must be obtained~~
1044 ~~by the driver license examiner and must not duplicate any~~
1045 ~~information already obtained while completing the forms required~~
1046 ~~under subsection (1).~~

1047 ~~c. A voter registration application with all of the~~
1048 ~~applicant's voter registration information required to establish~~
1049 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
1050 ~~presented to the applicant to review and verify the voter~~

1051 ~~registration information received and provide an electronic~~
1052 ~~signature affirming the accuracy of the information provided.~~

1053 ~~d. The voter registration application may not be used to~~
1054 ~~change the party affiliation of the applicant unless the~~
1055 ~~applicant designates a change in party affiliation and provides~~
1056 ~~a separate signature consenting to the party affiliation change.~~

1057 ~~e. After verifying the voter registration information and~~
1058 ~~providing his or her electronic signature, the applicant must be~~
1059 ~~provided with a printed receipt that includes such information~~
1060 ~~and documents any change in party affiliation.~~

1061 ~~2. If the applicant declines to register to vote, update~~
1062 ~~the applicant's voter registration record, or change the~~
1063 ~~applicant's address by either orally declining or by failing to~~
1064 ~~sign the voter registration application, the Department of~~
1065 ~~Highway Safety and Motor Vehicles must note such declination on~~
1066 ~~its records and shall forward the declination to the statewide~~
1067 ~~voter registration system.~~

1068 ~~(3) For the purpose of this section, the Department of~~
1069 ~~Highway Safety and Motor Vehicles, with the approval of the~~
1070 ~~Department of State, shall prescribe:~~

1071 ~~(a) A voter registration application that is the same in~~
1072 ~~content, format, and size as the uniform statewide voter~~
1073 ~~registration application prescribed under s. 97.052; and~~

1074 ~~(b) A form that will inform applicants under subsection~~
1075 ~~(1) of the information contained in paragraph (2) (a).~~

1076 ~~(4) The Department of Highway Safety and Motor Vehicles~~
 1077 ~~must electronically transmit completed voter registration~~
 1078 ~~applications within 24 hours after receipt to the statewide~~
 1079 ~~voter registration system. Completed paper voter registration~~
 1080 ~~applications received by the Department of Highway Safety and~~
 1081 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
 1082 ~~the supervisor of the county where the office that processed or~~
 1083 ~~received that application is located.~~

1084 ~~(5) The Department of Highway Safety and Motor Vehicles~~
 1085 ~~must send, with each driver license renewal extension~~
 1086 ~~application authorized pursuant to s. 322.18(8), a uniform~~
 1087 ~~statewide voter registration application, the voter registration~~
 1088 ~~application prescribed under paragraph (3)(a), or a voter~~
 1089 ~~registration application developed especially for the purposes~~
 1090 ~~of this subsection by the Department of Highway Safety and Motor~~
 1091 ~~Vehicles, with the approval of the Department of State, which~~
 1092 ~~must meet the requirements of s. 97.052.~~

1093 (4)(6) A person providing voter registration services for
 1094 a driver license office may not:

1095 (a) ~~Make any change to an applicant's party affiliation~~
 1096 ~~unless the applicant provides a separate signature consenting to~~
 1097 ~~the party affiliation change or discuss or Seek to influence an~~
 1098 ~~applicant's political preference or party registration;~~

1099 (b) Display any political preference or party allegiance;

1100 (c) Make any statement to an applicant or take any action

1101 the purpose or effect of which is to discourage the applicant
 1102 from registering to vote; or

1103 (d) Disclose any applicant's voter registration
 1104 information except as needed for the administration of voter
 1105 registration.

1106 (5)~~(7)~~ The Department of Highway Safety and Motor Vehicles
 1107 shall collect data determined necessary by the Department of
 1108 State for program evaluation and reporting to the Election
 1109 Assistance Commission pursuant to federal law.

1110 (6)~~(8)~~ The Department of Highway Safety and Motor Vehicles
 1111 shall ~~must~~ ensure that all voter registration services provided
 1112 by driver license offices are in compliance with all state and
 1113 federal laws ~~the Voting Rights Act of 1965~~.

1114 (7)~~(9)~~ The Department of Highway Safety and Motor Vehicles
 1115 shall retain complete records of voter registration information
 1116 received, processed, and submitted to the Department of State
 1117 ~~statewide voter registration system~~ by the Department of Highway
 1118 Safety and Motor Vehicles. The retention of such ~~These~~ records
 1119 ~~is shall be~~ for the explicit purpose of supporting audit and
 1120 accounting controls established to ensure accurate and complete
 1121 electronic transmission of records between the Department of
 1122 State ~~statewide voter registration system~~ and the Department of
 1123 Highway Safety and Motor Vehicles.

1124 (8)~~(10)~~ The Department of State shall provide the
 1125 Department of Highway Safety and Motor Vehicles with an

1126 | electronic database of street addresses valid for use as the
1127 | address of legal residence as required in s. 97.053(5). The
1128 | Department of Highway Safety and Motor Vehicles shall compare
1129 | the address provided by the applicant against the database of
1130 | valid street addresses. If the address provided by the applicant
1131 | does not match a valid street address in the database, the
1132 | applicant will be asked to verify the address provided. The
1133 | Department of Highway Safety and Motor Vehicles may ~~shall~~ not
1134 | reject any application for voter registration for which a valid
1135 | match cannot be made.

1136 | (9) ~~(11)~~ The Department of Highway Safety and Motor
1137 | Vehicles shall enter into an agreement with the Department of
1138 | State to match information in the statewide voter registration
1139 | system with information in the database of the Department of
1140 | Highway Safety and Motor Vehicles to the extent required to
1141 | verify the accuracy of the driver license number, Florida
1142 | identification number, or last four digits of the social
1143 | security number provided on applications for voter registration
1144 | as required in s. 97.053.

1145 | (10) ~~(12)~~ The Department of Highway Safety and Motor
1146 | Vehicles shall enter into an agreement with the Commissioner of
1147 | Social Security as required by the Help America Vote Act of 2002
1148 | to verify the last four digits of the social security number
1149 | provided in applications for voter registration as required in
1150 | s. 97.053.

1151 (11)~~(13)~~ The Department of Highway Safety and Motor
 1152 Vehicles shall ~~must~~ assist the Department of State in regularly
 1153 identifying changes in residence address on the driver license
 1154 or identification card of a voter. The Department of State shall
 1155 ~~must~~ report each such change to the appropriate supervisor of
 1156 elections who must change the voter's registration records in
 1157 accordance with s. 98.065(4).

1158 (12) The Department of Highway Safety and Motor Vehicles
 1159 shall notify the Department of State as soon as practicable, but
 1160 no later than 30 days, after any change to a voter's driver
 1161 license number or identification card number. The Department of
 1162 State shall transmit each such change to the appropriate
 1163 supervisor of elections, who shall update the voter's
 1164 registration records accordingly and provide notice of the
 1165 change to the registrant by mail. Under no circumstances may a
 1166 change to a voter's driver license or identification card number
 1167 be used as the sole basis to prevent an otherwise eligible
 1168 citizen from casting his or her ballot.

1169 ~~(14) The Department of Highway Safety and Motor Vehicles~~
 1170 ~~shall ensure that information technology processes and updates~~
 1171 ~~do not alter an applicant's party affiliation without the~~
 1172 ~~written consent of the applicant.~~

1173 **Section 8. Section 97.0575, Florida Statutes, is amended**
 1174 **to read:**

1175 97.0575 Third-party voter registration organizations.—

1176 (1) Before engaging in any voter registration activities,
1177 a third-party voter registration organization must register and
1178 provide to the division, in an electronic format, the following
1179 information:

1180 (a) The names of the officers of the organization and the
1181 name and permanent address of the organization.

1182 (b) The name and address of the organization's registered
1183 agent in this ~~the~~ state.

1184 (c) The names, permanent addresses, and temporary
1185 addresses, if any, of each registration agent who registers
1186 ~~registering~~ persons to vote in this state for compensation on
1187 behalf of the organization. This paragraph does not apply to
1188 persons who only solicit applications and do not collect or
1189 handle voter registration applications.

1190 ~~(d) Beginning November 6, 2024, the specific general~~
1191 ~~election cycle for which the third-party voter registration~~
1192 ~~organization is registering persons to vote.~~

1193 ~~(e) An affirmation that each person collecting or handling~~
1194 ~~voter registration applications on behalf of the third party~~
1195 ~~voter registration organization has not been convicted of a~~
1196 ~~felony violation of the Election Code, a felony violation of an~~
1197 ~~offense specified in s. 825.103, a felony offense specified in~~
1198 ~~s. 98.0751(2)(b) or (c), or a felony offense specified in~~
1199 ~~chapter 817, chapter 831, or chapter 837. A third-party voter~~
1200 ~~registration organization is liable for a fine in the amount of~~

1201 ~~\$50,000 for each such person who has been convicted of a felony~~
1202 ~~violation of the Election Code, a felony violation of an offense~~
1203 ~~specified in s. 825.103, a felony offense specified in s.~~
1204 ~~98.0751(2) (b) or (c), or a felony offense specified in chapter~~
1205 ~~817, chapter 831, or chapter 837 who is collecting or handling~~
1206 ~~voter registration applications on behalf of the third party~~
1207 ~~voter registration organization.~~

1208 ~~(f) An affirmation that each person collecting or handling~~
1209 ~~voter registration applications on behalf of the third party~~
1210 ~~voter registration organization is a citizen of the United~~
1211 ~~States of America. A third-party voter registration organization~~
1212 ~~is liable for a fine in the amount of \$50,000 for each such~~
1213 ~~person who is not a citizen and is collecting or handling voter~~
1214 ~~registration applications on behalf of the third party voter~~
1215 ~~registration organization.~~

1216 ~~(2) Beginning November 6, 2024, the registration of a~~
1217 ~~third party voter registration organization automatically~~
1218 ~~expires at the conclusion of the specific general election cycle~~
1219 ~~for which the third party voter registration organization is~~
1220 ~~registered.~~

1221 ~~(3)~~ The division or the supervisor of elections shall make
1222 voter registration forms available to third-party voter
1223 registration organizations. All such forms must contain
1224 information identifying the organization to which the forms are
1225 provided. The division shall maintain a database of all third-

1226 party voter registration organizations and the voter
1227 registration forms assigned to the third-party voter
1228 registration organization. Each supervisor of elections shall
1229 provide to the division information on voter registration forms
1230 assigned to and received from third-party voter registration
1231 organizations. The information must be provided in a format and
1232 at times as required by the division by rule. The division shall
1233 update information on third-party voter registrations daily and
1234 make the information publicly available.

1235 ~~(4) A third-party voter registration organization that~~
1236 ~~collects voter registration applications shall provide a receipt~~
1237 ~~to an applicant upon accepting possession of his or her~~
1238 ~~application. The division shall adopt by rule a uniform format~~
1239 ~~for the receipt by October 1, 2023. The format must include, but~~
1240 ~~need not be limited to, the name of the applicant, the date the~~
1241 ~~application is received, the name of the third-party voter~~
1242 ~~registration organization, the name of the registration agent,~~
1243 ~~the applicant's political party affiliation, and the county in~~
1244 ~~which the applicant resides.~~

1245 (3) (a) ~~(5) (a)~~ A third-party voter registration organization
1246 that collects voter registration applications serves as a
1247 fiduciary to the applicant and shall ensure that any voter
1248 registration application entrusted to the organization,
1249 irrespective of party affiliation, race, ethnicity, or gender,
1250 is promptly delivered to the division or the supervisor of

1251 elections ~~in the county in which the applicant resides~~ within 14
1252 ~~10~~ days after the application is completed by the applicant, but
1253 not after registration closes for the next ensuing election. If
1254 a voter registration application collected by any third-party
1255 voter registration organization is not promptly delivered to the
1256 division or supervisor of elections ~~in the county in which the~~
1257 ~~applicant resides~~, the third-party voter registration
1258 organization is liable for the following fines:

1259 1. A fine in the amount of \$50 ~~per each day late, up to~~
1260 ~~\$2,500~~, for each application received by the division or ~~the~~
1261 supervisor of elections ~~in the county in which the applicant~~
1262 ~~resides~~ more than 14 ~~10~~ days after the applicant delivered the
1263 completed voter registration application to the third-party
1264 voter registration organization, if the organization or any
1265 person, entity, or agent acting on its behalf acted willfully. ~~A~~
1266 ~~fine in the amount of \$2,500 for each application received if~~
1267 ~~the third-party voter registration organization or person,~~
1268 ~~entity, or agency acting on its behalf acted willfully.~~

1269 2. A fine in the amount of \$100 ~~per each day late, up to~~
1270 ~~\$5,000~~, for each application collected by a third-party voter
1271 registration organization, or any person, entity, or agent
1272 acting on its behalf, before book closing for any given election
1273 for federal or state office and received by the division or ~~the~~
1274 supervisor of elections ~~in the county in which the applicant~~
1275 ~~resides~~ after the book-closing deadline for such election. ~~A~~

1276 ~~fine in the amount of \$5,000 for each application received if~~
1277 ~~the third-party voter registration organization or any person,~~
1278 ~~entity, or agency acting on its behalf acted willfully.~~

1279 3. A fine in the amount of \$500 for each application
1280 collected by a third-party voter registration organization, or
1281 any person, entity, or agent acting on its behalf, which is not
1282 submitted to the division or supervisor of elections ~~in the~~
1283 ~~county in which the applicant resides. A fine in the amount of~~
1284 ~~\$5,000 for any application not submitted if the third-party~~
1285 ~~voter registration organization or person, entity, or agency~~
1286 ~~acting on its behalf acted willfully.~~

1287
1288 The aggregate fine that ~~which~~ may be assessed pursuant to this
1289 paragraph against a third-party voter registration organization,
1290 including affiliate organizations, for violations committed in a
1291 calendar year is \$1,000 ~~\$250,000~~.

1292 (b) A showing by the third-party voter registration
1293 organization that the failure to deliver the voter registration
1294 application within the required timeframe is based upon force
1295 majeure or impossibility of performance shall be an affirmative
1296 defense to a violation of this subsection. The secretary may
1297 waive the fines described in this subsection upon a showing that
1298 the failure to deliver the voter registration application
1299 promptly is based upon force majeure or impossibility of
1300 performance.

1301 (c) All fines collected under this section must be
1302 remitted by the department to the supervisor of elections of the
1303 county in which the violation occurred. The supervisor shall
1304 expend monies collected from such fines exclusively for
1305 nonpartisan voter participation initiatives and voter
1306 registration outreach, including voter education, community
1307 registration drives, and to offset costs associated with the
1308 prepayment of postage on vote-by-mail return envelopes, provided
1309 that all vote-by-mail ballots for the election include prepaid
1310 postage.

1311 ~~(6) If a person collecting voter registration applications~~
1312 ~~on behalf of a third-party voter registration organization~~
1313 ~~alters the voter registration application of any other person,~~
1314 ~~without the other person's knowledge and consent, in violation~~
1315 ~~of s. 104.012(4) and is subsequently convicted of such offense,~~
1316 ~~the applicable third-party voter registration organization is~~
1317 ~~liable for a fine in the amount of \$5,000 for each application~~
1318 ~~altered.~~

1319 ~~(7) If a person collecting voter registration applications~~
1320 ~~on behalf of a third-party voter registration organization~~
1321 ~~copies a voter's application or retains a voter's personal~~
1322 ~~information, such as the voter's Florida driver license number,~~
1323 ~~Florida identification card number, social security number, or~~
1324 ~~signature, for any reason other than to provide such application~~
1325 ~~or information to the third-party voter registration~~

1326 ~~organization in compliance with this section, the person commits~~
1327 ~~a felony of the third degree, punishable as provided in s.~~
1328 ~~775.082, s. 775.083, or s. 775.084.~~

1329 (4)~~(8)~~ If the Secretary of State reasonably believes that
1330 a person has committed a violation of this section, the
1331 secretary may refer the matter to the Attorney General for
1332 enforcement. The Attorney General may institute a civil action
1333 for a violation of this section or to prevent a violation of
1334 this section. An action for relief may include a permanent or
1335 temporary injunction, a restraining order, or any other
1336 appropriate order.

1337 ~~(9) The division shall adopt by rule a form to elicit~~
1338 ~~specific information concerning the facts and circumstances from~~
1339 ~~a person who claims to have been registered to vote by a third-~~
1340 ~~party voter registration organization but who does not appear as~~
1341 ~~an active voter on the voter registration rolls. The division~~
1342 ~~shall also adopt rules to ensure the integrity of the~~
1343 ~~registration process, including controls to ensure that all~~
1344 ~~completed forms are promptly delivered to the division or a~~
1345 ~~supervisor in the county in which the applicant resides.~~

1346 (5)~~(10)~~ The date on which an applicant signs a voter
1347 registration application is presumed to be the date on which the
1348 third-party voter registration organization received or
1349 collected the voter registration application.

1350 ~~(11) A third-party voter registration organization may not~~

1351 ~~mail or otherwise provide a voter registration application upon~~
1352 ~~which any information about an applicant has been filled in~~
1353 ~~before it is provided to the applicant. A third-party voter~~
1354 ~~registration organization that violates this section is liable~~
1355 ~~for a fine in the amount of \$50 for each such application.~~

1356 ~~(12) The requirements of this section are retroactive for~~
1357 ~~any third-party voter registration organization registered with~~
1358 ~~the department as of July 1, 2023, and must be complied with~~
1359 ~~within 90 days after the department provides notice to the~~
1360 ~~third-party voter registration organization of the requirements~~
1361 ~~contained in this section. Failure of the third-party voter~~
1362 ~~registration organization to comply with the requirements within~~
1363 ~~90 days after receipt of the notice shall automatically result~~
1364 ~~in the cancellation of the third-party voter registration~~
1365 ~~organization's registration.~~

1366 **Section 9.** Part III of chapter 97, Florida Statutes,
1367 consisting of sections 97.21-97.28, Florida Statutes, is created
1368 and entitled "Florida Voting Rights Act."

1369 **Section 10. Section 97.21, Florida Statutes, is created to**
1370 **read:**

1371 97.21 Prohibitions on voter suppression and vote
1372 dilution.—

1373 (1) PROHIBITING VOTER SUPPRESSION.—

1374 (a) A local government, state agency, or state official
1375 may not implement, impose, or enforce any election policy or

1376 practice, or take any other action or fail to take any action,
1377 which results in, will result in, or is intended to result in
1378 any of the following:

1379 1. A material disparity in voter participation, access to
1380 voting opportunities, or the opportunity or ability to
1381 participate in the political process between protected class
1382 members and other members of the electorate.

1383 2. Based on the totality of the circumstances, an
1384 impairment of the equal opportunity or ability of protected
1385 class members to participate in any stage of the political
1386 process.

1387 (b) It is not a violation of paragraph (a) if a local
1388 government, state agency, or state official demonstrates by
1389 clear and convincing evidence that:

1390 1. The election policy or practice is necessary, beyond
1391 consideration of administrative convenience, generalized cost
1392 savings, or speculative concerns, to further significantly an
1393 important and particularized governmental interest; and

1394 2. There is no reasonable alternative election policy or
1395 practice that results in a smaller disparity between protected
1396 class members and other members of the electorate.

1397 (c) Notwithstanding paragraph (b), a violation always
1398 exists under paragraph (a) if:

1399 1. The local government, state agency, or state official
1400 takes action intended to result in a material disparity; or

1401 2. The material disparity results from:

1402 a. The closure, relocation, or consolidation of, or
1403 failure to provide, one or more polling places, early voting
1404 sites, or secure ballot intake stations; or the reassignment of
1405 voters to precincts or polling places or of precincts to polling
1406 places;

1407 b. The local government's selection of or change to the
1408 time or date of an election;

1409 c. The local government conducting elections on dates that
1410 do not align with federal or state elections;

1411 d. The date the local government selects for a special
1412 election, and there exists an alternate date in a reasonable
1413 timeframe in which the disparity would be materially less
1414 significant; or

1415 e. The failure to schedule a special election as soon as
1416 practicable, but in no event later than 14 days after the
1417 occurrence of the vacancy, if more than 12 months remain in the
1418 term of office and protected class members are generally able to
1419 elect candidates of their choice.

1420 (2) PROHIBITING VOTE DILUTION.—

1421 (a) A local government may not employ an at-large method
1422 of election, a district-based method of election, a share-based
1423 method of election, or any other method of election for any
1424 office which has the effect, will likely have the effect, or is
1425 motivated in part by the intent of diluting the vote of

1426 protected class members.

1427 (b) To establish a violation under paragraph (a), it must
 1428 be established that:

1429 1.a. Elections in the local government exhibit racially
 1430 polarized voting resulting in an impairment of the equal
 1431 opportunity or ability of protected class members to nominate or
 1432 elect candidates of their choice; or

1433 b. Based on the totality of the circumstances, the equal
 1434 opportunity or ability of protected class members to nominate or
 1435 elect candidates of their choice is impaired; and

1436 2. Another method of election or changes to the existing
 1437 method of election which could be constitutionally adopted or
 1438 ordered under s. 97.28 would likely mitigate the impairment. For
 1439 the purpose of satisfying such requirement, it is not necessary
 1440 for the total number or share of protected class members to
 1441 exceed any numerical threshold in any district or in the local
 1442 government as a whole.

1443 (3) GUIDELINES AND RELEVANT CIRCUMSTANCES FOR EVALUATING
 1444 VOTER SUPPRESSION AND VOTE DILUTION.—

1445 (a)1. To evaluate the totality of circumstances under
 1446 subparagraph (1)(a)2. or sub-subparagraph (2)(b)1.b., the
 1447 following factors may be relevant:

1448 a. The history of discrimination;

1449 b. The extent to which the protected class members have
 1450 been elected to office;

1451 c. The use of any election policy or practice that may
1452 enhance the dilutive effective of a method of election in the
1453 local government.

1454 d. The extent to which protected class members or
1455 candidates experienced any history of unequal access to
1456 election-administration or campaign finance processes that
1457 determine which candidates will receive access to the ballot or
1458 receive financial or other support in a given election for an
1459 office of the local government;

1460 e. The extent to which protected class members have
1461 historically made expenditures as defined in s. 106.011 at lower
1462 rates than other voters;

1463 f. The extent to which protected class members vote at
1464 lower rates than other voters;

1465 g. The extent to which protected class members are
1466 disadvantaged or otherwise bear the effects of public or private
1467 discrimination in areas that may hinder their ability to
1468 participate effectively in any stage of the political process,
1469 such as education, employment, health, criminal justice,
1470 housing, transportation, land use, or environmental protection;

1471 h. The use of overt or subtle racial appeals in political
1472 campaigns by governmental officials or in connection with the
1473 adoption or maintenance of the election policy or practice;

1474 i. The extent to which candidates face hostility or
1475 barriers while campaigning due to their membership in a

1476 protected class;

1477 j The lack of responsiveness by elected officials to the
1478 particular needs of protected class members or a community of
1479 protected class members;

1480 k. Whether the election policy or practice was designed to
1481 advance, and does materially advance, a valid and substantial
1482 state interest; and

1483 1. Other factors deemed relevant.

1484 2. A set number or combination of the factors in
1485 subparagraph 1. is not required to determine that a violation
1486 occurred.

1487 3. Evidence of these factors is most probative if it
1488 relates to the local government in which the alleged violation
1489 occurred, but still holds probative value if it relates to the
1490 geographic region in which the local government is located or to
1491 this state.

1492 (b) To determine whether elections in the local government
1493 exhibit racially polarized voting under sub-subparagraph
1494 (2) (b) 1.a.:

1495 1. Racially polarized voting must be assessed based on
1496 relevant election results, which may include, but are not
1497 limited to, elections for offices of the local government;
1498 elections held by the local government for other offices, such
1499 as state or federal offices; ballot measures; and other
1500 electoral choices that bear on the rights and privileges of the

1501 protected class.

1502 a. A set number or combination of elections may not be
1503 required to establish the existence of racially polarized
1504 voting.

1505 b. Evidence of nonpolarized voting in elections for
1506 offices outside the local government may not preclude a finding
1507 of racially polarized voting based on elections for offices of
1508 the local government.

1509 c. Nonstatistical or nonquantitative evidence may not
1510 preclude a finding of racially polarized voting based on
1511 statistical or quantitative evidence.

1512 d. Low turnout or registration rates among protected class
1513 members may not preclude a finding of racially polarized voting.

1514 2. Racially polarized voting may be assessed based only on
1515 the combined electoral preferences of members of a protected
1516 class or classes. There is no requirement that the electoral
1517 preferences of each protected class or any subgroup within a
1518 protected class be separately polarized from those of other
1519 voters.

1520 3. The causes of or reasons for racially polarized voting,
1521 including partisan explanations or discriminatory intent, are
1522 not relevant.

1523 (c)1. If evaluating whether a violation of subsection (1)
1524 or subsection (2) is present, the following circumstances are
1525 never relevant to such a violation:

1526 a. The total number or share of protected class members on
1527 whom the election policy or practice does not impose a material
1528 burden;

1529 b. The degree to which the election policy or practice has
1530 a long pedigree or was in widespread use at some earlier date;

1531 c. The use of an identical or similar election policy or
1532 practice in other jurisdictions; and

1533 d. The availability of forms of voting unimpacted by the
1534 election policy or practice.

1535 2. A state interest in preventing voter fraud or
1536 bolstering voter confidence in the integrity of elections is not
1537 relevant to an evaluation of whether a violation of subsection
1538 (1) or subsection (2) occurred unless there is substantial
1539 evidence of a number of instances that criminal activity by
1540 individual electors has occurred in the local government and the
1541 connection between the election policy or practice and a state
1542 interest in preventing voter fraud or bolstering voter
1543 confidence in the integrity of elections is supported by
1544 substantial evidence.

1545 3. Evidence concerning the intent of electors, elected
1546 officials, or public officials to discriminate against protected
1547 class members is not required under subsections (1) and (2).

1548 4. Whether protected class members typically elect
1549 candidates of their choice to the governmental body of a local
1550 government in approximate proportion to their total number or

1551 share of the population may be relevant under subsection (2).

1552 (4) Before filing an action against a local government
1553 pursuant to this section, a prospective plaintiff must send, by
1554 certified mail, return receipt requested, a notification letter
1555 to the local government asserting that the local government may
1556 be in violation of the provisions of this act. Such letter must
1557 be referred to as an "FLVRA notification letter."

1558 (a) Except as noted in paragraph (e), a party may not file
1559 an action against a local government pursuant to this section
1560 earlier than 50 days after sending an FLVRA notification letter
1561 to the local government.

1562 (b) Before receiving an FLVRA notification letter, or not
1563 later than 50 days after any FLVRA notification letter is sent
1564 to a local government, a local government may adopt a resolution
1565 that must be referred to as an "FLVRA resolution" and that does
1566 all of the following:

1567 1. Identifies a potential violation of this section by the
1568 local government.

1569 2. Identifies a specific remedy to the potential
1570 violation.

1571 3. Affirms the local government's intent to enact and
1572 implement the remedy for the potential violation.

1573 4. Sets forth specific measures the local government will
1574 take to enact and implement the remedy.

1575 5. Provides a schedule for the enactment and

1576 implementation of the remedy.

1577 (c) Except as noted in paragraph (e), a party that has
1578 sent an FLVRA notification letter may not file an action
1579 pursuant to this section earlier than 90 days after the adoption
1580 of an FLVRA resolution.

1581 (d) If the remedy identified in an FLVRA resolution is
1582 barred by state or local law, or a legislative body of a local
1583 government lacks authority under state or local law to enact or
1584 implement a remedy identified in an FLVRA resolution within 90
1585 days after the adoption of such resolution, or if the local
1586 government is a covered jurisdiction under s. 97.25, the local
1587 government may nonetheless enact and implement the remedy
1588 identified in such resolution upon approval of the FLVRA
1589 Commission, which may provide approval only if it finds that the
1590 local government may be in violation of this act, the proposed
1591 remedy would address a potential violation, and implementation
1592 of the proposed remedy is feasible. The approval of a remedy by
1593 the FLVRA Commission does not bar an action to challenge the
1594 remedy.

1595 (e) If, pursuant to this subsection, a local government
1596 enacts or implements a remedy or the FLVRA Commission approves a
1597 proposed remedy, a party that sent an FLVRA notification letter
1598 may submit a claim for reimbursement from the local government
1599 for the costs associated with producing and sending such
1600 notification letter. The party must submit the claim in writing

1601 and substantiate the claim with financial documentation,
1602 including a detailed invoice for any demography services or
1603 analysis of voting patterns in the local government. If a party
1604 and local government fail to agree to a reimbursement amount,
1605 either the party or local government may file an action for a
1606 declaratory judgment for a clarification of rights.

1607 (f) Notwithstanding this subsection, a party may bring a
1608 cause of action for a violation of this section under any of the
1609 following circumstances:

1610 1. The action is commenced within 1 year after the
1611 adoption of a challenged method of election, ordinance,
1612 resolution, rule, policy, standard, regulation, procedure, or
1613 law.

1614 2. The prospect of obtaining relief under this section
1615 would be futile.

1616 3. Another party has submitted a notification letter under
1617 this subsection alleging a substantially similar violation and
1618 that party is eligible to bring a cause of action under this
1619 subsection.

1620 4. Following the party's submission of an FLVRA
1621 notification letter, the local government has adopted an FLVRA
1622 resolution that identifies a remedy that would not cure the
1623 violation identified in the notification letter.

1624 5. The party is seeking preliminary relief with respect to
1625 an upcoming election in accordance with s. 97.28.

1626 (g) Any local government that receives an FLVRA
1627 notification letter or adopts an FLVRA resolution must provide a
1628 copy to the FLVRA Commission within 1 day after receipt or
1629 adoption. The FLVRA Commission shall promptly, but not later
1630 than 1 business day after receipt, post all FLVRA notification
1631 letters and FLVRA resolutions on its website. The FLVRA
1632 Commission may adopt rules identifying other materials and
1633 information that must be provided to the FLVRA Commission by
1634 local governments, as well as procedures for transmittal of
1635 materials and information from local governments to the FLVRA
1636 Commission.

1637 (5) A local government may not assert the doctrine of
1638 laches as a defense to claims brought under this section. A
1639 local government may not assert that plaintiffs have failed to
1640 comply with any notice, exhaustion, or other procedural
1641 requirements under state law, other than the requirements in
1642 this section, as a defense to claims brought under this section.

1643 (6) An individual or entity aggrieved by a violation of
1644 this section, the Attorney General, or the FLVRA Commission may
1645 file an action alleging a violation of this section to enforce
1646 compliance with this section. An entity aggrieved by a violation
1647 of this section includes, but is not limited to, any entity
1648 whose membership includes individuals aggrieved by a violation
1649 of this section or whose mission would be frustrated by a
1650 violation of this section, including, but not limited to, an

1651 entity that would expend or divest resources to fulfill its
 1652 mission as a result of such violation or must expend greater
 1653 resources or efforts to advocate before an elected body that is
 1654 less responsive to the entity or its members due to the alleged
 1655 violation. An entity may not be compelled to disclose the
 1656 identity of any specific member to pursue a claim on behalf of
 1657 its members. This subsection must be liberally construed to
 1658 confer standing as broadly as the State Constitution allows.
 1659 Such a claim may be filed pursuant to the Florida Rules of Civil
 1660 Procedure or in the Second Judicial Circuit of Florida. Members
 1661 of two or more protected classes that are politically cohesive
 1662 in a local government may jointly file an action. In an action
 1663 involving a districting plan, any individual who resides in the
 1664 defendant jurisdiction and is a member of the affected class or
 1665 classes, whether he or she resides in any particular district,
 1666 may challenge the districting plan as a whole.

1667 **Section 11. Section 97.22, Florida Statutes, is created to**
 1668 **read:**

1669 97.22 Florida Voting Rights Act Commission.—

1670 (1) There is created the Florida Voting Rights Act (FLVRA)
 1671 Commission within the Department of State. The FLVRA Commission
 1672 is a separate budget entity, as provided in the General
 1673 Appropriations Act, and shall prepare and submit a budget
 1674 request in accordance with chapter 216. The commission is
 1675 responsible for administering the Florida Voting Rights Act. The

1676 commission shall have its own staff, including management,
1677 research, and enforcement personnel, and is not subject to
1678 control, supervision, or direction by the Department of State.

1679 (2) (a) The FLVRA Commission shall be composed of five
1680 commissioners, each of whom shall serve a staggered 5-year term.
1681 Commissioners must be compensated for their actual time spent on
1682 the commission's business at an hourly rate equivalent to the
1683 rate of an assistant attorney general.

1684 1. A nominating committee shall identify qualified
1685 candidates to serve as commissioners. The nominating committee
1686 shall be composed of nominating organizations that are selected
1687 as follows:

1688 a. Organizations may apply to the Secretary of State to be
1689 certified as organizational nominators for 5-year terms, after
1690 which the organizations may be recertified. The Secretary of
1691 State must certify any organization that applies to be an
1692 organizational nominator if it meets all of the following
1693 qualifications:

1694 (I) Has demonstrated commitment to the purposes of this
1695 act and to securing the voting rights of protected class
1696 members, such as referencing such class members in the
1697 organization's mission statement, involvement in numerous voting
1698 rights cases brought in this state on behalf of members of
1699 protected classes, or advocacy in support of this act.

1700 (II) Is registered as a nonprofit corporation with the

1701 Secretary of State.

1702 (III) Has been in continuous operation as a nonprofit
1703 organization under s. 501(c)(3) of the Internal Revenue Code or
1704 as a nonprofit corporation registered with the Secretary of
1705 State for at least 10 years.

1706 b. If the Secretary of State fails to timely certify an
1707 organization that satisfies the qualifications specified in sub-
1708 subparagraph a. following the organization's application as an
1709 organizational nominator, the organization may file an action
1710 against the Secretary of State for a declaratory judgment
1711 certifying the organization as an organizational nominator.

1712 2. An organizational nominator may be removed for cause by
1713 a majority vote of all fellow nominators.

1714 3. If there are fewer than 16 organizational nominators
1715 certified by the Secretary of State, the nominating committee
1716 must be composed of all such organizational nominators. If there
1717 are 16 or more organizational nominators certified by the
1718 Secretary of State, the nominating committee must be composed of
1719 15 organizational nominators randomly selected from all the
1720 nominators by lot on an annual basis.

1721 4. The nominating committee shall select its own chair to
1722 preside over meetings and votes.

1723 (b) Commissioners shall be selected as follows:

1724 1. The nominating committee shall solicit applications
1725 from individuals to serve on the FLVRA Commission from across

1726 this state. A commissioner must satisfy all of the following
1727 criteria:

1728 a. Is a resident of this state.

1729 b. Has experience representing or advocating on behalf of
1730 members of protected classes.

1731 c. Has not served in elected office within the preceding 5
1732 years.

1733 d. Is not currently serving in any governmental office or
1734 holding any political party office.

1735 2. The nominating committee shall maintain a qualified
1736 candidate pool composed of 30 candidates to serve on the FLVRA
1737 Commission. Individuals may be added to the qualified applicant
1738 pool only upon a vote of three-fifths of the nominating
1739 committee.

1740 3. All members of the FLVRA Commission must be randomly
1741 selected from the qualified candidate pool. Upon the initial
1742 formation of the FLVRA Commission, five commissioners must be
1743 selected by lot from the qualified candidate pool and randomly
1744 assigned to term lengths of 5 years, 4 years, 3 years, 2 years,
1745 and 1 year. At least 60 days in advance of the conclusion of
1746 each commissioner's term, a new commissioner must be randomly
1747 selected by lot from the qualified candidate pool to serve a 5-
1748 year term upon the conclusion of the incumbent commissioner's
1749 term. If a vacancy occurs, a new commissioner must be randomly
1750 selected by lot from the qualified candidate pool within 30 days

1751 after the vacancy occurring to complete the vacated term.

1752 (3) In any action or investigation to enforce this
1753 section, the FLVRA Commission may subpoena witnesses; administer
1754 oaths; examine individuals under oath; determine material facts;
1755 and compel the production of records, books, papers, contracts,
1756 and other documents in accordance with the Florida Rules of
1757 Civil Procedure.

1758 (4) The FLVRA Commission may hire any staff and make any
1759 expenditure necessary to fulfill its responsibilities.

1760 (5) The FLVRA Commission may adopt rules to administer and
1761 enforce this part.

1762 **Section 12. Section 97.23, Florida Statutes, is created to**
1763 **read:**

1764 97.23 Statewide database and institute.—

1765 (1) The FLVRA Commission shall enter into an agreement
1766 with one or more postsecondary educational institutions in this
1767 state to create the Florida Voting and Elections Database and
1768 Institute to maintain and administer a central repository of
1769 elections and voting data available to the public from all local
1770 governments in this state, and to foster, pursue, and sponsor
1771 research on existing laws and best practices in voting and
1772 elections. The parties to that agreement shall enter into a
1773 memorandum of understanding that includes the process for
1774 selecting the director of the database and institute.

1775 (2) The database and institute shall provide a center for

1776 research, training, and information on voting systems and
1777 election administration. The database and institute may do any
1778 of the following:

1779 (a) Conduct noncredit classes and classes for credit.

1780 (b) Organize interdisciplinary groups of scholars to
1781 research voting and elections in this state.

1782 (c) Conduct seminars involving voting and elections.

1783 (d) Establish a nonpartisan centralized database in order
1784 to collect, archive, and make publicly available, at no cost,
1785 accessible data pertaining to elections, voter registration, and
1786 ballot access in this state.

1787 (e) Assist in the dissemination of election data to the
1788 public.

1789 (f) Publish books and periodicals on voting and elections
1790 in this state.

1791 (g) Provide nonpartisan technical assistance to local
1792 governments, scholars, and the general public seeking to use the
1793 resources of the database and institute.

1794 (3) The database and institute shall make available, and
1795 maintain in an electronic format, all relevant election and
1796 voting data and records for at least the previous 12-year
1797 period. The data, information, and estimates maintained by the
1798 database and institute must be posted online and made available
1799 to the public at no cost. Maps, polling places, and vote-by-mail
1800 ballot secure intake stations must be made available in a

1801 geospatial file format. The database and institute shall prepare
1802 all estimates made under this section by applying the most
1803 advanced and validated peer-reviewed methodologies available.
1804 Data and records that must be maintained include, but are not
1805 limited to, all of the following:

1806 (a) Estimates of the total population, voting age
1807 population, and citizen voting age population by racial, color,
1808 or language minority group and disability status, broken down by
1809 precinct level on a year-by-year basis, for every local
1810 government in this state, based on data from the United States
1811 Census Bureau or the American Community Survey or data of
1812 comparable quality collected by a public office.

1813 (b) Election results at the precinct level for every
1814 federal, state, and local election held in every local
1815 government in this state.

1816 (c) Contemporaneous voter registration lists, voter
1817 history files, polling places, and vote-by-mail secure ballot
1818 intake stations for every election in every local government in
1819 this state.

1820 (d) Contemporaneous maps or other documentation of the
1821 configuration of precincts.

1822 (e) Lists of polling places, including, but not limited
1823 to, lists of precincts assigned to each polling place, if
1824 applicable.

1825 (f) Adopted district or redistricting plans for every

1826 election in every local government in this state.

1827 (g) A current record, updated monthly, of persons eligible
 1828 to register to vote who have a prior criminal conviction and
 1829 whose eligibility has been restored in compliance with s.
 1830 98.0751.

1831 (h) Any other data that the director of the database and
 1832 institute considers necessary to maintain in furtherance of the
 1833 purposes of the database and institute.

1834 (4) All state agencies and local governments shall timely
 1835 provide the director of the database and institute with any
 1836 information requested by the director. No later than 90 days
 1837 after an election, each local government shall transmit to the
 1838 database and institute copies of all of the following:

1839 (a) Election results at the precinct level.

1840 (b) Contemporaneous voter registration lists.

1841 (c) Voter history files.

1842 (d) Maps, descriptions, and shapefiles for election
 1843 districts.

1844 (e) Lists of polling places, shapefiles, or descriptions
 1845 of the precincts assigned to each polling place.

1846 (f) Any other data as requested by the database and
 1847 institute.

1848 (5) Any state entity identified by the director of the
 1849 database and institute as possessing data, statistics, or other
 1850 information required by the database and institute to carry out

1851 its duties and responsibilities shall provide such data,
1852 statistics, or information annually to the database and
1853 institute at the request of the director.

1854 (6) If a state agency or local government fails to provide
1855 any information to the database and institute as required by
1856 this section, the director of the database and institute, the
1857 Attorney General, or the FLVRA Commission may file an action to
1858 enforce compliance with this section. An entity aggrieved by a
1859 violation of this section includes, but is not limited to, any
1860 entity whose membership includes individuals aggrieved by this
1861 section or whose mission would be frustrated by a violation of
1862 this section, including, but not limited to, an entity that
1863 would expend or divest resources to fulfill its mission as a
1864 result of such violation or must expend greater resources or
1865 efforts to advocate before an elected body that is less
1866 responsive to the entity or its members due to the alleged
1867 violation. An entity may not be compelled to disclose the
1868 identity of any specific member to pursue a claim on behalf of
1869 its members. This section must be liberally construed to confer
1870 standing as broadly as the State Constitution allows. Such claim
1871 may be filed pursuant to the Florida Rules of Civil Procedure or
1872 in the Second Judicial Circuit of Florida.

1873 (7) No later than 90 days after the end of each state
1874 fiscal year, the database and institute shall publish a report
1875 on the priorities and finances of the database and institute.

1876 (8) The database and institute shall provide nonpartisan
1877 technical assistance to local governments, researchers, and
1878 members of the public seeking to use the resources of the
1879 database.

1880 (9) There is a rebuttable presumption that the data,
1881 estimates, or other information maintained by the database and
1882 institute is valid.

1883 **Section 13. Section 97.24, Florida Statutes, is created to**
1884 **read:**

1885 97.24 Language access.—

1886 (1) As used in this section, the term:

1887 (a) "Limited English proficient individual" means an
1888 individual who does not speak English as his or her primary
1889 language and who speaks, reads, or understands the English
1890 language other than "very well" in accordance with United States
1891 Census Bureau data or data of comparable quality collected by a
1892 governmental entity.

1893 (b) "Native American" includes any person recognized by
1894 the United States Census Bureau or the state as "American
1895 Indian."

1896 (2) The FLVRA Commission must designate one or more
1897 languages, other than English, for which assistance in voting
1898 and elections must be provided by a local government if the
1899 commission finds that a significant and substantial need exists
1900 for such assistance.

1901 (3) Based on the best available data, which may include
1902 information from the United States Census Bureau's American
1903 Community Survey or data of comparable quality collected by a
1904 governmental entity, the FLVRA Commission must find that a
1905 significant and substantial need exists if:

1906 (a) More than 2 percent, but no fewer than 200 citizens of
1907 voting age, of a local government speak a language other than
1908 English and are limited English proficient individuals.

1909 (b) More than 4,000 citizens of voting age of a local
1910 government speak a language other than English and are limited
1911 English proficient individuals.

1912 (4) In the case of a local government that contains any
1913 part of a Native American reservation, if more than 2 percent of
1914 the Native American citizens of voting age within the Native
1915 American reservation are proficient in a language other than
1916 English and are limited English proficient individuals, the
1917 local government must provide materials in such language.

1918 (5) (a) On an annual basis, the FLVRA Commission shall
1919 publish on its website a list of all of the following:

1920 1. Each local government in which assistance in voting and
1921 elections in a language other than English must be provided.

1922 2. Each language in which such assistance must be provided
1923 in each local government.

1924 (b) The FLVRA Commission's determinations under this
1925 section are effective upon publication, and the commission shall

1926 distribute this information to each affected local government.

1927 (6) Each local government described in paragraph (5) (a)
 1928 shall provide assistance in voting and elections, including
 1929 related materials, in any language designated by the commission
 1930 under paragraph (5) (a) to voters in a local government who are
 1931 limited English proficient individuals.

1932 (7) Whenever the FLVRA Commission determines that,
 1933 pursuant to this section, language assistance must be provided
 1934 by a local government, the local government shall provide
 1935 competent assistance in each designated language and provide
 1936 related materials in English and in each designated language,
 1937 including voter registration or voting notices, forms,
 1938 instructions, assistance, ballots, or other materials or
 1939 information relating to the electoral process. However, in the
 1940 case of a language that is oral or unwritten, including
 1941 historically unwritten languages, as may be the case for some
 1942 Native American languages, a local government must provide oral
 1943 instructions, assistance, or other information on the electoral
 1944 process in such language. All materials provided in a designated
 1945 language must be of an equal quality to the corresponding
 1946 English materials. All provided translations must convey the
 1947 intent and essential meaning of the original text or
 1948 communication and may not rely solely on automatic translation
 1949 services. If available, live translation must be used for
 1950 language assistance.

1951 (8) The FLVRA Commission shall establish a review process
1952 under which the commission determines, upon receipt of a request
1953 submitted under this subsection, whether a significant and
1954 substantial need exists in a local government for a language to
1955 be designated for language access and assistance in voting and
1956 elections if such need has not been found under subsection (3)
1957 or subsection (4). Such process, at a minimum, must include an
1958 opportunity for any voter or entity to submit a request for the
1959 commission to consider designating a language in a local
1960 government; an opportunity for public comment; and a procedure
1961 for determining whether a local government must provide language
1962 assistance.

1963 (9) Any individual or entity aggrieved by a violation of
1964 this section, the Attorney General, or the FLVRA Commission may
1965 file an action alleging a violation of this section. An entity
1966 aggrieved by a violation of this section includes, but is not
1967 limited to, any entity whose membership includes individuals
1968 aggrieved by this section or whose mission would be frustrated
1969 by a violation of this section, including, but not limited to,
1970 an entity that would expend or divest resources to fulfill its
1971 mission as a result of such violation or must expend greater
1972 resources or efforts to advocate before an elected body that is
1973 less responsive to the entity or its members due to the alleged
1974 violation. An entity may not be compelled to disclose the
1975 identity of any specific member to pursue a claim on behalf of

1976 | its members. This section must be liberally construed to confer
 1977 | standing as broadly as the State Constitution allows. Such a
 1978 | claim may be filed pursuant to the Florida Rules of Civil
 1979 | Procedure or in the Second Judicial Circuit of Florida.

1980 | **Section 14. Section 97.25, Florida Statutes, is created to**
 1981 | **read:**

1982 | 97.25 Preclearance.—

1983 | (1) The enactment or implementation of a covered policy by
 1984 | a covered jurisdiction is subject to preclearance by the FLVRA
 1985 | Commission.

1986 | (2) For purposes of this section, a covered policy
 1987 | includes any new or modified:

1988 | (a) Election policy or practice.

1989 | (b) Method of election, including districting or
 1990 | redistricting.

1991 | (c) Form of government.

1992 | (d) Annexation, incorporation, dissolution, consolidation,
 1993 | or division of a local government.

1994 | (e) Removal of individuals from registry lists or
 1995 | enrollment lists and other activities concerning any such list,
 1996 | except where the removal is at the specific written request of
 1997 | the voter and other activities concerning any such list.

1998 | (f) Hours of any early voting site, or location or number
 1999 | of early voting sites, polling places, or secure ballot intake
 2000 | stations.

2001 (g) Assignment of voting precincts to polling places or
 2002 secure ballot intake station locations.

2003 (h) Assistance offered to protected class members.

2004 (i) Any additional subject matter the FLVRA Commission may
 2005 identify for inclusion in this subsection, pursuant to
 2006 commission rule, if the commission determines that any election
 2007 policy or practice may have the effect of diminishing the right
 2008 to vote of any protected class member or have the effect of
 2009 violating this act.

2010 (3) Following each decennial census, if a covered
 2011 jurisdiction does not make changes to its method of election,
 2012 including, but not limited to, maintaining an at-large method of
 2013 election or not making revisions to a district-based method of
 2014 election, the method of election must be deemed a covered policy
 2015 and must be submitted to the FLVRA Commission pursuant to this
 2016 section.

2017 (4) A covered jurisdiction includes any of the following:

2018 (a) A local government that, within the preceding 25
 2019 years, has been subject to a court order, government enforcement
 2020 action, court-approved consent decree, or other settlement in
 2021 which the local government conceded liability, based upon a
 2022 violation of this act, the federal Voting Rights Act, the 15th
 2023 Amendment to the United States Constitution, a voting-related
 2024 violation of the 14th Amendment to the United States
 2025 Constitution, or any violation of any other state or federal

2026 election law, concerning discrimination against members of a
2027 protected class.

2028 (b) A local government that, within the preceding 25
2029 years, has been subject to any court order, government
2030 enforcement action, court-approved consent decree, or any other
2031 settlement in which the local government conceded liability,
2032 based upon a violation of any state or federal civil rights law
2033 or the 14th Amendment to the United States Constitution,
2034 concerning discrimination against members of a protected class.

2035 (c) A local government that, during the preceding 3 years,
2036 has failed to comply with its obligation to provide data or
2037 information to the database pursuant to s. 97.23.

2038 (d) A local government that, during the preceding 25
2039 years, was found to have enacted or implemented a covered policy
2040 without obtaining preclearance for that policy pursuant to this
2041 section.

2042 (e) A local government that contains at least 1,000
2043 eligible voters of any protected class, or in which members of
2044 any protected class constitute at least 10 percent of the
2045 eligible voter population of the local government, and in which,
2046 in any year in the preceding 10 years, the percentage of voters
2047 of any protected class in a local government which participated
2048 in any general election for any local government office was at
2049 least 10 percentage points lower than the percentage of all
2050 voters in the local government who participated in such

2051 election.

2052 (f) A local government that contains at least 1,000
2053 eligible voters of any protected class, or in which members of
2054 any protected class constitute at least 10 percent of the
2055 eligible voter population of the local government, and in which,
2056 in any year in the preceding 10 years, the percentage of
2057 eligible voters of that protected class who were registered to
2058 vote was at least 10 percentage points lower than the percentage
2059 of all eligible voters in the local government who registered to
2060 vote.

2061 (g) A local government that contains at least 1,000
2062 eligible voters of any protected class, or in which members of
2063 any protected class constitute at least 10 percent of the
2064 eligible voter population of the local government, and in which,
2065 in any year in the preceding 10 years, based on data made
2066 available by the United States Census, the dissimilarity index
2067 of such protected class, calculated using census tracts, was in
2068 excess of 50 percent with respect to the race, color, or
2069 language minority group that comprises a plurality within the
2070 local government.

2071 (h) A local government that contains at least 1,000
2072 eligible voters of any protected class, or in which members of
2073 any protected class constitute at least 10 percent of the
2074 eligible voter population of the local government, and in which,
2075 in any year in the preceding 10 years, the poverty rate among

2076 the population of such protected class exceeded the poverty rate
2077 among the population of the local government as a whole by at
2078 least 10 percentage points.

2079 (i) A county that contains at least 1,000 eligible voters
2080 of any protected class, or in which members of any protected
2081 class constitute at least 10 percent of the eligible voter
2082 population of the county, and in which, in any year in the
2083 preceding 10 years, the arrest rate among members of such
2084 protected class exceeded the arrest rate among the population of
2085 the county as a whole by at least 10 percentage points.

2086 (j) Any school district that contains at least 1,000
2087 eligible voters of any protected class, or in which members of
2088 any protected class constitute at least 10 percent of the
2089 eligible voter population of the school district, and in which,
2090 in any year in the preceding 10 years, the graduation rate of
2091 such protected class was lower than the graduation rate of the
2092 entire district student population by at least 10 percentage
2093 points.

2094 (5) The FLVRA Commission shall determine on an annual
2095 basis which local governments are covered jurisdictions and
2096 publish a list of such jurisdictions on its website.

2097 (6) If a covered jurisdiction seeks preclearance from the
2098 FLVRA Commission for the adoption or implementation of any
2099 covered policy, the covered jurisdiction must submit the covered
2100 policy to the commission in writing and may obtain preclearance

2101 in accordance with this section.

2102 (a) The FLVRA Commission shall review the covered policy
2103 submitted for preclearance, including any comments submitted by
2104 members of the public, and make a determination to grant or deny
2105 preclearance. The covered jurisdiction bears the burden of proof
2106 in any preclearance determinations.

2107 (b)1. The FLVRA Commission may deny preclearance to a
2108 submitted covered policy only if it determines that:

2109 a. The covered policy is more likely than not to diminish
2110 the opportunity or ability of protected class members to
2111 participate in the political process and elect candidates of
2112 their choice or otherwise influence the outcome of elections; or

2113 b. The covered policy is more likely than not to violate
2114 this act.

2115 2. If the commission denies preclearance, the applicable
2116 covered jurisdiction may not enact or implement the covered
2117 policy. The commission shall provide a written explanation for a
2118 denial.

2119 (c) If the FLVRA Commission grants preclearance to a
2120 covered policy, the covered jurisdiction may immediately enact
2121 or implement the covered policy. A determination by the
2122 commission to grant preclearance is not admissible in, and may
2123 not be considered by, a court in any subsequent action
2124 challenging the covered policy. If the commission fails to deny
2125 or grant preclearance to a submitted covered policy within the

2126 timeframes set forth in paragraph (d), the covered policy is
2127 deemed to be precleared, and the covered jurisdiction may enact
2128 or implement the covered policy.

2129 (d) If a covered policy concerns the method of election
2130 for a legislative body, districting or redistricting, the number
2131 of seats on the legislative body, or annexation, incorporation,
2132 dissolution, consolidation, or division of a local government,
2133 the FLVRA Commission must review the covered policy, including
2134 any comments submitted by members of the public, and make a
2135 determination to deny or grant preclearance within 60 days after
2136 the submission of the covered policy. The commission may invoke
2137 up to two extensions of 90 days each to make such a
2138 determination. For all other covered policies, the commission
2139 shall review the covered policy, including any public comment,
2140 and make a determination to deny or grant preclearance within 30
2141 days after the submission of the covered policy. The commission
2142 may invoke an extension of 60 days to make such a determination.

2143 (e) A denial of preclearance under this section may be
2144 appealed only by the covered jurisdiction and must be filed in
2145 the Second Judicial Circuit. Other parties may not file an
2146 action to appeal a denial of preclearance or intervene in any
2147 such action brought by the covered jurisdiction.

2148 (7) If a covered jurisdiction enacts or implements any
2149 covered policy without obtaining preclearance for such covered
2150 policy in accordance with this section, any individual or entity

2151 aggrieved by such violation, the director of the database and
2152 institute, the Attorney General, or the FLVRA Commission may
2153 file an action to enjoin enactment or implementation and seek
2154 sanctions against the covered jurisdiction for violations of
2155 this section. An entity aggrieved by a violation of this section
2156 includes, but is not limited to, any entity whose membership
2157 includes individuals aggrieved by this section or whose mission
2158 would be frustrated by a violation of this section, including,
2159 but not limited to, an entity that would expend or divest
2160 resources to fulfill its mission as a result of such violation
2161 or must expend greater resources or efforts to advocate before
2162 an elected body that is less responsive to the entity or its
2163 members due to the alleged violation. An entity may not be
2164 compelled to disclose the identity of any specific member to
2165 pursue a claim on behalf of its members. This section must be
2166 liberally construed to confer standing as broadly as the State
2167 Constitution allows. Such a claim may be filed pursuant to the
2168 Florida Rules of Civil Procedure or in the Second Judicial
2169 Circuit. A claim under this subsection does not preclude, bar,
2170 or limit in any way any other claims that may be brought
2171 regarding the covered policy, including claims brought under
2172 other sections of this act.

2173 (8) If the FLVRA Commission approves preclearance for a
2174 covered policy in violation of this section, identifies or fails
2175 to identify a list of local governments that are covered

2176 jurisdictions in violation of this section, or otherwise fails
2177 to properly implement this section, any individual or entity
2178 aggrieved by such a violation may file an action seeking
2179 appropriate relief, including, but not limited to, injunctive
2180 relief on the commission or any other party, as the court deems
2181 necessary to enforce this section. An entity aggrieved by a
2182 violation of this section includes, but is not limited to, any
2183 entity whose membership includes individuals aggrieved by this
2184 section or whose mission would be frustrated by a violation of
2185 this section, including, but not limited to, an entity that
2186 would expend or divest resources to fulfill its mission as a
2187 result of such violation or must expend greater resources or
2188 efforts to advocate before an elected body that is less
2189 responsive to the entity or its members due to the alleged
2190 violation. An entity may not be compelled to disclose the
2191 identity of any specific member to pursue a claim on behalf of
2192 its members. This section must be liberally construed to confer
2193 standing as broadly as the State Constitution allows. Such a
2194 claim may be filed pursuant to the Florida Rules of Civil
2195 Procedure or in the Second Judicial Circuit of Florida. A claim
2196 under this subsection does not preclude, bar, or limit any other
2197 claims that may be brought regarding any covered policy,
2198 including claims brought under other sections of this act.
2199 (9) The FLVRA Commission shall adopt rules to implement
2200 this section, including rules concerning the content of and

2201 procedure for preclearance submission, procedures for public
2202 comment and transparency regarding preclearance determinations,
2203 and procedures for expedited and emergency preclearance
2204 determinations that deviate from the timelines provided in
2205 paragraph (6) (d), provided that such preclearance determinations
2206 are preliminary.

2207 **Section 15. Section 97.26, Florida Statutes, is created to**
2208 **read:**

2209 97.26 Voter intimidation, deception, and obstruction.—

2210 (1) A person may not, whether acting under color of law or
2211 otherwise, engage in acts of intimidation, deception, or
2212 obstruction, or any other tactic that has the effect of or may
2213 reasonably have the effect of interfering with another person's
2214 right to vote.

2215 (2) A violation of subsection (1) includes any of the
2216 following:

2217 (a) The use of force or threats to use force, or the use
2218 of any other conduct to practice intimidation, which causes or
2219 will reasonably have the effect of causing interference with an
2220 individual's right to vote.

2221 (b) Knowingly using or deploying a deceptive or fraudulent
2222 device, contrivance, or communication that causes or will
2223 reasonably have the effect of causing interference with an
2224 individual's right to vote.

2225 (c) The obstruction of, impediment to, or interference

2226 with access to any early voting site, polling place, secure
2227 ballot intake station, or office of the supervisor of elections
2228 in a manner that causes or will reasonably have the effect of
2229 causing interference with an individual's right to vote or
2230 causing any delay in voting or the voting process.

2231 (3) (a) In any action to enforce this section, there is a
2232 rebuttable presumption that a person has violated this section
2233 if he or she openly carries or brandishes a firearm, an
2234 imitation firearm, a toy gun, a machete, an axe, a sword, or any
2235 weapon as defined in s. 790.001 while:

2236 1. Interacting with or observing any person voting or
2237 attempting to vote;

2238 2. Urging or aiding any person to vote or attempt to vote,
2239 whether as part of official election administration activities
2240 or unofficial activities; or

2241 3. Exercising any power or duty in administering
2242 elections, including, but not limited to, vote counting,
2243 canvassing, or certifying returns.

2244 (b) A law enforcement officer as defined in s. 943.10
2245 acting within the scope of his or her official duties is not
2246 subject to the presumption under paragraph (a), but a court may
2247 nonetheless consider a law enforcement officer's possession of a
2248 firearm in determining whether the officer violated this
2249 section.

2250 (4) Any individual or entity aggrieved by a violation of

2251 this section, the Attorney General, or the FLVRA Commission may
2252 file a civil action alleging a violation of this section. An
2253 entity aggrieved by a violation of this section includes, but is
2254 not limited to, any entity whose membership includes individuals
2255 aggrieved by this section or whose mission would be frustrated
2256 by a violation of this section, including, but not limited to,
2257 an entity that would expend or divest resources to fulfill its
2258 mission as a result of such violation or must expend greater
2259 resources or efforts to advocate before an elected body that is
2260 less responsive to the entity or its members due to the alleged
2261 violation. An entity may not be compelled to disclose the
2262 identity of any specific member to pursue a claim on behalf of
2263 its members. This section must be liberally construed to confer
2264 standing as broadly as the State Constitution allows. Such a
2265 claim may be filed pursuant to the Florida Rules of Civil
2266 Procedure or in the Second Judicial Circuit.

2267 (5) In addition to any remedies that may be imposed under
2268 s. 97.28, if the court finds a violation of this section, the
2269 court must order appropriate remedies that are tailored to
2270 addressing the violation, including, but not limited to,
2271 providing for additional time for individuals to vote in an
2272 election, a primary, or a referendum and awarding nominal
2273 damages for any violation and compensatory or punitive damages
2274 for any willful violation.

2275 **Section 16. Section 97.27, Florida Statutes, is created to**

2276 **read:**

2277 97.27 Democracy canon.—

2278 (1) Any provision of this code and any regulation,
 2279 charter, home rule ordinance, or other enactment of the state or
 2280 any local government relating to the right to vote must be
 2281 liberally construed in favor of the rights enumerated in
 2282 paragraphs (a)-(e), as follows:

2283 (a) Protecting the individual's right to cast a ballot and
 2284 make the ballot valid.

2285 (b) Ensuring eligible individuals seeking voter
 2286 registration are not impaired in being registered.

2287 (c) Ensuring voters are not impaired in voting, including,
 2288 but not limited to, having their votes counted.

2289 (d) Making the fundamental right to vote more accessible
 2290 to eligible voters.

2291 (e) Ensuring equitable access for protected class members
 2292 to opportunities to be registered to vote and to vote.

2293 (2) It is the policy of the state that courts should
 2294 exercise their discretion on any issue, including, but not
 2295 limited to, questions of discovery, procedure, admissibility of
 2296 evidence, or remedies, in favor of the rights enumerated in
 2297 paragraphs (1)(a)-(e) to the extent allowable by law.

2298 Furthermore, it is the policy of the state to promote the free
 2299 flow of documents and information concerning the intent of
 2300 public officials in actions concerning the right to vote.

2301 Accordingly, in any action under this act, the federal Voting
2302 Rights Act, or a voting-related claim under the State
2303 Constitution or the United States Constitution, sovereign,
2304 governmental, executive, legislative, or deliberative immunities
2305 and privileges, including any evidentiary privileges, may not be
2306 asserted. However, this section does not apply to any attorney-
2307 client or attorney work-product privileges.

2308 **Section 17. Section 97.28, Florida Statutes, is created to**
2309 **read:**

2310 97.28 Remedies.—

2311 (1) If a court finds a violation of this act, the court
2312 must order appropriate remedies that are tailored to address
2313 such violation and to ensure protected class members have
2314 equitable opportunities to fully participate in the political
2315 process and that the remedies can be implemented in a manner
2316 that will not unduly disrupt the administration of an ongoing or
2317 imminent election. Appropriate remedies include, but need not be
2318 limited to, any of the following:

2319 (a) Another method of election or changes to the existing
2320 method of election.

2321 (b) Elimination of staggered elections so that all members
2322 of the legislative body are elected at the same time.

2323 (c) Reasonably increasing the size of the legislative
2324 body.

2325 (d) Additional voting days or hours.

- 2326 (e) Additional polling places and early voting sites.
- 2327 (f) Additional opportunities to return ballots.
- 2328 (g) Holding special elections.
- 2329 (h) Expanded opportunities for voter registration.
- 2330 (i) Additional voter education.
- 2331 (j) The restoration or addition of individuals to registry
2332 lists.
- 2333 (k) Retaining jurisdiction for such a period of time as
2334 the court deems appropriate.
- 2335 (2) The court shall consider remedies proposed by any
2336 party to the action or by interested nonparties. The court may
2337 not give deference or priority to a proposed remedy because it
2338 is proposed by the state or local government.
- 2339 (3) If necessary to remedy a violation of this act, the
2340 court is empowered to require a local government to implement
2341 remedies that are inconsistent with any other law and any
2342 special act, charter or home rule ordinance, or other enactment
2343 of the state or local government.
- 2344 (4) Notwithstanding the Florida Rules of Civil Procedure
2345 or any other law, the court must grant a temporary injunction
2346 and any other preliminary relief requested under this section
2347 with respect to an upcoming election if the court determines
2348 that the party is more likely than not to succeed on the merits
2349 and that it is possible to implement an appropriate temporary
2350 remedy that would resolve the violation alleged under this

2351 section before the next general election.

2352 (5) In any action to enforce this act, the court shall
 2353 award reasonable attorney fees and litigation costs, including,
 2354 but not limited to, expert witness fees and expenses, to the
 2355 party that filed an action, other than a state or local
 2356 government, and that prevailed in such action. The party that
 2357 filed the action is deemed to have prevailed when, as a result
 2358 of litigation, the party against whom the action was filed has
 2359 yielded some or all of the relief sought in the action. In the
 2360 case of a party against whom an action was filed and who
 2361 prevailed, the court may not award the party any costs unless
 2362 the court finds the action to be frivolous, unreasonable, or
 2363 without foundation.

2364 **Section 18. Paragraph (b) of subsection (4) of section**
 2365 **98.045, Florida Statutes, is amended to read:**

2366 98.045 Administration of voter registration.—

2367 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
 2368 STREET ADDRESSES.—

2369 (b) The department shall make the statewide database of
 2370 valid street addresses available to the Department of Highway
 2371 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
 2372 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
 2373 shall use the database for purposes of validating the legal
 2374 residential addresses provided in voter registration
 2375 applications received by the Department of Highway Safety and

2376 Motor Vehicles.

2377 **Section 19. Subsections (1) and (2) of section 98.255,**
 2378 **Florida Statutes, are amended to read:**

2379 98.255 Voter education programs.—

2380 (1) The Department of State shall adopt rules prescribing
 2381 minimum standards for nonpartisan voter education. The standards
 2382 shall, at a minimum, address:

- 2383 (a) Voter registration;
- 2384 (b) Balloting procedures, by mail and polling place;
- 2385 (c) Voter rights and responsibilities;
- 2386 (d) Distribution of sample ballots; ~~and~~
- 2387 (e) Public service announcements; and
- 2388 (f) Plain writing standards consistent with official

2389 federal guidelines for the Plain Writing Act of 2010 and United
 2390 States Election Assistance Commission best practices for
 2391 designing effective voter education materials.

2392 (2) Each county supervisor shall implement the minimum
 2393 voter education standards, and shall conduct additional
 2394 nonpartisan education efforts as necessary to ensure that voters
 2395 have a working knowledge of the voting process. This includes
 2396 providing, to the extent possible, public-facing voter
 2397 information in plain language reasonably calculated to be
 2398 understood by persons with grade 8 reading level or lower.

2399 **Section 20. Paragraphs (e) and (g) of subsection (14) of**
 2400 **section 100.371, Florida Statutes, are amended to read:**

2401 100.371 Initiatives; procedure for placement on ballot.-
2402 (14)

2403 (e) Beginning October 1, 2025, when the signature on the
2404 petition form is verified as valid, the supervisor shall, as
2405 soon as practicable, notify the voter by mail at the mailing
2406 address on file in the Florida Voter Registration System.

2407 1. Such notice must be sent by forwardable mail with a
2408 postage prepaid preaddressed form, which may be returned to the
2409 office of the supervisor of elections ~~Office of Election Crimes~~
2410 ~~and Security~~. The notice must include contact information for
2411 the office of the supervisor of elections ~~Office of Election~~
2412 ~~Crimes and Security~~, including the telephone number, fax number,
2413 mailing address, and e-mail address. The notice must include all
2414 of the following statements or information in substantially the
2415 following form:

2416

2417 NOTICE

2418

2419 A petition to place a proposed constitutional
2420 amendment on the ballot for the next general election,
2421 bearing your name and signature, has been received and
2422 verified by the Supervisor of Elections Office in
2423 ...(insert county)....

2424

2425 The petition is for ...(insert the petition serial

2426 | number and ballot title)... and was signed on
 2427 | ... (insert the date the voter signed the petition)....

2428 |
 2429 | Check this box , sign, and return this notice to the
 2430 | Office of the Supervisor of Elections ~~Office of~~
 2431 | ~~Election Crimes and Security~~ if you believe your
 2432 | signature has been misrepresented or forged on a
 2433 | petition. The petition form in question will be
 2434 | invalidated and will not be counted toward the number
 2435 | of signatures required to place this proposed
 2436 | constitutional amendment on the ballot.

2437 |
 2438 | A notice being returned must be received by the Office
 2439 | of the Supervisor of Elections ~~Office of Election~~
 2440 | ~~Crimes and Security~~ on or before February 1 ... (insert
 2441 | the year in which the general election is held)....

2442 |
 2443 | ... (Insert the voter's Florida voter registration
 2444 | number, and if applicable, the petition circulator's
 2445 | number)....

2446 |
 2447 | By signing below, I swear or affirm that my signature
 2448 | was misrepresented or forged on the petition form
 2449 | indicated in this notice.

2450 |

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2476 distribution of verified valid signatures by congressional
2477 district, and the total number of verified petition forms
2478 forwarded to the Secretary of State. For any reporting period in
2479 which the percentage of petition forms deemed invalid by the
2480 supervisor exceeds a total of 25 percent of the petition forms
2481 received by the supervisor for that reporting period, the
2482 supervisor shall notify the department ~~Office of Election Crimes~~
2483 ~~and Security~~. The department ~~Office of Election Crimes and~~
2484 ~~Security~~ shall conduct a preliminary investigation into the
2485 activities of the sponsor, one or more petition circulators, or
2486 a person collecting petition forms on behalf of a sponsor, to
2487 determine whether the invalidated petitions are a result of
2488 fraud or any other violation of this section. As authorized by
2489 s. 97.012(15) ~~ss. 97.012(15) and 97.022(1)~~, the secretary ~~Office~~
2490 ~~of Elections Crimes and Security~~ may, if warranted, report
2491 findings to the statewide prosecutor or the state attorney for
2492 the judicial circuit in which the alleged violation occurred for
2493 prosecution.

2494 **Section 21. Section 100.51, Florida Statutes, is created**
2495 **to read:**

2496 100.51 General Election Day paid holiday.—In order to
2497 encourage civic participation, enable more individuals to serve
2498 as poll workers, and provide additional time for the resolution
2499 of any issue that arises while a voter is casting his or her
2500 ballot, General Election Day shall be a paid holiday. A voter is

2501 entitled to absent himself or herself from any service or
 2502 employment in which he or she is engaged or employed during the
 2503 time the polls are open on General Election Day. A voter who
 2504 absents himself or herself under this section may not be
 2505 penalized in any way, and a deduction may not be made from his
 2506 or her usual salary or wages, on account of his or her absence.

2507 **Section 22. Section 101.016, Florida Statutes, is created**
 2508 **to read:**

2509 101.016 Strategic elections equipment reserve.-

2510 (1) The Division of Elections shall maintain a secure
 2511 election equipment reserve that may be deployed in the event of
 2512 an emergency as defined in s. 101.732 or in the event of
 2513 capacity issues due to unexpected voter turnout.

2514 (2) The reserve, at a minimum, must include ballot marking
 2515 devices, scanners, tabulation equipment, ballot-on-demand
 2516 printers, paper required for voting machines and printers,
 2517 accessible voting equipment, electronic poll books,
 2518 uninterrupted power supplies, generators, cabling, and power
 2519 cords, and may include other related equipment necessary to
 2520 ensure the continuity of elections, consistent with the voting
 2521 systems certified for use by each supervisor of elections.

2522 (3) The division may, in lieu of maintaining a physical
 2523 reserve of such equipment, contract with one or more certified
 2524 vendors of voting systems to provide such equipment on an as-
 2525 needed basis. Any such contract must include all of the

2526 following:

2527 (a) A guaranteed delivery timeframe no later than 24 hours
2528 after a request by a supervisor of election, the division, or
2529 the department.

2530 (b) Requirements for the secure transportation,
2531 installation, and removal of equipment.

2532 (c) Maintenance of secure custody and detailed chain-of-
2533 custody records for all equipment consistent with s. 101.015 and
2534 related administrative rules, including documentation of each
2535 transfer, installation, removal, and compliance with applicable
2536 state cybersecurity and physical security standards.

2537 (4) No later than February 1, 2027, and annually no later
2538 than February 1 thereafter, the division shall submit a report
2539 to the Governor, the President of the Senate, and the Speaker of
2540 the House of Representatives which includes all of the
2541 following:

2542 (a) The current inventory of equipment held in reserve or
2543 available by vendor contract.

2544 (b) A list of all deployments of equipment under this
2545 section during the preceding calendar year, including the reason
2546 for deployment, response time, and associated costs.

2547 (c) Recommendations for improvements to ensure readiness
2548 for future elections.

2549 **Section 23.** Section 101.019, Florida Statutes, is
2550 repealed.

2551 **Section 24. Subsections (1) and (2) of section 101.048,**
 2552 **Florida Statutes, are amended to read:**

2553 101.048 Provisional ballots.—

2554 (1) At all elections, a voter claiming to be properly
 2555 registered in this ~~the~~ state and eligible to vote ~~at the~~
 2556 ~~precinct~~ in the election but whose eligibility cannot be
 2557 determined, a person whom an election official asserts is not
 2558 eligible, including, but not limited to, a person to whom notice
 2559 has been sent pursuant to s. 98.075(7), but for whom a final
 2560 determination of eligibility has not been made, and other
 2561 persons specified in the code is ~~shall be~~ entitled to vote a
 2562 provisional ballot at any precinct in the county in which the
 2563 voter claims to be registered. Once voted, the provisional
 2564 ballot must be placed in a secrecy envelope and thereafter
 2565 sealed in a provisional ballot envelope. The provisional ballot
 2566 must be deposited in a ballot box. All provisional ballots must
 2567 remain sealed in their envelopes for return to the supervisor of
 2568 elections. The department shall prescribe the form of the
 2569 provisional ballot envelope. A person casting a provisional
 2570 ballot has the right to present written evidence supporting his
 2571 or her eligibility to vote to the supervisor of elections by not
 2572 later than 5 p.m. on the second day following the election.

2573 (2) (a) The county canvassing board shall examine each
 2574 Provisional Ballot Voter's Certificate and Affirmation to
 2575 determine if the person voting that ballot was entitled to vote

2576 in the county in which ~~at the precinct where~~ the person cast a
2577 vote in the election and that the person had not otherwise
2578 ~~already~~ cast a ballot in the election. In determining whether a
2579 person casting a provisional ballot is entitled to vote, the
2580 county canvassing board shall review the information provided in
2581 the Voter's Certificate and Affirmation, written evidence
2582 provided by the person pursuant to subsection (1), information
2583 provided in any cure affidavit and accompanying supporting
2584 documentation pursuant to subsection (6), any other evidence
2585 presented by the supervisor, and, in the case of a challenge,
2586 any evidence presented by the challenger. A ballot of a person
2587 casting a provisional ballot must ~~shall~~ be canvassed pursuant to
2588 paragraph (b) unless the canvassing board determines by a
2589 preponderance of the evidence that the person was not entitled
2590 to vote.

2591 (b) If it is determined that the person was registered and
2592 entitled to vote in the county in which ~~at the precinct where~~
2593 the person cast a vote in the election, the canvassing board
2594 must compare the signature on the Provisional Ballot Voter's
2595 Certificate and Affirmation or the provisional ballot cure
2596 affidavit with the signature on the voter's registration or
2597 precinct register. A provisional ballot may be counted only if:

2598 1. The signature on the voter's certificate or the cure
2599 affidavit matches the elector's signature in the registration
2600 books or the precinct register; however, in the case of a cure

2601 affidavit, the supporting identification listed in subsection
 2602 (6) must also confirm the identity of the elector; or

2603 2. The cure affidavit contains a signature that does not
 2604 match the elector's signature in the registration books or the
 2605 precinct register, but the elector has submitted a current and
 2606 valid Tier 1 form of identification confirming his or her
 2607 identity pursuant to subsection (6).

2608
 2609 For purposes of this paragraph, any canvassing board finding
 2610 that signatures do not match must be by majority vote and beyond
 2611 a reasonable doubt.

2612 (c) Any provisional ballot not counted must remain in the
 2613 envelope containing the Provisional Ballot Voter's Certificate
 2614 and Affirmation, and the envelope must ~~shall~~ be marked "Rejected
 2615 as Illegal."

2616 (d) If a provisional ballot is validated following the
 2617 submission of a cure affidavit, the supervisor must make a copy
 2618 of the affidavit, affix it to a voter registration application,
 2619 and immediately process it as a valid request for a signature
 2620 update pursuant to s. 98.077.

2621 **Section 25. Subsection (1) of section 101.572, Florida**
 2622 **Statutes, is amended to read:**

2623 101.572 Public inspection of ballots.—

2624 ~~(1) The official ballots and ballot cards received from~~
 2625 ~~election boards and removed from vote by mail ballot mailing~~

2626 ~~envelopes and voter certificates on such mailing envelopes shall~~
 2627 ~~be open for public inspection or examination while in the~~
 2628 ~~eustody of the supervisor of elections or the county canvassing~~
 2629 ~~board at any reasonable time, under reasonable conditions;~~
 2630 ~~however, no persons other than the supervisor of elections or~~
 2631 ~~his or her employees or the county canvassing board shall handle~~
 2632 ~~any official ballot or ballot card. If the ballots are being~~
 2633 ~~examined prior to the end of the contest period in s. 102.168,~~
 2634 ~~the supervisor of elections shall make a reasonable effort to~~
 2635 ~~notify all candidates whose names appear on such ballots or~~
 2636 ~~ballot cards by telephone or otherwise of the time and place of~~
 2637 ~~the inspection or examination. All such candidates, or their~~
 2638 ~~representatives, shall be allowed to be present during the~~
 2639 ~~inspection or examination.~~

2640 **Section 26. Paragraph (a) of subsection (1) and paragraphs**
 2641 **(c) and (d) of subsection (3) of section 101.62, Florida**
 2642 **Statutes, are amended, and subsection (7) is added to that**
 2643 **section, to read:**

2644 101.62 Request for vote-by-mail ballots.—

2645 (1) REQUEST.—

2646 (a) The supervisor shall accept a request for a vote-by-
 2647 mail ballot only from a voter or, if directly instructed by the
 2648 voter, a member of the voter's immediate family or the voter's
 2649 legal guardian. A request may be made in person, in writing, by
 2650 telephone, or through the supervisor's website. The department

2651 shall prescribe by rule by October 1, 2023, a uniform statewide
2652 application to make a written request for a vote-by-mail ballot
2653 which includes fields for all information required in this
2654 subsection. One request is deemed sufficient to receive a vote-
2655 by-mail ballot for all elections until the voter or the voter's
2656 designee notifies the supervisor that the voter cancels such
2657 request through the end of the calendar year of the next
2658 regularly scheduled general election, unless the voter or the
2659 voter's designee indicates at the time the request is made the
2660 elections ~~within such period~~ for which the voter desires to
2661 receive a vote-by-mail ballot. The supervisor must cancel a
2662 request for a vote-by-mail ballot when any first-class mail or
2663 nonforwardable mail sent by the supervisor to the voter is
2664 returned as undeliverable. If the voter requests a vote-by-mail
2665 ballot thereafter, the voter must provide or confirm his or her
2666 current residential address.

2667 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.—

2668 (c) Except as otherwise provided in paragraph (a) or
2669 paragraph (b), the supervisor shall mail vote-by-mail ballots
2670 within 2 business days after receiving a request for such a
2671 ballot, but no later than the 11th ~~10th~~ day before election day.
2672 The deadline to submit a request for a ballot to be mailed is 5
2673 p.m. local time on the 12th day before an upcoming election.

2674 (d) Upon a request for a vote-by-mail ballot, the
2675 supervisor shall provide a vote-by-mail ballot to each voter by

2676 | whom a request for that ballot has been made, by one of the
2677 | following means:

2678 | 1. By nonforwardable, return-if-undeliverable mail to the
2679 | voter's current mailing address on file with the supervisor or
2680 | any other address the voter specifies in the request. The
2681 | envelopes must be prominently marked "Do Not Forward."

2682 | 2. By forwardable mail, e-mail, or facsimile machine
2683 | transmission to absent uniformed services voters and overseas
2684 | voters. The absent uniformed services voter or overseas voter
2685 | may designate in the vote-by-mail ballot request the preferred
2686 | method of transmission. If the voter does not designate the
2687 | method of transmission, the vote-by-mail ballot must be mailed.

2688 | 3. By personal delivery to the voter after vote-by-mail
2689 | ballots have been mailed and up to 7 p.m. on election day upon
2690 | presentation of the identification required in s. 101.043.

2691 | 4. By delivery to the voter's designee after vote-by-mail
2692 | ballots have been mailed and up to 7 p.m. on election day. Any
2693 | voter may designate in writing a person to pick up the ballot
2694 | for the voter; ~~however, the person designated may not pick up~~
2695 | ~~more than two vote-by-mail ballots per election, other than the~~
2696 | ~~designee's own ballot, except that additional ballots may be~~
2697 | ~~picked up for members of the designee's immediate family. The~~
2698 | ~~designee shall provide to the supervisor the written~~
2699 | ~~authorization by the voter and a picture identification of the~~
2700 | ~~designee and must complete an affidavit. The designee shall~~

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2701 ~~state in the affidavit that the designee is authorized by the~~
2702 ~~voter to pick up that ballot and shall indicate if the voter is~~
2703 ~~a member of the designee's immediate family and, if so, the~~
2704 ~~relationship. The department shall prescribe the form of the~~
2705 ~~affidavit. If the supervisor is satisfied that the designee is~~
2706 ~~authorized to pick up the ballot and that the signature of the~~
2707 ~~voter on the written authorization matches the signature of the~~
2708 ~~voter on file, the supervisor must give the ballot to that~~
2709 ~~designee for delivery to the voter.~~

2710 5. Except as provided in s. 101.655, the supervisor may
2711 not deliver a vote-by-mail ballot to a voter or a voter's
2712 designee pursuant to subparagraph 3. or subparagraph 4.,
2713 respectively, during the mandatory early voting period and up to
2714 7 p.m. on election day, unless there is an emergency, to the
2715 extent that the voter will be unable to go to a designated early
2716 voting site in his or her county or to his or her assigned
2717 polling place on election day. If a vote-by-mail ballot is
2718 delivered, the voter or his or her designee must execute an
2719 affidavit affirming to the facts which allow for delivery of the
2720 vote-by-mail ballot. The department shall adopt a rule providing
2721 for the form of the affidavit.

2722 (7) DEADLINE EXTENSION.—If a deadline under this section
2723 falls on a day when the office of the supervisor is scheduled to
2724 be closed, the deadline must be extended until the next business
2725 day.

2726 **Section 27. Paragraph (a) of subsection (1) and**
 2727 **subsections (2) and (4) of section 101.64, Florida Statutes, are**
 2728 **amended to read:**

2729 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

2730 (1) (a) The supervisor shall enclose with each vote-by-mail
 2731 ballot two envelopes: a secrecy envelope, into which the absent
 2732 voter must ~~elector shall~~ enclose his or her marked ballot; and a
 2733 postage prepaid mailing envelope, into which the absent voter
 2734 must ~~elector shall~~ then place the secrecy envelope, which must
 2735 ~~shall~~ be addressed to the supervisor and also bear on the back
 2736 side a certificate in substantially the following form:

2737
 2738 Note: Please Read Instructions Carefully Before
 2739 Marking Ballot and Completing Voter's Certificate.

2740 VOTER'S CERTIFICATE

2741 I, , do solemnly swear or affirm that I am a qualified
 2742 and registered voter of County, Florida, and that I have
 2743 not and will not vote more than one ballot in this election. I
 2744 understand that if I commit or attempt to commit any fraud in
 2745 connection with voting, vote a fraudulent ballot, or vote more
 2746 than once in an election, I can be convicted of a felony of the
 2747 third degree and fined up to \$5,000 and/or imprisoned for up to
 2748 5 years. I also understand that failure to sign this certificate
 2749 will invalidate my ballot.

2750 . . . (Date) . . .

2751 ... (Voter's Signature or Last Four Digits of Social Security
 2752 Number) ...
 2753 ... (E-Mail Address) (Home Telephone Number) ...
 2754 ... (Mobile Telephone Number) ...
 2755

2756 (2) The certificate must ~~shall~~ be arranged on the back of
 2757 the mailing envelope so that the line for the signature or last
 2758 four digits of the social security number of the voter are
 2759 ~~absent elector is~~ across the seal of the envelope; however, a ~~no~~
 2760 statement may not ~~shall~~ appear on the envelope which indicates
 2761 that a signature or the last four digits of the social security
 2762 number of the voter must cross the seal of the envelope. The
 2763 voter must ~~absent elector shall~~ execute the certificate on the
 2764 envelope.

2765 (4) The supervisor shall mark, code, indicate on, or
 2766 otherwise track the precinct of the voter ~~absent elector~~ for
 2767 each vote-by-mail ballot.

2768 **Section 28. Section 101.65, Florida Statutes, is amended**
 2769 **to read:**

2770 101.65 Instructions to absent electors.—The supervisor
 2771 shall enclose with each vote-by-mail ballot separate printed
 2772 instructions in substantially the following form; however, where
 2773 the instructions appear in capitalized text, the text of the
 2774 printed instructions must be in bold font:
 2775

READ THESE INSTRUCTIONS CAREFULLY
BEFORE MARKING BALLOT.

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

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

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote

2801 for One" candidate and you vote for more than one candidate,
 2802 your vote in that race will not be counted.

2803 4. Place your marked ballot in the enclosed secrecy
 2804 envelope.

2805 5. Insert the secrecy envelope into the enclosed mailing
 2806 envelope which is addressed to the supervisor.

2807 6. Seal the mailing envelope and completely fill out the
 2808 Voter's Certificate on the back of the mailing envelope.

2809 7. VERY IMPORTANT. In order for your vote-by-mail ballot
 2810 to be counted, you must sign your name or print the last four
 2811 digits of your social security number on the line above (Voter's
 2812 Signature or Last Four Digits of Social Security Number). A
 2813 vote-by-mail ballot will be considered illegal and not be
 2814 counted if the signature or the last four digits of the social
 2815 security number on the voter's certificate do ~~does~~ not match the
 2816 signature or social security number on record. The signature on
 2817 file at the time the supervisor of elections in the county in
 2818 which your precinct is located receives your vote-by-mail ballot
 2819 is the signature that will be used to verify your signature on
 2820 the voter's certificate. If you need to update your signature
 2821 for this election, send your signature update on a voter
 2822 registration application to your supervisor of elections ~~so that~~
 2823 ~~it is received before your vote-by-mail ballot is received.~~

2824 8. VERY IMPORTANT. If you are an overseas voter, you must
 2825 include the date you signed the Voter's Certificate or printed

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2826 | the last four digits of your social security number on the line
2827 | above (Date) or your ballot may not be counted.

2828 | 9. Mail, deliver, or have delivered the completed mailing
2829 | envelope. If mailing, be sure there is sufficient postage if the
2830 | mailing envelope is not already postage-paid mailed. THE

2831 | COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
2832 | SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
2833 | LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE
2834 | STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

2835 | 10. FELONY NOTICE. It is a felony under Florida law to
2836 | accept any gift, payment, or gratuity in exchange for your vote
2837 | for a candidate. It is also a felony under Florida law to vote
2838 | in an election using a false identity or false address, or under
2839 | any other circumstances making your ballot false or fraudulent.

2840 | **Section 29. Paragraphs (a) and (b) of subsection (1),**
2841 | **paragraph (c) of subsection (2), and paragraphs (a), (c), and**
2842 | **(d) of subsection (4) of section 101.68, Florida Statutes, are**
2843 | **amended to read:**

2844 | 101.68 Canvassing of vote-by-mail ballot.—

2845 | (1)(a) The supervisor of the county where the absent
2846 | elector resides shall receive the voted ballot, at which time
2847 | the supervisor shall compare the signature or the last four
2848 | digits of the social security number of the elector on the
2849 | voter's certificate with the signature or the last four digits
2850 | of the social security number of the elector in the registration

2851 books or the precinct register to determine whether the elector
 2852 is duly registered in the county and must record on the
 2853 elector's registration record that the elector has voted. During
 2854 the signature comparison process, the supervisor may not use any
 2855 knowledge of the political affiliation of the elector whose
 2856 signature is subject to verification.

2857 (b) An elector who dies after casting a vote-by-mail
 2858 ballot but on or before election day must ~~shall~~ remain listed in
 2859 the registration books until the results have been certified for
 2860 the election in which the ballot was cast. The supervisor shall
 2861 safely keep the ballot unopened in his or her office until the
 2862 county canvassing board canvasses the vote pursuant to
 2863 subsection (2).

2864 (2)

2865 (c)1. The canvassing board must, if the supervisor has not
 2866 already done so, compare the signature or the last four digits
 2867 of the social security number of the elector on the voter's
 2868 certificate or on the vote-by-mail ballot cure affidavit as
 2869 provided in subsection (4) with the signature or last four
 2870 digits of the social security number of the elector in the
 2871 registration books or the precinct register to see that the
 2872 elector is duly registered in the county and to determine the
 2873 validity ~~legality~~ of that vote-by-mail ballot. A vote-by-mail
 2874 ballot may only be counted if:

2875 a. The signature or last four digits of the social

2876 security number on the voter's certificate or the cure affidavit
 2877 ~~match~~ ~~matches~~ the elector's signature or last four digits of the
 2878 social security number in the registration books or precinct
 2879 register; however, in the case of a cure affidavit, the
 2880 supporting identification listed in subsection (4) must also
 2881 confirm the identity of the elector; or

2882 b. The cure affidavit contains a signature or the last
 2883 four digits of a social security number which do ~~that~~ ~~does~~ not
 2884 match the elector's signature or last four digits of the social
 2885 security number in the registration books or precinct register,
 2886 but the elector has submitted a current and valid Tier 1
 2887 identification pursuant to subsection (4) which confirms the
 2888 identity of the elector.

2889
 2890 For purposes of this subparagraph, any canvassing board finding
 2891 that an elector's signatures or last four digits of the
 2892 elector's social security number do not match must be by
 2893 majority vote and beyond a reasonable doubt.

2894 2. The ballot of an elector who casts a vote-by-mail
 2895 ballot shall be counted even if the elector dies on or before
 2896 election day, as long as, before the death of the voter, the
 2897 ballot was postmarked by the United States Postal Service, date-
 2898 stamped with a verifiable tracking number by a common carrier,
 2899 or already in the possession of the supervisor.

2900 3. A vote-by-mail ballot is not considered invalid ~~illegal~~

2901 if the signature or last four digits of the social security
2902 number of the elector do ~~does~~ not cross the seal of the mailing
2903 envelope.

2904 4. ~~If any elector or candidate present believes that a~~
2905 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~
2906 ~~voter's certificate or the cure affidavit, he or she may, at any~~
2907 ~~time before the ballot is removed from the envelope, file with~~
2908 ~~the canvassing board a protest against the canvass of that~~
2909 ~~ballot, specifying the precinct, the voter's certificate or the~~
2910 ~~cure affidavit, and the reason he or she believes the ballot to~~
2911 ~~be illegal. A challenge based upon a defect in the voter's~~
2912 ~~certificate or cure affidavit may not be accepted after the~~
2913 ~~ballot has been removed from the mailing envelope.~~

2914 5. If the canvassing board determines that a ballot is
2915 invalid illegal, a member of the board must, without opening the
2916 envelope, mark across the face of the envelope: "rejected as
2917 invalid illegal." The cure affidavit, if applicable, the
2918 envelope, and the ballot therein must ~~shall~~ be preserved in the
2919 manner that official ballots are preserved.

2920 (4) (a) As soon as practicable, the supervisor shall, on
2921 behalf of the county canvassing board, attempt to notify an
2922 elector who has returned a vote-by-mail ballot that does not
2923 include the elector's signature or last four digits of the
2924 elector's social security number or contains a signature or the
2925 last four digits of a social security number that do ~~does~~ not

2926 match the elector's signature or last four digits of the
2927 elector's social security number in the registration books or
2928 precinct register by:

2929 1. Notifying the elector of the signature or last four
2930 digits of the social security number deficiency by e-mail and
2931 directing the elector to the cure affidavit and instructions on
2932 the supervisor's website;

2933 2. Notifying the elector of the signature or last four
2934 digits of the social security number deficiency by text message
2935 and directing the elector to the cure affidavit and instructions
2936 on the supervisor's website; or

2937 3. Notifying the elector of the signature or last four
2938 digits of the social security number deficiency by telephone and
2939 directing the elector to the cure affidavit and instructions on
2940 the supervisor's website.

2941
2942 In addition to the notification required under subparagraph 1.,
2943 subparagraph 2., or subparagraph 3., the supervisor must notify
2944 the elector of the signature or last four digits of the social
2945 security number deficiency by first-class mail and direct the
2946 elector to the cure affidavit and instructions on the
2947 supervisor's website. Beginning the day before the election, the
2948 supervisor is not required to provide notice of the signature
2949 deficiency by first-class mail, but shall continue to provide
2950 notice as required under subparagraph 1., subparagraph 2., or

2951 subparagraph 3.

2952 (c) The elector must complete a cure affidavit in
 2953 substantially the following form:

2954

2955 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

2956

2957 I,, am a qualified voter in this election and
 2958 registered voter of County, Florida. I do solemnly swear or
 2959 affirm that I requested and returned the vote-by-mail ballot and
 2960 that I have not and will not vote more than one ballot in this
 2961 election. I understand that if I commit or attempt any fraud in
 2962 connection with voting, vote a fraudulent ballot, or vote more
 2963 than once in an election, I may be convicted of a felony of the
 2964 third degree and fined up to \$5,000 and imprisoned for up to 5
 2965 years. I understand that my failure to sign this affidavit means
 2966 that my vote-by-mail ballot will be invalidated.

2967

2968 ... (Voter's Signature or Last Four Digits of Social Security
 2969 Number) ...

2970 ... (Address) ...

2971

2972 (d) Instructions must accompany the cure affidavit in
 2973 substantially the following form:

2974

2975 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE

2976 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 2977 BALLOT NOT TO COUNT.

2978
 2979 1. In order to ensure that your vote-by-mail ballot will
 2980 be counted, your affidavit should be completed and returned as
 2981 soon as possible so that it can reach the supervisor of
 2982 elections of the county in which your precinct is located no
 2983 later than 5 p.m. on the 2nd day after the election.

2984 2. You must sign your name or print the last four digits
 2985 of your social security number on the line above (Voter's
 2986 Signature or Last Four Digits of Social Security Number).

2987 3. You must make a copy of one of the following forms of
 2988 identification:

2989 a. Tier 1 identification.—Current and valid identification
 2990 that includes your name and photograph: Florida driver license;
 2991 Florida identification card issued by the Department of Highway
 2992 Safety and Motor Vehicles; United States passport; debit or
 2993 credit card; military identification; student identification;
 2994 retirement center identification; neighborhood association
 2995 identification; public assistance identification; veteran health
 2996 identification card issued by the United States Department of
 2997 Veterans Affairs; a Florida license to carry a concealed weapon
 2998 or firearm; or an employee identification card issued by any
 2999 branch, department, agency, or entity of the Federal Government,
 3000 the state, a county, or a municipality; or

3001 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
 3002 FORM OF IDENTIFICATION, identification that shows your name and
 3003 current residence address: current utility bill, bank statement,
 3004 government check, paycheck, or government document (excluding
 3005 voter information card).

3006 4. Place the envelope bearing the affidavit into a mailing
 3007 envelope addressed to the supervisor. Insert a copy of your
 3008 identification in the mailing envelope. Mail (if time permits),
 3009 deliver, or have delivered the completed affidavit along with
 3010 the copy of your identification to your county supervisor of
 3011 elections. Be sure there is sufficient postage if mailed and
 3012 that the supervisor's address is correct. Remember, your
 3013 information MUST reach your county supervisor of elections no
 3014 later than 5 p.m. on the 2nd day after the election, or your
 3015 ballot will not count.

3016 5. Alternatively, you may hand deliver, fax, or e-mail
 3017 your completed affidavit and a copy of your identification to
 3018 the supervisor of elections. If e-mailing, please provide these
 3019 documents as attachments.

3020 **Section 30. Section 101.69, Florida Statutes, is amended**
 3021 **to read:**

3022 101.69 Voting in person; return of vote-by-mail ballot.—

3023 (1) The provisions of this code may ~~shall~~ not be construed
 3024 to prohibit any voter ~~elector~~ from voting in person at the
 3025 voter's ~~elector's~~ precinct on the day of an election or at an

3026 early voting site, notwithstanding that the voter ~~elector~~ has
3027 requested a vote-by-mail ballot for that election. A voter ~~An~~
3028 ~~elector~~ who has returned a voted vote-by-mail ballot to the
3029 supervisor, however, is deemed to have cast his or her ballot
3030 and is not entitled to vote another ballot or to have a
3031 provisional ballot counted by the county canvassing board. A
3032 voter ~~An elector~~ who has received a vote-by-mail ballot and has
3033 not returned the voted ballot to the supervisor, but desires to
3034 vote in person, shall return the ballot, whether voted or not,
3035 to the election board in the voter's ~~elector's~~ precinct or to an
3036 early voting site. The returned ballot must ~~shall~~ be marked
3037 "canceled" by the board and placed with other canceled ballots.
3038 However, if the voter ~~elector~~ does not return the ballot and the
3039 election official:

3040 (a) Confirms that the supervisor has received the voter's
3041 ~~elector's~~ vote-by-mail ballot, the voter may ~~elector shall~~ not
3042 be allowed to vote in person. If the voter ~~elector~~ maintains
3043 that he or she has not returned the vote-by-mail ballot or
3044 remains eligible to vote, the voter must ~~elector shall~~ be
3045 provided a provisional ballot as provided in s. 101.048.

3046 (b) Confirms that the supervisor has not received the
3047 voter's ~~elector's~~ vote-by-mail ballot, the voter must ~~elector~~
3048 ~~shall~~ be allowed to vote in person as provided in this code. The
3049 voter's ~~elector's~~ vote-by-mail ballot, if subsequently received,
3050 may ~~shall~~ not be counted and must ~~shall~~ remain in the mailing

3051 envelope, and the envelope must ~~shall~~ be marked "Rejected as
3052 Illegal."

3053 (c) Cannot determine whether the supervisor has received
3054 the voter's ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ may
3055 vote a provisional ballot as provided in s. 101.048.

3056 (2) (a) The supervisor shall allow a voter ~~an elector~~ who
3057 has received a vote-by-mail ballot to physically return a voted
3058 vote-by-mail ballot to the supervisor by placing the return mail
3059 envelope containing his or her marked ballot in a secure ballot
3060 intake station. Secure ballot intake stations must ~~shall~~ be
3061 placed at the main office of the supervisor, at each permanent
3062 branch office of the supervisor which meets the criteria set
3063 forth in s. 101.657(1) (a) for branch offices used for early
3064 voting and which is open for at least the minimum number of
3065 hours prescribed by s. 98.015(4), and at each early voting site.
3066 Secure ballot intake stations may also be placed at any other
3067 site that would otherwise qualify as an early voting site under
3068 s. 101.657(1). Secure ballot intake stations must be
3069 geographically located so as to provide all voters in the county
3070 with an equal opportunity to cast a ballot, insofar as is
3071 practicable. ~~Except for secure ballot intake stations at an
3072 office of the supervisor, a secure ballot intake station may
3073 only be used during the county's early voting hours of operation
3074 and must be monitored in person by an employee of the
3075 supervisor's office.~~ A secure ballot intake station at an office

3076 of the supervisor must be ~~continuously~~ monitored ~~in person~~ by an
3077 ~~employee~~ of the supervisor's office when the secure ballot
3078 intake station is accessible for deposit of ballots.

3079 (b) A supervisor shall designate each secure ballot intake
3080 station location at least 30 days before an election. The
3081 supervisor shall provide the address of each secure ballot
3082 intake station location to the division at least 30 days before
3083 an election. After a secure ballot intake station location has
3084 been designated, it may not be moved or changed except as
3085 approved by the division to correct a violation of this
3086 subsection.

3087 (c)1. On each day of early voting, all secure ballot
3088 intake stations must be emptied at the end of early voting hours
3089 and all ballots retrieved from the secure ballot intake stations
3090 must be returned to the supervisor's office.

3091 2. For secure ballot intake stations located at an office
3092 of the supervisor, all ballots must be retrieved before the
3093 secure ballot intake station is no longer monitored by an
3094 ~~employee~~ of the supervisor.

3095 3. Employees of the supervisor must comply with procedures
3096 for the chain of custody of ballots as required by s.
3097 101.015(4).

3098 ~~(3) If any secure ballot intake station is left accessible~~
3099 ~~for ballot receipt other than as authorized by this section, the~~
3100 ~~supervisor is subject to a civil penalty of \$25,000. The~~

3101 ~~division is authorized to enforce this provision.~~

3102 **Section 31.** Section 104.0616, Florida Statutes, is
 3103 repealed.

3104 **Section 32. Subsection (1) of section 104.155, Florida**
 3105 **Statutes, is amended to read:**

3106 104.155 Unqualified noncitizen electors willfully voting;
 3107 prohibited defenses; aiding or soliciting noncitizen electors in
 3108 voting prohibited.—

3109 (1) Any person who is not a qualified elector because he
 3110 or she is not a citizen of the United States and who willfully
 3111 votes in any election is guilty of a felony of the third degree,
 3112 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
 3113 ~~A person's ignorance of his or her citizenship status or a~~
 3114 ~~person's bona fide belief of his or her citizenship status~~
 3115 ~~cannot be raised as a defense in a prosecution for a violation~~
 3116 ~~of this subsection.~~

3117 **Section 33. Subsection (1) of section 104.42, Florida**
 3118 **Statutes, is amended to read:**

3119 104.42 Fraudulent registration and illegal voting;
 3120 investigation.—

3121 (1) The supervisor of elections is authorized to
 3122 investigate fraudulent registrations and illegal voting and to
 3123 report his or her findings to the local state attorney ~~and the~~
 3124 ~~Office of Election Crimes and Security.~~

3125 **Section 34. Paragraph (a) of subsection (3) of section**

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3126 **921.0022, Florida Statutes, is amended to read:**

3127 921.0022 Criminal Punishment Code; offense severity
3128 ranking chart.—

3129 (3) OFFENSE SEVERITY RANKING CHART

3130 (a) LEVEL 1

3131

Florida	Felony	Description
Statute	Degree	Description
24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
104.0616 (2)	3rd	Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote by mail ballots.
212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but

3132

3133

3134

3135

3136	316.1935 (1)	3rd	<p style="text-align: right; margin-right: 20px;">less than \$20,000.</p> <p>Fleeing or attempting to elude law enforcement officer.</p>
3137	319.30 (5)	3rd	<p>Sell, exchange, give away certificate of title or identification number plate.</p>
3138	319.35 (1) (a)	3rd	<p>Tamper, adjust, change, etc., an odometer.</p>
3139	320.26 (1) (a)	3rd	<p>Counterfeit, manufacture, or sell registration license plates or validation stickers.</p>
3140	322.212 (1) (a) - (c)	3rd	<p>Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.</p>
3141	322.212 (4)	3rd	<p>Supply or aid in supplying</p>

3142	322.212 (5) (a)	3rd	<p>unauthorized driver license or identification card.</p> <p>False application for driver license or identification card.</p>
3143	414.39 (3) (a)	3rd	<p>Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.</p>
3144	443.071 (1)	3rd	<p>False statement or representation to obtain or increase reemployment assistance benefits.</p>
3145	509.151 (1)	3rd	<p>Defraud an innkeeper, food or lodging value \$1,000 or more.</p>
3146	517.302 (1)	3rd	<p>Violation of the Florida Securities and Investor Protection Act.</p>
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	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
3148	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
3149	815.04 (4) (a)	3rd	Offense against intellectual property (i.e., computer programs, data).
3150	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
3151	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
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3153	826.01	3rd	Bigamy.
3154	828.122 (3)	3rd	Fighting or baiting animals.
3155	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
3156	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
3157	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.

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3158	838.15 (2)	3rd	Commercial bribe receiving.
3159	838.16	3rd	Commercial bribery.
3160	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
3161	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
3162	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
3163	849.23	3rd	Gambling-related machines; "common offender" as to

3164			property rights.
3165	849.25 (2)	3rd	Engaging in bookmaking.
3166	860.08	3rd	Interfere with a railroad signal.
3167	860.13 (1) (a)	3rd	Operate aircraft while under the influence.
3168	893.13 (2) (a) 2.	3rd	Purchase of cannabis.
3169	893.13 (6) (a)	3rd	Possession of cannabis (more than 20 grams).
3170	934.03 (1) (a)	3rd	Intercepts, or procures any other person to intercept, any wire or oral communication.

3171 **Section 35.** Except as otherwise expressly provided in this
 3172 act and except for this section, which shall take effect upon
 3173 this act becoming a law, this act shall take effect July 1,
 3174 2026.