

1 A bill to be entitled
 2 An act relating to elections; creating s. 97.0115, F.S.;
 3 providing for the preemption of certain matters to the
 4 state; providing exceptions; amending s. 97.012, F.S.;
 5 expanding the list of responsibilities of the Secretary of
 6 State when acting in his or her capacity as chief election
 7 officer; amending s. 97.021, F.S.; revising the definition
 8 of "third-party registration organization"; defining
 9 "registration agent"; repealing s. 97.052(6), F.S.,
 10 relating to notification and correction subsequent to the
 11 failure of a voter registration applicant to provide
 12 required information on a voter registration application
 13 form; amending s. 97.053, F.S.; providing that if a voter
 14 applicant has not provided the necessary evidence to
 15 verify his or her voter information prior to election day,
 16 then the voter applicant can vote by provisional ballot
 17 only; amending s. 97.0535, F.S.; requiring that certain
 18 first-time voters provide identification before election
 19 day; removing certain types of identification from the
 20 list of acceptable forms of identification for certain
 21 first-time voters; amending s. 97.0575, F.S.; requiring
 22 that third-party voter registration organizations register
 23 with the division; requiring such organizations provide
 24 the division with certain information; requiring that such
 25 forms used by third-party voter registration organizations
 26 contain certain information; providing that a third-party
 27 voter registration organization that collects voter
 28 registration applications serves as a fiduciary to the

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29 | applicant; specifying duties of such an organization;
30 | specifying an affirmative defense to certain violations of
31 | state law; providing criminal penalties for violations of
32 | certain provisions of state law; providing circumstances
33 | under which a third-party voter registration organization
34 | is subject to specified civil penalties; providing for the
35 | referral of violations to the Attorney General and state
36 | attorney; authorizing the Attorney General or the state
37 | attorney to initiate a civil action; providing that an
38 | action for relief may include a permanent or temporary
39 | injunction or any other appropriate order; authorizing the
40 | division to adopt rules; deleting certain requirements for
41 | third-party voter registration organizations; deleting
42 | certain fines; amending s. 97.073, F.S.; revising the
43 | responsibilities of a supervisor of elections regarding
44 | notification of applicants of the disposition of voter
45 | registration applications; amending s. 98.065, F.S.;
46 | clarifying a requirement that a supervisor of elections
47 | incorporate certain procedures into his or her
48 | registration list maintenance program to reflect that such
49 | programs are not conducted biennially; requiring that a
50 | registration list maintenance program be conducted by each
51 | supervisor of elections at specified intervals during odd-
52 | numbered and even-numbered years; amending s. 98.075,
53 | F.S.; providing methods for removing the names of deceased
54 | persons from the statewide voter registration system;
55 | amending s. 98.0981, F.S.; revising requirements for
56 | reporting election results at the precinct-level; amending

57 s. 99.012, F.S.; requiring any officer who qualifies for
 58 federal public office to resign from the office he or she
 59 presently holds if the terms of office run concurrently;
 60 providing that the resignation is irrevocable; requiring a
 61 written resignation that is effective by a time certain;
 62 providing that failure to meet the resignation
 63 requirements results in an automatic irrevocable
 64 resignation effective immediately; providing that a person
 65 who fails to meet certain requirements of state law does
 66 not qualify as a candidate for election; requiring that
 67 such a person be removed from the ballot; amending s.
 68 99.021, F.S.; revising a requirement for a qualifying
 69 officer to furnish a printed copy of the candidate oath to
 70 candidates; revising oath requirements; amending s.
 71 99.061, F.S.; requiring that constitutional office
 72 candidates file notarized financial disclosure statements;
 73 requiring that candidates file certain original
 74 documentation when qualifying for office; amending s.
 75 99.063, F.S.; deleting a requirement that candidates for
 76 Governor and Lieutenant Governor sign and acknowledge a
 77 specified loyalty oath; amending s. 100.111, F.S.;
 78 providing that a candidate for a legislative or county
 79 office is deemed elected after winning an open primary;
 80 providing that a vacancy in nomination is not created if a
 81 nominee did not properly qualify or does not meet the
 82 necessary qualifications to hold the office sought;
 83 amending s. 100.371, F.S.; revising the number of years
 84 that an initiative petition is valid; requiring that a

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85 petition form be submitted within a specified period after
86 the date on which the petition was signed in order to be
87 valid; deleting a limitation on the period for revoking a
88 signature on a petition form; creating s. 100.372, F.S.;
89 defining the terms "department," "petition circulator,"
90 "paid petition circulator," and "registrant"; prohibiting
91 a person from engaging in any activities as a paid
92 petition circulator without first registering as such with
93 the department; prohibiting a person or entity from
94 providing compensation to a person for engaging in
95 activities as a petition circulator if that person is not
96 registered with the department; providing requirements for
97 eligibility to engage in activities as a paid petition
98 circulator; authorizing application to the department for
99 registration and requiring certain information; requiring
100 that the department register eligible applicants within a
101 specified period after its receipt of the application;
102 requiring that a registrant notify the department in
103 writing of any change in the information submitted within
104 a specified period after such change; requiring that
105 certain individuals who submit an initiative petition form
106 collected by a paid petition circulator to a supervisor of
107 elections for verification simultaneously submit a signed,
108 written affirmation that the initiative petition
109 signatures on the form were collected in compliance with
110 certain requirements of state law; requiring that the
111 department adopt a form for such affirmation; requiring
112 that such form identify potential criminal and civil

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CODING: Words ~~stricken~~ are deletions; words underlined are additions.

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113 penalties for submitting a false affirmation; requiring
 114 that the department issue evidence of registration;
 115 requiring that every petition form presented by a
 116 registrant to a person for his or her possible signature
 117 contain certain information; providing conditions under
 118 which a signature shall be deemed invalid and ineligible
 119 to be verified or counted; requiring that the supervisor
 120 of elections return, at the expense of the political
 121 committee sponsoring the initiative petition, the invalid
 122 initiative petition form within a specified period after
 123 invalidation; requiring that such political committee
 124 provide written notice to an elector whose signature was
 125 invalidated within a specified period after receipt of an
 126 invalid form from a supervisor; requiring that the notice
 127 contain certain information and provide the elector an
 128 opportunity to sign a replacement initiative petition
 129 form; providing that certain electors are exempt from
 130 certain provisions of state law for specified purposes;
 131 providing for the applicability of certain provisions of
 132 state law to initiative petition forms; providing for
 133 circumstances in which a registrant's registration is
 134 rendered invalid; requiring notification of such
 135 circumstances; requiring that the department create a
 136 training program for applicants; providing requirements
 137 for the program; authorizing the department to conduct
 138 training through a secure website and to contract with a
 139 third-party vendor for the administration of the program;
 140 requiring that the department adopt rules; amending s.

141 101.043, F.S.; removing certain forms of identification
 142 from the list of forms of identification used to identify
 143 voters at a polling place; amending s. 101.045, F.S.;
 144 providing circumstances under which an elector is eligible
 145 for a provisional ballot; amending s. 101.131, F.S.;
 146 providing procedures for the designation of poll watchers;
 147 requiring that the division prescribe a form for the
 148 designation of poll watchers; providing conditions under
 149 which poll watchers are authorized to enter polling areas
 150 and watch polls; requiring that a supervisor of elections
 151 provide identification to poll watchers a specified period
 152 before early voting begins; requiring that poll watchers
 153 display such identification at all times while in a
 154 polling place; amending s. 101.151, F.S.; requiring that
 155 marksense ballots be printed by precinct; revising ballot
 156 layout specifications; clarifying the order of candidate
 157 offices on a ballot title; amending s. 101.56075, F.S.;
 158 extending the deadline for department compliance with the
 159 Help America Vote Act of 2002; amending s. 101.5612, F.S.;
 160 requiring the use of certain ballots and technology for
 161 preelection testing of tabulating equipment; amending s.
 162 101.591, F.S.; revising provisions relating to voting
 163 system audits; requiring postelection, random audits of
 164 voting systems; providing audit procedures; requiring the
 165 publication of an audit notice; prescribing requirements
 166 for audit reports; providing procedures for requesting an
 167 audit; requiring that the Department of State adopt rules;
 168 repealing s. 101.5911, F.S., relating to rulemaking

169 authority for voting system audit procedures; amending s.
 170 101.62, F.S.; requiring that certain information regarding
 171 absentee ballots be made available during a specified
 172 period; requiring that a supervisor mail absentee ballots
 173 during specified periods before primary and general
 174 elections, or a specified period after receiving a request
 175 for an absentee ballot under certain circumstances;
 176 amending s. 101.64, F.S.; prohibiting a supervisor from
 177 placing certain information on a mailing envelope
 178 containing an absentee ballot; requiring that a supervisor
 179 establish and maintain a prepaid account with the United
 180 State Postal Service for specified purposes; amending s.
 181 101.657, F.S.; requiring that a supervisor designate each
 182 early voting site no later than a specified number of days
 183 before a primary election; requiring that early voting
 184 sites for a general election be held at the same sites
 185 designated for a primary election; authorizing the
 186 extension of early voting hours or days under certain
 187 circumstances; amending s. 101.6923, F.S.; revising the
 188 form for absentee ballot instructions for certain first-
 189 time voters; amending s. 101.6952, F.S.; revising
 190 procedures for processing absentee ballot requests and
 191 communicating by electronic mail with overseas voters;
 192 amending s. 101.697, F.S.; requiring that the Department
 193 of State determine whether secure electronic means can be
 194 established for requesting, sending, or receiving absentee
 195 ballots and ballot materials to and from overseas voters;
 196 requiring that the department adopt rules for specified

197 | purposes if such security can be established; amending s.
 198 | 102.031, F.S.; prohibiting certain persons and
 199 | organizations from soliciting a voter while the voter is
 200 | standing in line to enter any polling place or early
 201 | voting site; expanding the definition of the terms
 202 | "solicit" and "solicitation"; amending s. 102.111, F.S.;
 203 | clarifying that the Governor and Cabinet members shall
 204 | serve ex officio on the Elections Canvassing Commission;
 205 | establishing meeting times for the commission; amending s.
 206 | 102.112, F.S.; conforming a cross-reference; amending s.
 207 | 102.141, F.S.; providing circumstances under which the
 208 | Secretary of State, county canvassing board, or local
 209 | board is responsible for ordering recounts in elections;
 210 | amending s. 102.166, F.S.; providing for manual recounts
 211 | of overvotes and undervotes; amending s. 102.168, F.S.;
 212 | revising the time to submit a complaint contesting an
 213 | election; identifying indispensable parties in actions to
 214 | contest an election; amending s. 103.091, F.S.;
 215 | authorizing a political party to adopt additional
 216 | qualifying requirements for certain offices; revising
 217 | membership of a state executive committee; authorizing
 218 | certain members of a political party to vote by proxy if
 219 | proxy voting is permitted by party rule; amending s.
 220 | 103.121, F.S.; specifying a venue for any action involving
 221 | the constitution, rules, or bylaws of a political party;
 222 | amending s. 105.031, F.S.; requiring that a candidate's
 223 | oath for candidates for certain nonpartisan offices to be
 224 | made available to each candidate by the qualifying

225 officer; deleting a requirement that the candidate take a
 226 certain oath; requiring that the candidate attest in the
 227 oath that he or she will support the federal and state
 228 constitutions; specifying items required to be filed in
 229 order to qualify for office; amending s. 106.011, F.S.;
 230 providing that certain expenditures are not contributions
 231 or expenditures for the purpose of certain provisions of
 232 state law; amending s. 106.08, F.S.; deleting provisions
 233 limiting the amount of contributions certain candidates
 234 may accept during a specified period preceding a general
 235 election; revising the list of nonallocable items that a
 236 political party may provide to candidates; amending s.
 237 106.141, F.S.; requiring that a qualifying officer notify
 238 a candidate of certain requirements, fees, and amounts
 239 owed no later than a specified period after the candidate
 240 becomes unopposed; amending s. 106.143, F.S.; requiring
 241 that certain political advertisements prominently state
 242 certain information; authorizing certain political
 243 advertisements to use names and abbreviations in the
 244 advertisement's disclaimer; amending s. 106.17, F.S.;
 245 authorizing state and county executive committees of a
 246 political party to conduct political polls for specified
 247 purposes; authorizing the sharing of the results of such
 248 polls under certain conditions; providing that
 249 expenditures incurred by state and county executive
 250 committees for such polls do not constitute contributions
 251 to potential candidates; amending s. 106.24, F.S.;
 252 specifying a term of appointment for the executive

253 director of the Florida Elections Commission; requiring
 254 that the Senate confirm such appointment; limiting the
 255 number of consecutive terms that a director may serve;
 256 conforming a cross-reference; amending s. 106.29, F.S.;
 257 authorizing the reporting of expenditures for salaries in
 258 the aggregate in certain reports; amending s. 106.295,
 259 F.S.; eliminating a prohibition on leadership funds;
 260 amending s. 876.05, F.S.; deleting a requirement that
 261 candidates for public office take the public employee
 262 oath; repealing s. 876.07, F.S., relating to a requirement
 263 that a candidate file the public employees' oath as a
 264 prerequisite to qualifying for public office; requiring
 265 that the department establish a registration fee;
 266 providing for the deposit of funds collected from the
 267 administration of such fee; providing that certain
 268 signatures gathered before a specified date may be
 269 verified and counted if otherwise valid; providing that
 270 signatures gathered on or after such date may be verified
 271 and counted only if gathered in compliance with the act;
 272 providing for severability; providing an effective date.

273
 274 Be It Enacted by the Legislature of the State of Florida:

275
 276 Section 1. Section 97.0115, Florida Statutes, is created
 277 to read:

278 97.0115 Preemption.--All matters set forth in chapters 97-
 279 105 are preempted to the state, except as otherwise specifically
 280 provided by law.

281 Section 2. Present subsections (14) and (15) of section
 282 97.012, Florida Statutes, are renumbered as subsections (15) and
 283 (16), respectively, and a new subsection (14) is added to that
 284 section, to read:

285 97.012 Secretary of State as chief election officer.--The
 286 Secretary of State is the chief election officer of the state,
 287 and it is his or her responsibility to:

288 (14) Provide direction and opinions to the supervisors of
 289 elections on the performance of their official duties with
 290 respect to chapters 97-102 and chapter 105 or rules adopted by
 291 the Department of State.

292 Section 3. Subsection (36) of section 97.021, Florida
 293 Statutes, is amended, and subsection (44) is added to that
 294 section, to read:

295 97.021 Definitions.--For the purposes of this code, except
 296 where the context clearly indicates otherwise, the term:

297 (36) "Third-party voter registration organization" means
 298 any ~~person~~, entity~~,~~ or organization soliciting or collecting
 299 voter registration applications. A third-party voter
 300 registration organization does not include:

301 ~~(a) A person who seeks only to register to vote or collect~~
 302 ~~voter registration applications from that person's spouse,~~
 303 ~~child, or parent; or~~

304 ~~(b) A person engaged in registering to vote or collecting~~
 305 ~~voter registration applications as an employee or agent of the~~
 306 ~~division, supervisor of elections, Department of Highway Safety~~
 307 ~~and Motor Vehicles, or a voter registration agency.~~

308 (44) "Registration agent" means an individual who solicits

309 or collects voter registration applications on behalf of a
 310 third-party voter registration organization.

311 Section 4. Subsection (6) of section 97.052, Florida
 312 Statutes, is repealed.

313 Section 5. Subsection (6) of section 97.053, Florida
 314 Statutes, is amended to read:

315 97.053 Acceptance of voter registration applications.--

316 (6) A voter registration application may be accepted as
 317 valid only after the department has verified the authenticity or
 318 nonexistence of the driver's license number, the Florida
 319 identification card number, or the last four digits of the
 320 social security number provided by the applicant. If a completed
 321 voter registration application has been received by the book-
 322 closing deadline but the driver's license number, the Florida
 323 identification card number, or the last four digits of the
 324 social security number provided by the applicant cannot be
 325 verified, the applicant shall be notified that the number cannot
 326 be verified and that the applicant must provide evidence to the
 327 supervisor sufficient to verify the authenticity of the
 328 applicant's driver's license number, Florida identification card
 329 number, or last four digits of the social security number. If
 330 the applicant provides the necessary evidence, the supervisor
 331 shall place the applicant's name on the registration rolls as an
 332 active voter. If the applicant has not provided the necessary
 333 evidence or the number has not otherwise been verified before
 334 election day ~~prior to the applicant presenting himself or~~
 335 ~~herself to vote~~, the applicant shall be provided a provisional
 336 ballot. The provisional ballot shall be counted only if the

337 number is verified by the end of the canvassing period or if the
 338 applicant presents evidence to the supervisor of elections
 339 sufficient to verify the authenticity of the applicant's
 340 driver's license number, Florida identification card number, or
 341 last four digits of the social security number no later than 5
 342 p.m. of the second day following the election.

343 Section 6. Subsections (1) and (2) and paragraph (a) of
 344 subsection (3) of section 97.0535, Florida Statutes, are amended
 345 to read:

346 97.0535 Special requirements for certain applicants.--

347 (1) Each applicant who registers by mail and who has never
 348 previously voted in the state and who the department has
 349 verified has not been issued a current and valid Florida
 350 driver's license, Florida identification card, or social
 351 security number shall be required to provide a copy of a current
 352 and valid identification, as provided in subsection (3), or
 353 indicate that he or she is exempt from the requirements ~~prior to~~
 354 ~~voting~~. Such identification or indication may be provided at the
 355 time of registering, or at any time before election day ~~prior to~~
 356 ~~voting for the first time in the state~~. If the voter
 357 registration application clearly provides information from which
 358 a voter registration official can determine that the applicant
 359 meets at least one of the exemptions in subsection (4), the
 360 voter registration official shall make the notation on the
 361 registration records of the statewide voter registration system
 362 and the applicant shall not be required to provide the
 363 identification required by this section.

364 (2) The voter registration official shall, upon accepting

365 the voter registration application submitted pursuant to
 366 subsection (1), determine if the applicant provided the required
 367 identification at the time of registering. If the required
 368 identification was not provided, the supervisor shall notify the
 369 applicant that he or she must provide the identification before
 370 election day ~~prior to voting the first time in the state.~~

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

- 374 1. United States passport.
- 375 2. Debit or credit card.
- 376 3. Military identification.
- 377 4. Student identification.
- 378 ~~5. Retirement center identification.~~
- 379 ~~6. Neighborhood association identification.~~
- 380 ~~5.7.~~ Public assistance identification.

381 Section 7. Section 97.0575, Florida Statutes, is amended
 382 to read:

383 97.0575 Third-party voter registrations.--

384 (1) A third-party voter registration organization shall
 385 register and provide to the division the following information:

386 (a) The names of the officers of the organization and the
 387 name and permanent address of the organization;

388 (b) The names, permanent addresses, temporary addresses,
 389 if any, and dates of birth of each registration agent soliciting
 390 or collecting voter registration applications in this state on
 391 behalf of the organization; and

392 (c) A sworn statement from each registration agent

393 employed by or volunteering for the organization stating the
 394 registration agent will obey all state laws and rules regarding
 395 the registration of voters. Such statement must be on a form
 396 containing notice of criminal penalties applicable to voter
 397 registration as provided in subsection (4) and ss. 104.011,
 398 104.012, and 104.42.

399 (2) All voter registration applications used by third-
 400 party voter registration organizations shall contain information
 401 identifying the third-party voter registration organization, as
 402 specified by rule of the division.

403 (3) (a) A third-party voter registration organization and
 404 any registration agent that collects voter registration
 405 applications serves as a fiduciary to the applicant, ensuring
 406 that any voter registration application entrusted to the
 407 organization or the agent, irrespective of party affiliation,
 408 race, ethnicity, or gender, shall be received by the division or
 409 the supervisor of elections within 5 days after the organization
 410 or agent collects it or the next business day if the office of
 411 the appropriate supervisor of elections is closed on the fifth
 412 day. For purposes of this subsection, the date on which an
 413 applicant signs a voter registration application is presumed to
 414 be the date on which the organization or agent collected the
 415 voter registration application.

416 (b) A showing by the organization that the failure to
 417 deliver the voter registration application within the required
 418 timeframe is based upon force majeure or impossibility of
 419 performance shall be an affirmative defense to a violation of
 420 this subsection.

421 (4) (a) A person who willfully violates this section
 422 commits a misdemeanor of the first degree, punishable as
 423 provided in s. 775.082 or s. 775.083, and such person's status
 424 as a registration agent shall be revoked.

425 (b) If an officer or any person who has decision-making
 426 authority involving a third-party voter registration
 427 organization's voter registration activities violates a
 428 provision of this section, such third-party voter registration
 429 organization is subject to a civil fine of \$250 for each
 430 violation, not to exceed in the aggregate \$10,000 for each
 431 calendar year.

432 (5) The secretary shall refer any complaint and may refer
 433 any other information relating to a potential violation of any
 434 provision of this section to the Attorney General or the state
 435 attorney for enforcement. The Attorney General or the state
 436 attorney may institute a civil action for a violation of the
 437 provisions of this section or to prevent a violation of the
 438 provisions of this section. An action for relief may include a
 439 permanent or temporary injunction or any other appropriate
 440 order.

441 ~~(1) Prior to engaging in any voter registration~~
 442 ~~activities, a third party voter registration organization shall~~
 443 ~~name a registered agent in the state and submit to the division,~~
 444 ~~in a form adopted by the division, the name of the registered~~
 445 ~~agent and the name of those individuals responsible for the day-~~
 446 ~~to-day operation of the third party voter registration~~
 447 ~~organization, including, if applicable, the names of the~~
 448 ~~entity's board of directors, president, vice president, managing~~

449 ~~partner, or such other individuals engaged in similar duties or~~
 450 ~~functions. On or before the 15th day after the end of each~~
 451 ~~calendar quarter, each third-party voter registration~~
 452 ~~organization shall submit to the division a report providing the~~
 453 ~~date and location of any organized voter registration drives~~
 454 ~~conducted by the organization in the prior calendar quarter.~~

455 ~~(2) The failure to submit the information required by~~
 456 ~~subsection (1) does not subject the third-party voter~~
 457 ~~registration organization to any civil or criminal penalties for~~
 458 ~~such failure, and the failure to submit such information is not~~
 459 ~~a basis for denying such third-party voter registration~~
 460 ~~organization with copies of voter registration application~~
 461 ~~forms.~~

462 ~~(3) A third-party voter registration organization that~~
 463 ~~collects voter registration applications serves as a fiduciary~~
 464 ~~to the applicant, ensuring that any voter registration~~
 465 ~~application entrusted to the third-party voter registration~~
 466 ~~organization, irrespective of party affiliation, race,~~
 467 ~~ethnicity, or gender shall be promptly delivered to the division~~
 468 ~~or the supervisor of elections. If a voter registration~~
 469 ~~application collected by any third-party voter registration~~
 470 ~~organization is not promptly delivered to the division or~~
 471 ~~supervisor of elections, the third-party voter registration~~
 472 ~~organization shall be liable for the following fines:~~

473 ~~(a) A fine in the amount of \$50 for each application~~
 474 ~~received by the division or the supervisor of elections more~~
 475 ~~than 10 days after the applicant delivered the completed voter~~
 476 ~~registration application to the third-party voter registration~~

477 ~~organization or any person, entity, or agent acting on its~~
 478 ~~behalf. A fine in the amount of \$250 for each application~~
 479 ~~received if the third-party registration organization or person,~~
 480 ~~entity, or agency acting on its behalf acted willfully.~~

481 ~~(b) A fine in the amount of \$100 for each application~~
 482 ~~collected by a third-party voter registration organization or~~
 483 ~~any person, entity, or agent acting on its behalf, prior to book~~
 484 ~~closing for any given election for federal or state office and~~
 485 ~~received by the division or the supervisor of elections after~~
 486 ~~the book closing deadline for such election. A fine in the~~
 487 ~~amount of \$500 for each application received if the third-party~~
 488 ~~registration organization or person, entity, or agency acting on~~
 489 ~~its behalf acted willfully.~~

490 ~~(c) A fine in the amount of \$500 for each application~~
 491 ~~collected by a third-party voter registration organization or~~
 492 ~~any person, entity, or agent acting on its behalf, which is not~~
 493 ~~submitted to the division or supervisor of elections. A fine in~~
 494 ~~the amount of \$1,000 for any application not submitted if the~~
 495 ~~third-party registration organization or person, entity, or~~
 496 ~~agency acting on its behalf acted willfully.~~

497
 498 ~~The aggregate fine pursuant to this subsection which may be~~
 499 ~~assessed against a third-party voter registration organization,~~
 500 ~~including affiliate organizations, for violations committed in a~~
 501 ~~calendar year shall be \$1,000. The fines provided in this~~
 502 ~~subsection shall be reduced by three-fourths in cases in which~~
 503 ~~the third-party voter registration organization has complied~~
 504 ~~with subsection (1). The secretary shall waive the fines~~

505 ~~described in this subsection upon a showing that the failure to~~
 506 ~~deliver the voter registration application promptly is based~~
 507 ~~upon force majeure or impossibility of performance.~~

508 (6)~~(4)~~(a) The division shall adopt rules to administer
 509 this section. The division shall adopt by rule a form to elicit
 510 specific information concerning the facts and circumstances from
 511 a person who claims to have been registered to vote by a third-
 512 party voter registration organization but who does not appear as
 513 an active voter on the voter registration rolls.

514 (b) The division may investigate any violation of this
 515 section. Civil fines shall be assessed by the division and
 516 enforced through any appropriate legal proceedings.

517 ~~(5) The date on which an applicant signs a voter~~
 518 ~~registration application is presumed to be the date on which the~~
 519 ~~third party voter registration organization received or~~
 520 ~~collected the voter registration application.~~

521 (7)~~(6)~~ The civil fines provided in this section are in
 522 addition to any applicable criminal penalties.

523 ~~(7) Fines collected pursuant to this section shall be~~
 524 ~~annually appropriated by the Legislature to the department for~~
 525 ~~enforcement of this section and for voter education.~~

526 ~~(8) The division may adopt rules to administer this~~
 527 ~~section.~~

528 Section 8. Subsection (1) of section 97.073, Florida
 529 Statutes, is amended to read:

530 97.073 Disposition of voter registration applications;
 531 cancellation notice.--

532 (1) The supervisor must notify each applicant whether ~~of~~

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533 ~~the disposition of the applicant's voter registration~~
534 ~~application. The notice must inform the applicant that the~~
535 ~~application~~ has been approved, is incomplete, has been denied,
536 or is a duplicate of a current registration. ~~A voter information~~
537 ~~card sent to an applicant constitutes notice of approval of~~
538 ~~registration.~~

539 (a) If the application is approved, the supervisor shall
540 send the voter information card to the applicant no later than 2
541 weeks after approval. A voter information card sent to an
542 applicant constitutes notice of approval of registration.

543 (b) If the application is incomplete because it fails to
544 provide any of the information required by s. 97.053(5), the
545 supervisor must request that the applicant supply the missing
546 information using a voter registration application signed by the
547 applicant. The notice must be sent by mail within 5 business
548 days after the supervisor has the information available in the
549 voter registration system. If the applicant does not respond
550 within 1 year after the date notice is sent, the application
551 record will be closed and the applicant shall be required to
552 submit another application.

553 (c) If the application is denied, the supervisor shall
554 include in the ~~A notice of denial must inform the applicant of~~
555 ~~the reason the application was denied. The notice must be sent~~
556 by mail within 5 business days after the supervisor has the
557 information available in the voter registration system.

558 (d) If the application is a duplicate of a current
559 registration record, the supervisor shall process the
560 application as an update and enter updated information,

561 including the signature, into the current registration record.
 562 The voter shall be notified that his or her voter registration
 563 record has been updated and shall be issued a new voter
 564 information card.

565 Section 9. Subsections (2) and (3) of section 98.065,
 566 Florida Statutes, are amended to read:

567 98.065 Registration list maintenance programs.--

568 (2) A supervisor must incorporate one or more of the
 569 following procedures in the supervisor's ~~biennial~~ registration
 570 list maintenance program under which:

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

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

577 (c) Change-of-address information is identified from
 578 returned nonforwardable return-if-undeliverable address
 579 confirmation requests mailed to all registered voters who have
 580 not voted in the last 2 years and who did not make a written
 581 request that their registration records be updated during that
 582 time.

583 (3) A registration list maintenance program must be
 584 conducted by each supervisor, at a minimum, quarterly in each
 585 odd-numbered year and monthly during each even-numbered year,
 586 except that the program must be completed no ~~not~~ later than 90
 587 days before ~~prior to~~ the date of any federal election. All list
 588 maintenance actions associated with each voter must be entered,

589 tracked, and maintained in the statewide voter registration
590 system.

591 Section 10. Subsection (3) of section 98.075, Florida
592 Statutes, is amended to read:

593 98.075 Registration records maintenance activities;
594 ineligibility determinations.--

595 (3) DECEASED PERSONS.--

596 (a)1. The department shall identify those registered
597 voters who are deceased by comparing information on the lists of
598 deceased persons received or obtained from:

599 a. The Department of Health as provided in s. 98.093.

600 b. The United States Social Security Administration,
601 including, but not limited to, any master death file or index
602 compiled by the administration.

603 2. Within 7 days after ~~Upon~~ receipt of such information
604 through the statewide voter registration system, the supervisor
605 shall remove the name of the registered voter.

606 (b) The supervisor shall remove the name of a deceased
607 registered voter from the statewide voter registration system
608 upon receipt of a copy of a death certificate issued by a
609 governmental agency authorized to issue death certificates.

610 Section 11. Subsection (2) of section 98.0981, Florida
611 Statutes, is amended to read:

612 98.0981 Reports; voting history; statewide voter
613 registration system information; precinct-level election
614 results; book closing statistics.--

615 (2) PRECINCT-LEVEL ELECTION RESULTS.--

616 (a) Within 45 days after the date of a presidential

617 preference primary election, a special election, or a general
 618 election, the supervisors of elections shall collect and submit
 619 to the department precinct-level election results for the
 620 election in a uniform electronic format specified by the
 621 department. The precinct-level election results shall be
 622 compiled separately for the primary or special primary election
 623 that preceded the general or special general election,
 624 respectively. The results shall specifically include for each
 625 precinct the ~~aggregate~~ total of all ballots cast subtotaled by
 626 ballot type for each candidate or nominee to fill a national,
 627 state, county, or district office or proposed constitutional
 628 amendment.

629 (b) In precincts where three or fewer total ballots were
 630 cast, the supervisors of elections shall report only the
 631 aggregate total of all ballots cast.

632 (c) "All ballots cast" means ballots cast by voters who
 633 cast a ballot whether at a precinct location, by absentee ballot
 634 including overseas absentee ballots, during the early voting
 635 period, or by provisional ballot.

636 Section 12. Section 99.012, Florida Statutes, is amended
 637 to read:

638 99.012 Restrictions on individuals qualifying for public
 639 office.--

640 (1) As used in this section:

641 (a) "Officer" means a person, whether elected or
 642 appointed, who has the authority to exercise the sovereign power
 643 of the state pertaining to an office recognized under the State
 644 Constitution or laws of the state. With respect to a

645 municipality, the term "officer" means a person, whether elected
 646 or appointed, who has the authority to exercise municipal power
 647 as provided by the State Constitution, state laws, or municipal
 648 charter.

649 (b) "Subordinate officer" means a person who has been
 650 delegated the authority to exercise the sovereign power of the
 651 state by an officer. With respect to a municipality, subordinate
 652 officer means a person who has been delegated the authority to
 653 exercise municipal power by an officer.

654 (2) No person may qualify as a candidate for more than one
 655 public office, whether federal, state, district, county, or
 656 municipal, if the terms or any part thereof run concurrently
 657 with each other.

658 (3) (a) No officer may qualify as a candidate for another
 659 state, district, county, or municipal public office if the terms
 660 or any part thereof run concurrently with each other without
 661 resigning from the office he or she presently holds.

662 (b) The resignation is irrevocable.

663 (c) The written resignation must be submitted at least 10
 664 days prior to the first day of qualifying for the office he or
 665 she intends to seek.

666 (d) The resignation must be effective no later than the
 667 earlier of the following dates:

- 668 1. The date the officer would take office, if elected; or
- 669 2. The date the officer's successor is required to take
 670 office.

671 (e)1. An elected district, county, or municipal officer
 672 must submit his or her resignation to the officer before whom he

673 or she qualified for the office he or she holds, with a copy to
 674 the Governor and the Department of State.

675 2. An appointed district, county, or municipal officer
 676 must submit his or her resignation to the officer or authority
 677 which appointed him or her to the office he or she holds, with a
 678 copy to the Governor and the Department of State.

679 3. All other officers must submit their resignations to
 680 the Governor with a copy to the Department of State.

681 (f)1. With regard to an elective office, the resignation
 682 creates a vacancy in office to be filled by election. Persons
 683 may qualify as candidates for nomination and election as if the
 684 public officer's term were otherwise scheduled to expire.

685 2. With regard to an elective charter county office or
 686 elective municipal office, the vacancy created by the officer's
 687 resignation may be filled for that portion of the officer's
 688 unexpired term in a manner provided by the respective charter.
 689 The office is deemed vacant upon the effective date of the
 690 resignation submitted by the official in his or her letter of
 691 resignation.

692 (g) Any officer who submits his or her resignation,
 693 effective immediately or effective on a date prior to the date
 694 of his or her qualifying for office, may then qualify for office
 695 as a nonofficeholder, and the provisions of this subsection do
 696 not apply.

697 (4) (a) Any officer who qualifies for federal public office
 698 must resign from the office he or she presently holds if the
 699 terms or any part thereof run concurrently with each other.

700 (b) The resignation is irrevocable.

701 (c) The resignation must be submitted no later than the
 702 date upon which the officer qualifies for office.

703 (d) The written resignation must be effective no later
 704 than the earlier of the following dates:

705 1. The date the officer would take office, if elected; or

706 2. The date the officer's successor is required to take
 707 office.

708 (e)1. An elected district, county, or municipal officer
 709 must submit his or her resignation to the officer before whom he
 710 or she qualified for the office he or she holds, with a copy to
 711 the Governor and the Department of State.

712 2. An appointed district, county, or municipal officer
 713 must submit his or her resignation to the officer or authority
 714 which appointed him or her to the office he or she holds, with a
 715 copy to the Governor and the Department of State.

716 3. All other officers must submit their resignations to
 717 the Governor with a copy to the Department of State.

718 (f)1. The failure of an officer who qualifies for federal
 719 public office to submit a resignation pursuant to this
 720 subsection constitutes an automatic irrevocable resignation,
 721 effective immediately, from the office he or she presently
 722 holds.

723 2. The Department of State shall send a notice of the
 724 automatic resignation to the Governor, and in the case of a
 725 district, county, or municipal officer, a copy to:

726 a. The officer before whom he or she qualified if the
 727 officer held an elective office; or

728 b. The person or authority who appointed the officer if
 729 the officer held an appointive office.

730 (g) The provisions of any special act to the contrary
 731 notwithstanding, with regard to an elective office, the
 732 resignation creates a vacancy in office to be filled by
 733 election, thereby permitting persons to qualify as candidates
 734 for nomination and election as if the officer's term were
 735 otherwise scheduled to expire. With regard to an elective
 736 charter county office or elective municipal office, the vacancy
 737 created by the officer's resignation may be filled for that
 738 portion of the officer's unexpired term in a manner provided by
 739 the respective charter. The office is deemed vacant upon the
 740 effective date of the resignation submitted by the official in
 741 his or her letter of resignation.

742 (5) A person who is a subordinate officer, deputy sheriff,
 743 or police officer must resign effective upon qualifying pursuant
 744 to this chapter if the person is seeking to qualify for a public
 745 office that is currently held by an officer who has authority to
 746 appoint, employ, promote, or otherwise supervise that person and
 747 who has qualified as a candidate for reelection to that office.

748 (6) ~~(5)~~ The name of any person who does not comply with
 749 this section may be removed from every ballot on which it
 750 appears when ordered by a circuit court upon the petition of an
 751 elector or the Department of State.

752 (6) This section does not apply to:

753 (a) Political party offices.

754 (b) Persons serving without salary as members of an
 755 appointive board or authority.

756 (7) Nothing contained in subsections ~~subsection~~ (3) and
 757 (4) relate ~~relates~~ to persons holding any federal office.

758 (8) Any person who does not comply with this section shall
 759 not be qualified as a candidate for election and shall be
 760 removed from the ballot by the qualifying officer.

761 Section 13. Paragraph (a) of subsection (1) of section
 762 99.021, Florida Statutes, is amended to read:

763 99.021 Form of candidate oath.--

764 (1)(a)1. Each candidate, whether a party candidate, a
 765 candidate with no party affiliation, or a write-in candidate, in
 766 order to qualify for nomination or election to any office other
 767 than a judicial office as defined in chapter 105 or a federal
 768 office, shall take and subscribe to an oath or affirmation in
 769 writing. A ~~printed~~ copy of the oath or affirmation shall be made
 770 available ~~furnished~~ to the candidate by the officer before whom
 771 such candidate seeks to qualify and shall be substantially in
 772 the following form:

773
 774 State of Florida

775 County of....

776 Before me, an officer authorized to administer oaths,
 777 personally appeared ... (please print name as you wish it to
 778 appear on the ballot) ..., to me well known, who, being sworn,
 779 says that he or she is a candidate for the office of; that
 780 he or she is a qualified elector of County, Florida; that
 781 he or she is qualified under the Constitution and the laws of
 782 Florida to hold the office to which he or she desires to be
 783 nominated or elected; ~~that he or she has taken the oath required~~

784 ~~by ss. 876.05-876.10, Florida Statutes;~~ that he or she has
 785 qualified for no other public office in the state, the term of
 786 which office or any part thereof runs concurrent with that of
 787 the office he or she seeks; ~~and~~ that he or she has resigned from
 788 any office from which he or she is required to resign pursuant
 789 to s. 99.012, Florida Statutes; and that he or she will support
 790 the Constitution of the United States and the Constitution of
 791 the State of Florida.

792 ... (Signature of candidate)...

793 ... (Address)...

794
 795 Sworn to and subscribed before me this day of,
 796 ... (year), ... at County, Florida.

797 ... (Signature and title of officer administering oath)...

798 2. Each candidate for federal office, whether a party
 799 candidate, a candidate with no party affiliation, or a write-in
 800 candidate, in order to qualify for nomination or election to
 801 office, shall take and subscribe to an oath or affirmation in
 802 writing. A ~~printed~~ copy of the oath or affirmation shall be made
 803 available ~~furnished~~ to the candidate by the officer before whom
 804 such candidate seeks to qualify and shall be substantially in
 805 the following form:

806
 807 State of Florida
 808 County of

809 Before me, an officer authorized to administer oaths,
 810 personally appeared ... (please print name as you wish it to
 811 appear on the ballot) ..., to me well known, who, being sworn,

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812 | says that he or she is a candidate for the office of; that
 813 | he or she is qualified under the Constitution and laws of the
 814 | United States to hold the office to which he or she desires to
 815 | be nominated or elected; ~~and~~ that he or she has qualified for no
 816 | other public office in the state, the term of which office or
 817 | any part thereof runs concurrent with that of the office he or
 818 | she seeks; that he or she has resigned from any office from
 819 | which he or she is required to resign pursuant to s. 99.012,
 820 | Florida Statutes; and that he or she will support the
 821 | Constitution of the United States.

822 | ... (Signature of candidate) ...

823 | ... (Address) ...

824 |
 825 | Sworn to and subscribed before me this day of,
 826 | ... (year), ... at County, Florida.

827 | ... (Signature and title of officer administering oath) ...

828 | Section 14. Subsections (5) and (7) of section 99.061,
 829 | Florida Statutes, are amended to read:

830 | 99.061 Method of qualifying for nomination or election to
 831 | federal, state, county, or district office.--

832 | (5) At the time of qualifying for office, each candidate
 833 | for a constitutional office shall file a full and public
 834 | disclosure of financial interests pursuant to s. 8, Art. II of
 835 | the State Constitution, duly notarized pursuant to s. 117.05,
 836 | and a candidate for any other office, including local elective
 837 | office, shall file a statement of financial interests pursuant
 838 | to s. 112.3145.

839 | (7) (a) In order for a candidate to be qualified, the

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840 original of the following items must be received by the filing
841 officer by the end of the qualifying period:

842 1. A properly executed check drawn upon the candidate's
843 campaign account payable to the person or entity as prescribed
844 by the filing officer in an amount not less than the fee
845 required by s. 99.092, unless the candidate obtained the
846 required number of signatures on petitions ~~or, in lieu thereof,~~
847 ~~as applicable, the copy of the notice of obtaining ballot~~
848 ~~position~~ pursuant to s. 99.095. The filing fee for a special
849 district candidate is not required to be drawn upon the
850 candidate's campaign account. If a candidate's check is returned
851 by the bank for any reason, the filing officer shall immediately
852 notify the candidate and the candidate shall, the end of
853 qualifying notwithstanding, have 48 hours from the time such
854 notification is received, excluding Saturdays, Sundays, and
855 legal holidays, to pay the fee with a cashier's check purchased
856 from funds of the campaign account. Failure to pay the fee as
857 provided in this subparagraph shall disqualify the candidate.

858 2. The candidate's oath required by s. 99.021, which must
859 contain the name of the candidate as it is to appear on the
860 ballot; the office sought, including the district or group
861 number if applicable; and the signature of the candidate, duly
862 notarized pursuant to s. 117.05 ~~acknowledged~~.

863 ~~3. The loyalty oath required by s. 876.05, signed by the~~
864 ~~candidate and duly acknowledged.~~

865 3.4. If the office sought is partisan, the written
866 statement of political party affiliation required by s.
867 99.021(1)(b).

868 4.5. The ~~completed form for the~~ appointment of campaign
 869 treasurer and designation of campaign depository, as required by
 870 s. 106.021, to include the name, address, and telephone number
 871 of the candidate; the office sought, with district, circuit, or
 872 group designation, as applicable; the party affiliation, as
 873 applicable; the name, address, and telephone number of the
 874 campaign treasurer; the name and address of the primary campaign
 875 depository; the dated signatures of the candidate and the
 876 campaign treasurer; and the acceptance of the appointment by the
 877 campaign treasurer.

878 5.6. The full and public disclosure or statement of
 879 financial interests required by subsection (5). A public officer
 880 who has filed the full and public disclosure or statement of
 881 financial interests with the Commission on Ethics or the
 882 supervisor of elections prior to qualifying for office may file
 883 a copy of that disclosure at the time of qualifying.

884 (b) If the filing officer receives qualifying papers
 885 during the qualifying period prescribed in this section that do
 886 not include all items ~~as~~ required by paragraph (a) prior to the
 887 last day of qualifying, the filing officer shall make a
 888 reasonable effort to notify the candidate of the missing or
 889 incomplete items and shall inform the candidate that all
 890 required items must be received by the close of qualifying. A
 891 candidate's name as it is to appear on the ballot may not be
 892 changed after the end of qualifying.

893 Section 15. Subsection (2) of section 99.063, Florida
 894 Statutes, is amended to read:

895 99.063 Candidates for Governor and Lieutenant Governor.--

896 (2) No later than 5 p.m. of the 9th day following the
 897 primary election, each designated candidate for Lieutenant
 898 Governor shall file with the Department of State:

899 (a) The candidate's oath required by s. 99.021, which must
 900 contain the name of the candidate as it is to appear on the
 901 ballot; the office sought; and the signature of the candidate,
 902 duly acknowledged.

903 ~~(b) The loyalty oath required by s. 876.05, signed by the~~
 904 ~~candidate and duly acknowledged.~~

905 (b)(e) If the office sought is partisan, the written
 906 statement of political party affiliation required by s.
 907 99.021(1)(b).

908 (c)(d) The full and public disclosure of financial
 909 interests pursuant to s. 8, Art. II of the State Constitution. A
 910 public officer who has filed the full and public disclosure with
 911 the Commission on Ethics prior to qualifying for office may file
 912 a copy of that disclosure at the time of qualifying.

913 Section 16. Paragraph (d) is added to subsection (4) of
 914 section 100.111, Florida Statutes, present subsection (5) of
 915 that section is redesignated as subsection (6), and a new
 916 subsection (5) is added to that section, to read:

917 100.111 Filling vacancy.--

918 (4)

919 (d) A candidate for any state legislative or county office
 920 who wins an open primary shall be deemed elected at that time.

921 (5) A vacancy in nomination is not created if it is
 922 determined that a nominee did not properly qualify or does not
 923 meet the necessary qualifications to hold the office for which

924 he or she sought to qualify.

925 Section 17. Subsection (3) and paragraph (a) of subsection
926 (6) of section 100.371, Florida Statutes, are amended to read:

927 100.371 Initiatives; procedure for placement on ballot.--

928 (3) An initiative petition form circulated for signature
929 may not be bundled with or attached to any other petition. Each
930 signature shall be dated when made and shall be valid for a
931 period of 2 4 years following such date, provided all other
932 requirements of law are met. The sponsor shall submit signed and
933 dated forms to the appropriate supervisor of elections for
934 verification as to the number of registered electors whose valid
935 signatures appear thereon. Petition forms must be submitted to
936 the supervisor of elections within 45 days after the date on
937 which the petition was signed to be valid. The supervisor shall
938 promptly verify the signatures within 30 days of receipt of the
939 petition forms and payment of the fee required by s. 99.097. The
940 supervisor shall promptly record, in the manner prescribed by
941 the Secretary of State, the date each form is received by the
942 supervisor, and the date the signature on the form is verified
943 as valid. The supervisor may verify that the signature on a form
944 is valid only if:

945 (a) The form contains the original signature of the
946 purported elector.

947 (b) The purported elector has accurately recorded on the
948 form the date on which he or she signed the form.

949 (c) The form accurately sets forth the purported elector's
950 name, street address, county, and voter registration number or
951 date of birth.

952 (d) The purported elector is, at the time he or she signs
 953 the form, a duly qualified and registered elector authorized to
 954 vote in the county in which his or her signature is submitted.

955
 956 The supervisor shall retain the signature forms for at least 1
 957 year following the election in which the issue appeared on the
 958 ballot or until the Division of Elections notifies the
 959 supervisors of elections that the committee which circulated the
 960 petition is no longer seeking to obtain ballot position.

961 (6) (a) An elector's signature on a petition form may be
 962 ~~revoked within 150 days of the date on which he or she signed~~
 963 ~~the petition form~~ by submitting to the appropriate supervisor of
 964 elections a signed petition-revocation form.

965 Section 18. Section 100.372, Florida Statutes, is created
 966 to read:

967 100.372 Paid petition circulators.--

968 (1) DEFINITIONS.--As used in this section, the term:

969 (a) "Department" means the Department of State.

970 (b) "Paid petition circulator" means a petition circulator
 971 who receives compensation or other valuable consideration as a
 972 direct or indirect consequence of engaging in the activities
 973 described in paragraph (c), other than for the reimbursement of
 974 legitimate out-of-pocket expenses incurred by the petition
 975 circulator in the ordinary course of these activities, as
 976 specified by rule of the department.

977 (c) "Petition circulator" means a person who, in the
 978 context of a direct, face-to-face interaction, presents to
 979 another person for his or her possible signature an initiative

980 petition form.

981 (d) "Registrant" means a person who is registered with the
 982 department as a paid petition circulator.

983 (2) PROHIBITION ON UNREGISTERED PAID PETITION
 984 CIRCULATING.--A person may not engage in any activities as a
 985 paid petition circulator in this state without first registering
 986 with the department. A person or entity may not provide
 987 compensation or other valuable consideration as a direct or
 988 indirect consequence of the activities described in paragraph
 989 (1) (c) to a petition circulator who is not registered with the
 990 department as a paid petition circulator.

991 (3) REGISTRATION FOR PAID PETITION CIRCULATORS;
 992 REQUIREMENTS.--

993 (a) A person may not engage in activities as a paid
 994 petition circulator unless the person:

- 995 1. Has registered with the department;
- 996 2. Submits a signed written affirmation to the department
 997 that he or she has not been convicted of a criminal offense in
 998 this state or any other state or under federal law involving
 999 fraud, forgery, perjury, or identity theft within the 4 years
 1000 immediately preceding the date on which the application was
 1001 submitted; and
- 1002 3. Does not receive compensation based upon the number of
 1003 initiative petition signatures obtained.

1004 (b) A person may apply to the department for the
 1005 registration required under paragraph (a). The application must
 1006 include:

- 1007 1. The full name and any assumed name of the applicant.

- 1008 2. The residential street address of the applicant.
- 1009 3. The signature of the applicant.
- 1010 4. Identification of the initiative petitions that the
 1011 applicant will be circulating.
- 1012 5. The name, street address, and telephone number of the
 1013 person or entity from which the applicant will receive
 1014 compensation as a direct or indirect consequence of the
 1015 activities described in paragraph (1) (c).
- 1016 6. A statement signed by the applicant acknowledging that
 1017 the applicant has read and understands state and federal law
 1018 applicable to the gathering of signatures on initiative petition
 1019 forms, as the law is summarized in the training program
 1020 established by the department.
- 1021 7. Evidence indicating that the applicant has completed
 1022 the training program set forth in subsection (6).
- 1023 8. Two 2-inch by 2-inch passport-style photographs of the
 1024 applicant.
- 1025 9. Such other information as the department deems
 1026 necessary for the effective administration of the registration
 1027 program.
- 1028 (c) If an applicant meets the requirements of paragraph
 1029 (a), the department shall register the applicant and assign the
 1030 applicant a registration number no later than 5 business days
 1031 after the date on which the completed application is received.
 1032 As a condition of registration, the registrant shall notify the
 1033 department in writing of any change in the information submitted
 1034 pursuant to this subsection within 10 business days after such
 1035 change.

1036 (4) AFFIRMATION AND EVIDENCE OF REGISTRATION REQUIRED;
 1037 EFFECTS OF NONCOMPLIANCE.--

1038 (a) A signed written affirmation from an authorized
 1039 representative of the political committee sponsoring the
 1040 initiative petition must accompany any initiative petition forms
 1041 submitted for verification to a supervisor of elections if the
 1042 forms were collected by a paid petition circulator. The
 1043 affirmation must attest that the initiative petition forms were
 1044 collected in compliance with the requirements of this section.
 1045 The department shall adopt rules prescribing the form for such
 1046 affirmation. The form shall identify the potential criminal and
 1047 civil penalties for submitting a false affirmation.

1048 (b) The department shall issue to a registrant evidence of
 1049 registration which shall include the registrant's photograph and
 1050 registration number. Such evidence of registration shall
 1051 constitute valid proof of the registrant's compliance with this
 1052 section. The department shall designate by rule the form of the
 1053 evidence of registration.

1054 (c) Every initiative petition form presented by a
 1055 registrant to a person for his or her possible signature must
 1056 contain that registrant's registration number as issued by the
 1057 department.

1058 (d) If a signature on a petition form regarding ballot
 1059 placement for an initiative is not gathered in full compliance
 1060 with this section, the signature is invalid and may not be
 1061 verified and counted by the supervisor of elections. If a
 1062 signature is invalidated under this section, the supervisor of
 1063 elections shall return, at the expense of the political

1064 committee sponsoring the initiative petition, the invalid
 1065 initiative petition form to the political committee within 30
 1066 days after invalidation. The political committee shall, within
 1067 30 days after receipt of an invalid initiative petition form
 1068 from a supervisor of elections, provide written notice to an
 1069 elector whose signature was invalidated. Such notice must inform
 1070 the elector that his or her signature on the initiative petition
 1071 form was invalidated due to the failure of the paid petition
 1072 circulator who obtained the elector's signature on the
 1073 initiative petition form to comply with Florida law, and provide
 1074 the elector the opportunity to sign another initiative petition
 1075 form as a replacement for the invalidated initiative petition.
 1076 An elector whose signature on an initiative petition form is
 1077 invalidated under this section and who signs another initiative
 1078 petition form as a replacement for the invalidated initiative
 1079 petition is not subject to s. 104.185(1) for purposes of this
 1080 paragraph. An initiative petition form submitted to a supervisor
 1081 of elections under the conditions set forth in this section is
 1082 subject to s. 100.371.

1083 (5) INVALID REGISTRATION.--If, at any time, a registered
 1084 paid petition circulator no longer satisfies one or more of the
 1085 requirements set forth in this section, the registration is
 1086 immediately rendered invalid by operation of law and the person
 1087 shall cease all activities as a paid petition circulator. The
 1088 person shall also notify the department in writing of his or her
 1089 failure to meet one or more of the requirements set forth in
 1090 this section within 10 business days.

1091 (6) TRAINING.--The department shall create a training

1092 program to provide applicants with an overview and explanation
 1093 of the state and federal laws governing the gathering of
 1094 initiative petitions in Florida, including, but not limited to,
 1095 all relevant statutes, rules, and court rulings. The department
 1096 may conduct training programs through a secure website and may
 1097 contract with a third-party vendor for the administration of the
 1098 training program.

1099 (7) RULEMAKING.--The department shall adopt rules pursuant
 1100 to ss. 120.536(1) and 120.54 to administer this section,
 1101 including the adoption of a registration fee necessary to cover
 1102 the department's cost of registration, training, and regulation.
 1103 Funds collected from registrants shall be deposited into the
 1104 department's Grants and Donations Trust Fund.

1105 Section 19. Subsection (1) of section 101.043, Florida
 1106 Statutes, is amended to read:

1107 101.043 Identification required at polls.--

1108 (1) The precinct register, as prescribed in s. 98.461,
 1109 shall be used at the polls for the purpose of identifying the
 1110 elector at the polls prior to allowing him or her to vote. The
 1111 clerk or inspector shall require each elector, upon entering the
 1112 polling place, to present one of the following current and valid
 1113 picture identifications:

- 1114 (a) Florida driver's license.
- 1115 (b) Florida identification card issued by the Department
 1116 of Highway Safety and Motor Vehicles.
- 1117 (c) United States passport.
- 1118 (d) Debit or credit card.
- 1119 (e) Military identification.

- 1120 (f) Student identification.
- 1121 ~~(g) Retirement center identification.~~
- 1122 ~~(h) Neighborhood association identification.~~
- 1123 (g) ~~(i)~~ Public assistance identification.
- 1124

1125 If the picture identification does not contain the signature of
 1126 the voter, an additional identification that provides the
 1127 voter's signature shall be required. The elector shall sign his
 1128 or her name in the space provided on the precinct register or on
 1129 an electronic device provided for recording the voter's
 1130 signature. The clerk or inspector shall compare the signature
 1131 with that on the identification provided by the elector and
 1132 enter his or her initials in the space provided on the precinct
 1133 register or on an electronic device provided for that purpose
 1134 and allow the elector to vote if the clerk or inspector is
 1135 satisfied as to the identity of the elector.

1136 Section 20. Paragraph (d) of subsection (2) of section
 1137 101.045, Florida Statutes, is amended to read:

1138 101.045 Electors must be registered in precinct;
 1139 provisions for change of residence or name.--

1140 (2)

1141 (d) An elector who presents an affirmation or application
 1142 for change of residence at the precinct in which such elector is
 1143 entitled to vote shall be entitled to cast a provisional ballot,
 1144 subject to the requirements and procedures in s. 101.048. In the
 1145 case of an affirmation or application for change of name, such
 1146 affirmation or application, when completed and presented at the
 1147 precinct in which such elector is entitled to vote, and upon

1148 verification of the elector's registration, shall entitle such
 1149 elector to vote as provided in this subsection. If the elector's
 1150 eligibility to vote cannot be determined, he or she shall be
 1151 entitled to vote a provisional ballot, subject to the
 1152 requirements and procedures in s. 101.048. Upon receipt of an
 1153 affirmation or application certifying a change in address of
 1154 legal residence or name, the supervisor shall as soon as
 1155 practicable make the necessary changes in the statewide voter
 1156 registration system to indicate the change in address of legal
 1157 residence or name of such elector.

1158 Section 21. Subsection (2) of section 101.131, Florida
 1159 Statutes, is amended, and subsections (4), (5), and (6) are
 1160 added to that section, to read:

1161 101.131 Watchers at polls.--

1162 (2) Each party, each political committee, and each
 1163 candidate requesting to have poll watchers shall designate, in
 1164 writing to the supervisor of elections, on a form prescribed by
 1165 the division, before ~~prior to~~ noon of the second Tuesday
 1166 preceding the election poll watchers for each polling room on
 1167 election day. Designations of poll watchers for early voting
 1168 areas shall be submitted in writing to the supervisor of
 1169 elections, on a form prescribed by the division, before noon
 1170 at least 14 days before early voting begins. The poll watchers for
 1171 ~~each~~ polling rooms ~~room~~ shall be approved by the supervisor of
 1172 elections on or before the Tuesday before the election. Poll
 1173 watchers for early voting areas shall be approved by the
 1174 supervisor of elections no later than 7 days before early voting
 1175 begins. The supervisor shall furnish to each election board a

1176 list of the poll watchers designated and approved for such
 1177 polling rooms ~~room~~ or early voting areas ~~area~~. Poll watchers
 1178 shall be designated by the chairman of the county executive
 1179 committee of a political party, the chairman of a political
 1180 committee, or the candidate requesting the presence of poll
 1181 watchers.

1182 (4) All poll watchers shall be allowed to enter and watch
 1183 polls at all polling rooms and early voting areas within the
 1184 county in which they have been designated if the number of poll
 1185 watchers at any particular polling place does not exceed the
 1186 number provided in this section.

1187 (5) The supervisor of elections shall provide to each
 1188 designated poll watcher no later than 7 days before early voting
 1189 begins a poll watcher identification badge, identifying the poll
 1190 watcher by name. Each poll watcher shall display his or her
 1191 identification badge while in the polling room or early voting
 1192 area.

1193 (6) The division shall adopt by rule the style and
 1194 requirements for the poll watcher form required in subsection
 1195 (2).

1196 Section 22. Paragraph (c) is added to subsection (1) of
 1197 section 101.151, Florida Statutes, and subsections (2) and (3)
 1198 of that section are amended, to read:

1199 101.151 Specifications for ballots.--

1200 (1)

1201 (c) Marksense ballots shall be printed by precinct.

1202 (2) (a) The ballot shall have the following office titles
 1203 ~~headings~~ under which shall appear ~~the names of the offices and~~

1204 the names of the candidates for the respective offices in the
 1205 following order:

1206 1. The official titles of ~~heading~~ "President and Vice
 1207 President of the United States" and thereunder the names of the
 1208 candidates for President and Vice President of the United States
 1209 nominated by the political party that received the highest vote
 1210 for Governor in the last general election of the Governor in
 1211 this state. Then shall appear the names of other candidates for
 1212 President and Vice President of the United States who have been
 1213 properly nominated.

1214 2. The official titles ~~Then shall follow the heading~~
 1215 ~~"Congressional" and thereunder the offices of United States~~
 1216 ~~Senator and Representative in Congress.~~

1217 3. The official titles ~~then the heading "State" and~~
 1218 ~~thereunder the offices of Governor and Lieutenant Governor,~~
 1219 ~~Attorney General, Chief Financial Officer, Commissioner of~~
 1220 ~~Agriculture, State Attorney, followed by the applicable judicial~~
 1221 ~~circuit for the office, and Public Defender, followed by the~~
 1222 ~~applicable judicial circuit for the office. together with the~~
 1223 ~~names of the candidates for each office and the title of the~~
 1224 ~~office which they seek; then the heading "Legislative" and~~
 1225 ~~thereunder~~

1226 4. The official titles ~~offices of State Senator and State~~
 1227 ~~Representative, each followed by the applicable district for the~~
 1228 ~~office.; then the heading "County" and thereunder~~

1229 5. The official titles of County Clerk of the Circuit
 1230 Court, or Clerk of the Circuit Court and Comptroller (whichever
 1231 is applicable and when authorized by law), Clerk of the County

1232 Court (when authorized by law), County Sheriff, County Property
 1233 Appraiser, County Tax Collector, District Superintendent of
 1234 Schools, and County Supervisor of Elections.

1235 6. The official titles ~~Thereafter follows: members of the~~
 1236 Board of County Commissioner ~~Commissioners~~, followed by the
 1237 applicable district, and such other county and district offices
 1238 as are involved in the election, in the order fixed by the
 1239 Department of State, followed, in the year of their election, by
 1240 "Party Offices," and thereunder the offices of state and county
 1241 party executive committee members.

1242 (b) In a general election, in addition to the names
 1243 printed on the ballot, a blank space shall be provided under
 1244 each ~~heading for an~~ office for which a write-in candidate has
 1245 qualified. With respect to write-in candidates, if two or more
 1246 candidates are seeking election to one office, only one blank
 1247 space shall be provided.

1248 (c) ~~(b)~~ When more than one candidate is nominated for
 1249 office, the candidates for such office shall qualify and run in
 1250 a group or district, and the group or district number shall be
 1251 printed beneath the name of the office. Each nominee of a
 1252 political party chosen in a primary shall appear on the general
 1253 election ballot in the same numbered group or district as on the
 1254 primary election ballot.

1255 (d) ~~(e)~~ If in any election all the offices as set forth in
 1256 paragraph (a) are not involved, those offices not to be filled
 1257 shall be omitted and the remaining offices shall be arranged on
 1258 the ballot in the order named.

1259 (3) (a) The names of the candidates of the party that

1260 received the highest number of votes for Governor in the last
 1261 election in which a Governor was elected shall be placed first
 1262 ~~under the heading~~ for each office on the general election
 1263 ballot, together with an appropriate abbreviation of the party
 1264 name; the names of the candidates of the party that received the
 1265 second highest vote for Governor shall be placed second ~~under~~
 1266 ~~the heading~~ for each office, together with an appropriate
 1267 abbreviation of the party name.

1268 (b) Minor political party candidates and candidates with
 1269 no party affiliation shall have their names appear on the
 1270 general election ballot following the names of recognized
 1271 political parties, in the same order as they were qualified
 1272 ~~certified~~.

1273 Section 23. Subsection (3) of section 101.56075, Florida
 1274 Statutes, is amended to read:

1275 101.56075 Voting methods.--

1276 (3) By 2016 ~~2012~~, persons with disabilities shall vote on
 1277 a voter interface device that meets the voter accessibility
 1278 requirements for individuals with disabilities under s. 301 of
 1279 the federal Help America Vote Act of 2002 and s. 101.56062 which
 1280 are consistent with subsection (1) of this section.

1281 Section 24. Subsection (5) of section 101.5612, Florida
 1282 Statutes, is amended to read:

1283 101.5612 Testing of tabulating equipment.--

1284 (5) Any tests involving marksense ballots pursuant to this
 1285 section shall employ test preprinted ~~test preprinted~~ ballots created by the
 1286 supervisor of elections using actual ballots that have been
 1287 printed for the election. ~~7 If preprinted ballots will be used in~~

1288 ~~the election, and~~ ballot-on-demand ballots will be used in the
 1289 election, the supervisor shall also create test ballots using
 1290 the, if ~~ballot-on-demand technology that~~ will be used to produce
 1291 ballots in the election, using the same paper stock as will be
 1292 used for ballots in the election ~~or both.~~

1293 Section 25. Section 101.591, Florida Statutes, is amended
 1294 to read:

1295 (Substantial rewording of section. See
 1296 s. 101.591, F.S., for present text.)
 1297 101.591 Postcertification manual audit.--

1298 (1) The county canvassing board or the local board
 1299 responsible for certifying the election shall conduct a manual
 1300 audit of the voting system used in the election. The audit shall
 1301 be conducted by performing manual counts of votes on marksense
 1302 ballots and of ballot images on direct recording electronic
 1303 machines in randomly selected precincts and comparing them to
 1304 the corresponding certification for the purpose of ensuring that
 1305 the voting system used in the election properly accounted for
 1306 all votes.

1307 (2) Except as otherwise provided in this section, the
 1308 audit shall consist of a public manual count of the votes cast
 1309 in three randomly selected races appearing on the ballot in 3
 1310 percent of the precincts in which those races were conducted. If
 1311 3 percent of the precincts equals less than a whole number, the
 1312 number of precincts to be audited shall be rounded up to the
 1313 next whole number. The races and the precincts shall be selected
 1314 at a publicly noticed canvassing board meeting. The random
 1315 selection of the races and precincts shall be conducted at 3

1316 p.m. on the 9th day after a primary election and at 3 p.m. on
 1317 the 14th day after a general election.

1318 (3) The audit shall begin as soon as practicable after the
 1319 selection of races and precincts. The canvassing board shall
 1320 publish a notice of the audit, including the date, time, and
 1321 place thereof, in a newspaper of general circulation in the
 1322 county and post the notice on the home page of the supervisor of
 1323 elections' Internet website at least 48 hours before the
 1324 beginning of the audit.

1325 (4) The audit must be completed and the results made
 1326 public no later than 11:59 p.m. on the 7th day after selection
 1327 of the races and precincts. Within 7 days after completion of
 1328 the audit, the county canvassing board or local board
 1329 responsible for conducting the audit shall provide a report with
 1330 the results of the audit to the Department of State in a
 1331 standard format as prescribed by the department.

1332 (5) In any election in which a candidate or issue was
 1333 entitled to a review or counting of overvotes or undervotes
 1334 pursuant to s. 102.166, such candidate or committee chair may
 1335 request in writing that a manual audit be conducted in that
 1336 race. For federal, state, or multicounty candidates, the request
 1337 shall be made to the Secretary of State, who shall immediately
 1338 notify all counties affected by the request. For all other
 1339 candidates, the request shall be made to the canvassing board
 1340 responsible for certifying the election. The request must be
 1341 received no later than 1 p.m. on the 9th day following a primary
 1342 election or no later than 1 p.m. on the 14th day following a
 1343 general election. If a request is made pursuant to this

1344 subsection, that race will replace one of the races randomly
 1345 selected under subsection (2). If there are more than three such
 1346 requests, the county canvassing board shall decide by lot the
 1347 three races to be audited.

1348 (6) The Department of State shall adopt rules to
 1349 administer this section.

1350 Section 26. Section 101.5911, Florida Statutes, is
 1351 repealed.

1352 Section 27. Subsections (3) and (4) of section 101.62,
 1353 Florida Statutes, are amended to read:

1354 101.62 Request for absentee ballots.--

1355 (3) For each request for an absentee ballot received, the
 1356 supervisor shall record the date the request was made, the date
 1357 the absentee ballot was delivered to the voter or the voter's
 1358 designee or the date the absentee ballot was delivered to the
 1359 post office or other carrier, the date the ballot was received
 1360 by the supervisor, and such other information he or she may deem
 1361 necessary. This information shall be provided in electronic
 1362 format as provided by rule adopted by the division. This
 1363 information shall be made available during the period beginning
 1364 60 days before a primary election and ending 15 days after the
 1365 general election. The information shall be updated and made
 1366 available no later than noon of each day and shall be
 1367 contemporaneously provided to the division. This information
 1368 shall be confidential and exempt from the provisions of s.
 1369 119.07(1) and shall be made available to or reproduced only for
 1370 the voter requesting the ballot, a canvassing board, an election
 1371 official, a political party or official thereof, a candidate who

1372 has filed qualification papers and is opposed in an upcoming
 1373 election, and registered political committees or registered
 1374 committees of continuous existence, for political purposes only.

1375 (4) (a) To each absent qualified elector overseas who has
 1376 requested an absentee ballot, the supervisor of elections shall
 1377 mail an absentee ballot not less than 35 days before the primary
 1378 election and not less than 45 days before the general election.

1379 (b) The supervisor of elections shall begin mailing
 1380 absentee ballots 40 days before the primary election and 50 days
 1381 before the general election to each absent qualified elector,
 1382 including any absent qualified elector overseas, who has
 1383 requested such a ballot. Except as otherwise provided in
 1384 subsection (2) and after the period described in this paragraph,
 1385 the supervisor shall mail absentee ballots within 48 hours after
 1386 receiving a request for such ballot.

1387 (c) The supervisor shall provide an absentee ballot to
 1388 each elector by whom a request for that ballot has been made by
 1389 one of the following means:

1390 1. By nonforwardable, return-if-undeliverable mail to the
 1391 elector's current mailing address on file with the supervisor,
 1392 unless the elector specifies in the request that:

1393 a. The elector is absent from the county and does not plan
 1394 to return before the day of the election;

1395 b. The elector is temporarily unable to occupy the
 1396 residence because of hurricane, tornado, flood, fire, or other
 1397 emergency or natural disaster; or

1398 c. The elector is in a hospital, assisted living facility,
 1399 nursing home, short-term medical or rehabilitation facility, or

1400 correctional facility,

1401

1402 in which case the supervisor shall mail the ballot by
 1403 nonforwardable, return-if-undeliverable mail to any other
 1404 address the elector specifies in the request.

1405 2. By forwardable mail to voters who are entitled to vote
 1406 by absentee ballot under the Uniformed and Overseas Citizens
 1407 Absentee Voting Act.

1408 3. By personal delivery before 7 p.m. on election day to
 1409 the elector, upon presentation of the identification required in
 1410 s. 101.043.

1411 4. By delivery to a designee on election day or up to 5
 1412 days before ~~prior to~~ the day of an election. Any elector may
 1413 designate in writing a person to pick up the ballot for the
 1414 elector; however, the person designated may not pick up more
 1415 than two absentee ballots per election, other than the
 1416 designee's own ballot, except that additional ballots may be
 1417 picked up for members of the designee's immediate family. For
 1418 purposes of this section, "immediate family" means the
 1419 designee's spouse or the parent, child, grandparent, or sibling
 1420 of the designee or of the designee's spouse. The designee shall
 1421 provide to the supervisor the written authorization by the
 1422 elector and a picture identification of the designee and must
 1423 complete an affidavit. The designee shall state in the affidavit
 1424 that the designee is authorized by the elector to pick up that
 1425 ballot and shall indicate if the elector is a member of the
 1426 designee's immediate family and, if so, the relationship. The
 1427 department shall prescribe the form of the affidavit. If the

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1428 supervisor is satisfied that the designee is authorized to pick
 1429 up the ballot and that the signature of the elector on the
 1430 written authorization matches the signature of the elector on
 1431 file, the supervisor shall give the ballot to that designee for
 1432 delivery to the elector.

1433 Section 28. Subsection (2) of section 101.64, Florida
 1434 Statutes, is amended, and subsection (5) is added to that
 1435 section, to read:

1436 101.64 Delivery of absentee ballots; envelopes; form.--

1437 (2) The certificate shall be arranged on the back of the
 1438 mailing envelope so that the line for the signature of the
 1439 absent elector is across the seal of the envelope; however, no
 1440 statement shall appear on the envelope which indicates that a
 1441 signature of the voter must cross the seal of the envelope. The
 1442 absent elector shall execute the certificate on the envelope.
 1443 The supervisor of elections may not place on the mailing
 1444 envelope any information indicating the voter's party
 1445 affiliation or no-party-affiliation status.

1446 (5) The supervisor shall establish and maintain a prepaid
 1447 account with the United States Postal Service for the purpose of
 1448 paying postage on absentee ballots returned to the supervisor
 1449 with insufficient postage.

1450 Section 29. Subsection (1) of section 101.657, Florida
 1451 Statutes, is amended to read:

1452 101.657 Early voting.--

1453 (1) (a) As a convenience to the voter, the supervisor of
 1454 elections shall allow an elector to vote early in the main or
 1455 branch office of the supervisor. The supervisor shall mark,

1456 code, indicate on, or otherwise track the voter's precinct for
 1457 each early voted ballot. In order for a branch office to be used
 1458 for early voting, it shall be a permanent facility of the
 1459 supervisor and shall have been designated and used as such for
 1460 at least 1 year before ~~prior to~~ the election.

1461 (b) The supervisor may also designate any city hall or
 1462 permanent public library facility as an early voting site. To
 1463 the extent practicable sites; ~~however, if so designated, such~~
 1464 designated ~~the~~ sites must be geographically located so as to
 1465 provide all voters in the county an equal opportunity to cast a
 1466 ballot, ~~insofar as is practicable. The results or tabulation of~~
 1467 ~~votes cast during early voting may not be made before the close~~
 1468 ~~of the polls on election day. Results shall be reported by~~
 1469 ~~precinct.~~

1470 (c) ~~(b)~~ The supervisor shall designate each early voting
 1471 site by no later than the 60th ~~30th~~ day before a primary ~~prior~~
 1472 ~~to an~~ election and shall designate an early voting area, as
 1473 defined in s. 97.021, at each early voting site. Early voting
 1474 sites for the general election shall be held at the same sites
 1475 designated for a primary election.

1476 (d) ~~(e)~~ All early voting sites in a county shall be open on
 1477 the same days for the same amount of time and shall allow any
 1478 person in line at the closing of an early voting site to vote.

1479 (e) ~~(d)~~ Early voting shall begin on the 15th day before an
 1480 election and end on the 2nd day before an election. For purposes
 1481 of a special election held pursuant to s. 100.101, early voting
 1482 shall begin on the 8th day before an election and end on the 2nd
 1483 day before an election. Early voting shall be provided for 8

1484 hours per weekday and 8 hours in the aggregate each weekend at
 1485 each site during the applicable periods. Early voting sites
 1486 shall open no sooner than 7 a.m. and close no later than 7 p.m.
 1487 on each applicable day. Early voting hours and days may be
 1488 extended only upon execution by the Governor of an executive
 1489 order declaring a state of emergency as authorized in s. 252.36.

1490 (f)~~(e)~~ Notwithstanding the requirements of s. 100.3605,
 1491 municipalities may provide early voting in municipal elections
 1492 that are not held in conjunction with county or state elections.
 1493 If a municipality provides early voting, it may designate as
 1494 many sites as necessary and shall conduct its activities in
 1495 accordance with the provisions of paragraphs (a)-(d) ~~(a)-(e)~~.
 1496 The supervisor is not required to conduct early voting if it is
 1497 provided pursuant to this subsection.

1498 (g)~~(f)~~ Notwithstanding the requirements of s. 189.405,
 1499 special districts may provide early voting in any district
 1500 election not held in conjunction with county or state elections.
 1501 If a special district provides early voting, it may designate as
 1502 many sites as necessary and shall conduct its activities in
 1503 accordance with the provisions of paragraphs (a)-(d) ~~(a)-(e)~~.
 1504 The supervisor is not required to conduct early voting if it is
 1505 provided pursuant to this subsection.

1506 (h) The results or tabulation of votes cast during early
 1507 voting may not be made before the close of the polls on election
 1508 day. Results shall be reported by precinct.

1509 Section 30. Subsection (2) of section 101.6923, Florida
 1510 Statutes, is amended to read:

1511 101.6923 Special absentee ballot instructions for certain

1512 first-time voters.--

1513 (2) A voter covered by this section shall be provided with
 1514 printed instructions with his or her absentee ballot in
 1515 substantially the following form:

1516
 1517 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
 1518 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 1519 BALLOT NOT TO COUNT.

1520 1. In order to ensure that your absentee ballot will be
 1521 counted, it should be completed and returned as soon as possible
 1522 so that it can reach the supervisor of elections of the county
 1523 in which your precinct is located no later than 7 p.m. on the
 1524 date of the election.

1525 2. Mark your ballot in secret as instructed on the ballot.
 1526 You must mark your own ballot unless you are unable to do so
 1527 because of blindness, disability, or inability to read or write.

1528 3. Mark only the number of candidates or issue choices for
 1529 a race as indicated on the ballot. If you are allowed to "Vote
 1530 for One" candidate and you vote for more than one, your vote in
 1531 that race will not be counted.

1532 4. Place your marked ballot in the enclosed secrecy
 1533 envelope and seal the envelope.

1534 5. Insert the secrecy envelope into the enclosed envelope
 1535 bearing the Voter's Certificate. Seal the envelope and
 1536 completely fill out the Voter's Certificate on the back of the
 1537 envelope.

1538 a. You must sign your name on the line above (Voter's
 1539 Signature).

1540 b. If you are an overseas voter, you must include the date
 1541 you signed the Voter's Certificate on the line above (Date) or
 1542 your ballot may not be counted.

1543 6. Unless you meet one of the exemptions in Item 7., you
 1544 must make a copy of one of the following forms of
 1545 identification:

1546 a. Identification which must include your name and
 1547 photograph: United States passport; debit or credit card;
 1548 military identification; student identification; ~~retirement~~
 1549 ~~center identification; neighborhood association identification;~~
 1550 or public assistance identification; or

1551 b. Identification which shows your name and current
 1552 residence address: current utility bill, bank statement,
 1553 government check, paycheck, or government document (excluding
 1554 voter identification card).

1555 7. The identification requirements of Item 6. do not apply
 1556 if you meet one of the following requirements:

1557 a. You are 65 years of age or older.

1558 b. You have a temporary or permanent physical disability.

1559 c. You are a member of a uniformed service on active duty
 1560 who, by reason of such active duty, will be absent from the
 1561 county on election day.

1562 d. You are a member of the Merchant Marine who, by reason
 1563 of service in the Merchant Marine, will be absent from the
 1564 county on election day.

1565 e. You are the spouse or dependent of a member referred to
 1566 in paragraph c. or paragraph d. who, by reason of the active
 1567 duty or service of the member, will be absent from the county on

1568 election day.

1569 f. You are currently residing outside the United States.

1570 8. Place the envelope bearing the Voter's Certificate into

1571 the mailing envelope addressed to the supervisor. Insert a copy

1572 of your identification in the mailing envelope. DO NOT PUT YOUR

1573 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR

1574 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR

1575 BALLOT WILL NOT COUNT.

1576 9. Mail, deliver, or have delivered the completed mailing

1577 envelope. Be sure there is sufficient postage if mailed.

1578 10. FELONY NOTICE. It is a felony under Florida law to

1579 accept any gift, payment, or gratuity in exchange for your vote

1580 for a candidate. It is also a felony under Florida law to vote

1581 in an election using a false identity or false address, or under

1582 any other circumstances making your ballot false or fraudulent.

1583 Section 31. Subsection (1) of section 101.6952, Florida

1584 Statutes, is amended to read:

1585 101.6952 Absentee ballots for overseas voters.--

1586 (1) If an overseas voter's request for an absentee ballot

1587 includes an e-mail address, the supervisor of elections shall:

1588 (a) Record the voter's e-mail address in the absentee

1589 ballot record;

1590 (b) Confirm via e-mail that the absentee request was

1591 received and inform the voter of the estimated date that the

1592 ballot will be sent to the voter;

1593 (c) Inform the voter of the names of candidates who will

1594 be on the ballots via electronic transmission. The supervisor of

1595 elections shall e-mail to the voter the list of candidates for

1596 the primary and general election not later than 30 days before
 1597 each election; and

1598 (d) Notify the voter via e-mail when the voted absentee
 1599 ballot is received by the supervisor of elections.

1600 Section 32. Section 101.697, Florida Statutes, is amended
 1601 to read:

1602 101.697 Electronic transmission of election materials.--
 1603 The Department of State shall determine whether secure
 1604 electronic means can be established for requesting, sending, or
 1605 receiving absentee ballots and ballot materials to and from
 1606 overseas voters. Such means may include e-mails, facsimiles, or
 1607 other forms of electronic transmission. If such security can be
 1608 established, the department shall adopt rules to authorize such
 1609 activities that, at a minimum, provide for a supervisor of
 1610 elections to accept from an overseas voter a request for an
 1611 absentee ballot or a voted absentee ballot by secure facsimile
 1612 machine transmission or other secure electronic means. The rules
 1613 must provide that in order to accept a voted ballot, the
 1614 verification of the voter's identity, secrecy of the ballot,
 1615 unless explicitly waived by the voter, voter must be
 1616 established, the security of the transmission must be
 1617 established, and the recording of each ballot received by the
 1618 supervisor must be recorded.

1619 Section 33. Paragraphs (a) and (b) of subsection (4) of
 1620 section 102.031, Florida Statutes, are amended to read:

1621 102.031 Maintenance of good order at polls; authorities;
 1622 persons allowed in polling rooms and early voting areas;
 1623 unlawful solicitation of voters.--

1624 (4) (a) No person, political committee, committee of
 1625 continuous existence, or other group or organization may solicit
 1626 any voter who is:

- 1627 1. ~~voters~~ Inside the polling place; ~~or~~
- 1628 2. Within 100 feet of the entrance to any polling place,
 1629 ~~or~~ polling room where the polling place is also a polling room,
 1630 or early voting site; ~~or~~
- 1631 3. In line to vote at any polling place or early voting
 1632 site.

1633
 1634 Before the opening of the polling place or early voting site,
 1635 the clerk or supervisor shall designate the 100-foot no-
 1636 solicitation zone and mark the boundaries.

1637 (b) For the purpose of this subsection, the terms
 1638 "solicit" or "solicitation" shall include, but not be limited
 1639 to, seeking or attempting to seek any vote, fact, opinion, or
 1640 contribution; offering or purporting to offer advice of any
 1641 kind; distributing or attempting to distribute any political or
 1642 campaign material, leaflet, or handout; conducting a poll except
 1643 as specified in this paragraph; seeking or attempting to seek a
 1644 signature on any petition; and selling or attempting to sell any
 1645 item. The terms "solicit" or "solicitation" shall not be
 1646 construed to prohibit exit polling.

1647 Section 34. Section 102.111, Florida Statutes, is amended
 1648 to read:

1649 102.111 Elections Canvassing Commission.--

1650 (1) The Elections Canvassing Commission shall consist of
 1651 the Governor and two members of the Cabinet selected by the

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1652 Governor, all of whom shall serve ex officio. If a member of the
 1653 ~~Elections Canvassing~~ commission is unable to serve for any
 1654 reason, the Governor shall appoint a remaining member of the
 1655 Cabinet. If there is a further vacancy, the remaining members of
 1656 the commission shall agree on another elected official to fill
 1657 the vacancy.

1658 (2) The Elections Canvassing Commission shall meet at 9
 1659 a.m. on the 9th day after a primary election and at 9 a.m. on
 1660 the 14th day after a general election to, ~~as soon as the~~
 1661 ~~official results are compiled from all counties,~~ certify the
 1662 returns of the election ~~and determine and declare who has been~~
 1663 ~~elected~~ for each federal, state, and multicounty office. If a
 1664 member of a county canvassing board that was constituted
 1665 pursuant to s. 102.141 determines, within 5 days after the
 1666 certification by the Elections Canvassing Commission, that a
 1667 typographical error occurred in the official returns of the
 1668 county, the correction of which could result in a change in the
 1669 outcome of an election, the county canvassing board must certify
 1670 corrected returns to the Department of State within 24 hours,
 1671 and the Elections Canvassing Commission must correct and
 1672 recertify the election returns as soon as practicable.

1673 (3) ~~(2)~~ The Division of Elections shall provide the staff
 1674 services required by the Elections Canvassing Commission.

1675 Section 35. Subsection (2) of section 102.112, Florida
 1676 Statutes, is amended to read:

1677 102.112 Deadline for submission of county returns to the
 1678 Department of State.--

1679 (2) Returns must be filed by 5 p.m. on the 7th day
 1680 following a primary election and by noon on the 12th day
 1681 following the general election. However, the Department of State
 1682 may correct typographical errors, including the transposition of
 1683 numbers, in any returns submitted to the Department of State
 1684 pursuant to s. 102.111(2) ~~(1)~~.

1685 Section 36. Subsection (7) of section 102.141, Florida
 1686 Statutes, is amended to read:

1687 102.141 County canvassing board; duties.--

1688 (7) If the unofficial returns reflect that a candidate for
 1689 any office was defeated or eliminated by one-half of a percent
 1690 or less of the votes cast for such office, that a candidate for
 1691 retention to a judicial office was retained or not retained by
 1692 one-half of a percent or less of the votes cast on the question
 1693 of retention, or that a measure appearing on the ballot was
 1694 approved or rejected by one-half of a percent or less of the
 1695 votes cast on such measure, ~~the board responsible for certifying~~
 1696 ~~the results of the vote on such race or measure shall order a~~
 1697 recount shall be ordered of the votes cast with respect to such
 1698 office or measure. The Secretary of State Elections Canvassing
 1699 ~~Commission~~ ~~is the board~~ responsible for ordering recounts in
 1700 federal, state, and multicounty rac ~~recounts~~. The county
 1701 canvassing board or the local board responsible for certifying
 1702 the election is responsible for ordering recounts in all other
 1703 rac. A recount need not be ordered with respect to the returns
 1704 for any office, however, if the candidate or candidates defeated
 1705 or eliminated from contention for such office by one-half of a
 1706 percent or less of the votes cast for such office request in

1707 writing that a recount not be made.

1708 (a) Each canvassing board responsible for conducting a
 1709 recount shall put each marksense ballot through automatic
 1710 tabulating equipment and determine whether the returns correctly
 1711 reflect the votes cast. If any marksense ballot is physically
 1712 damaged so that it cannot be properly counted by the automatic
 1713 tabulating equipment during the recount, a true duplicate shall
 1714 be made of the damaged ballot pursuant to the procedures in s.
 1715 101.5614(5). Immediately before the start of the recount, a test
 1716 of the tabulating equipment shall be conducted as provided in s.
 1717 101.5612. If the test indicates no error, the recount tabulation
 1718 of the ballots cast shall be presumed correct and such votes
 1719 shall be canvassed accordingly. If an error is detected, the
 1720 cause therefor shall be ascertained and corrected and the
 1721 recount repeated, as necessary. The canvassing board shall
 1722 immediately report the error, along with the cause of the error
 1723 and the corrective measures being taken, to the Department of
 1724 State. No later than 11 days after the election, the canvassing
 1725 board shall file a separate incident report with the Department
 1726 of State, detailing the resolution of the matter and identifying
 1727 any measures that will avoid a future recurrence of the error.

1728 (b) Each canvassing board responsible for conducting a
 1729 recount where touchscreen ballots were used shall examine the
 1730 counters on the precinct tabulators to ensure that the total of
 1731 the returns on the precinct tabulators equals the overall
 1732 election return. If there is a discrepancy between the overall
 1733 election return and the counters of the precinct tabulators, the
 1734 counters of the precinct tabulators shall be presumed correct

1735 and such votes shall be canvassed accordingly.

1736 (c) The canvassing board shall submit on forms or in
 1737 formats provided by the division a second set of unofficial
 1738 returns to the Department of State for each federal, statewide,
 1739 state, or multicounty office or ballot measure. Such returns
 1740 shall be filed no later than 3 p.m. on the 5th ~~fifth~~ day after
 1741 any primary election and no later than 3 p.m. on the 9th ~~ninth~~
 1742 day after any general election in which a recount was ordered by
 1743 the Secretary of State ~~conducted pursuant to this subsection~~. If
 1744 the canvassing board is unable to complete the recount
 1745 prescribed in this subsection by the deadline, the second set of
 1746 unofficial returns submitted by the canvassing board shall be
 1747 identical to the initial unofficial returns and the submission
 1748 shall also include a detailed explanation of why it was unable
 1749 to timely complete the recount. However, the canvassing board
 1750 shall complete the recount prescribed in this subsection, along
 1751 with any manual recount prescribed in s. 102.166, and certify
 1752 election returns in accordance with the requirements of this
 1753 chapter.

1754 (d) The Department of State shall adopt detailed rules
 1755 prescribing additional recount procedures for each certified
 1756 voting system, which shall be uniform to the extent practicable.

1757 Section 37. Section 102.166, Florida Statutes, is amended
 1758 to read:

1759 102.166 Manual recounts of overvotes and undervotes.--

1760 (1) If the second set of unofficial returns pursuant to s.
 1761 102.141 indicates that a candidate for any office was defeated
 1762 or eliminated by one-quarter of a percent or less of the votes

1763 | cast for such office, that a candidate for retention to a
 1764 | judicial office was retained or not retained by one-quarter of a
 1765 | percent or less of the votes cast on the question of retention,
 1766 | or that a measure appearing on the ballot was approved or
 1767 | rejected by one-quarter of a percent or less of the votes cast
 1768 | on such measure, the board responsible for certifying the
 1769 | results of the vote on such race or measure shall order a manual
 1770 | recount of the overvotes and undervotes cast in the entire
 1771 | geographic jurisdiction of such office or ballot measure. A
 1772 | manual recount may not be ordered, however, if the number of
 1773 | overvotes, undervotes, and provisional ballots is fewer than the
 1774 | number of votes needed to change the outcome of the election.

1775 | (2) (a) Any hardware or software used to identify and sort
 1776 | overvotes and undervotes for a given race or ballot measure must
 1777 | be certified by the Department of State as part of the voting
 1778 | system pursuant to s. 101.015. Any such hardware or software
 1779 | must be capable of simultaneously counting votes.

1780 | (b) Overvotes and undervotes shall be identified and
 1781 | sorted while recounting ballots pursuant to s. 102.141, if the
 1782 | hardware or software for this purpose has been certified or the
 1783 | department's rules so provide.

1784 | (3) Any manual recount shall be open to the public.

1785 | (4) (a) A vote for a candidate or ballot measure shall be
 1786 | counted if there is a clear indication on the ballot that the
 1787 | voter has made a definite choice.

1788 | (b) The Department of State shall adopt specific rules for
 1789 | each certified voting system prescribing what constitutes a
 1790 | "clear indication on the ballot that the voter has made a

1791 definite choice." The rules may not:

1792 1. Exclusively provide that the voter must properly mark

1793 or designate his or her choice on the ballot; or

1794 2. Contain a catch-all provision that fails to identify

1795 specific standards, such as "any other mark or indication

1796 clearly indicating that the voter has made a definite choice."

1797 (5) Procedures for a manual recount are as follows:

1798 (a) The county canvassing board shall appoint as many

1799 counting teams of at least two electors as is necessary to

1800 manually recount the ballots. A counting team must have, when

1801 possible, members of at least two political parties. A candidate

1802 involved in the race shall not be a member of the counting team.

1803 (b) Each duplicate ballot prepared pursuant to s.

1804 101.5614(5) or s. 102.141(7) shall be compared with the original

1805 ballot to ensure the correctness of the duplicate.

1806 (c) If a counting team is unable to determine whether the

1807 ballot contains a clear indication that the voter has made a

1808 definite choice, the ballot shall be presented to the county

1809 canvassing board for a determination.

1810 (d) The Department of State shall adopt detailed rules

1811 prescribing additional recount procedures for each certified

1812 voting system which shall be uniform to the extent practicable.

1813 The rules shall address, at a minimum, the following areas:

1814 1. Security of ballots during the recount process;

1815 2. Time and place of recounts;

1816 3. Public observance of recounts;

1817 4. Objections to ballot determinations;

1818 5. Record of recount proceedings; and

1819 6. Procedures relating to candidate and petitioner
1820 representatives.

1821 Section 38. Subsections (2) and (4) of section 102.168,
1822 Florida Statutes, are amended to read:

1823 102.168 Contest of election.--

1824 (2) Such contestant shall file a complaint, together with
1825 the fees prescribed in chapter 28, with the clerk of the circuit
1826 court no later than 5 p.m. on the 22nd day after the date of
1827 ~~within 10 days after midnight of the date the last board~~
1828 ~~responsible for certifying the results officially certifies the~~
1829 ~~results of the election being contested.~~

1830 (4) The ~~county~~ canvassing board responsible for canvassing
1831 the election is an indispensable ~~and proper~~ party defendant in
1832 county and local elections. ~~†~~ The Elections Canvassing Commission
1833 is an indispensable ~~and proper~~ party defendant in federal,
1834 state, and multicounty elections and in elections for justice of
1835 the Supreme Court, judge of a district court of appeal, and
1836 judge of a circuit court. ~~aces; and~~ The successful candidate is
1837 an indispensable party to any action brought to contest the
1838 election or nomination of a candidate.

1839 Section 39. Subsection (4), paragraph (b) of subsection
1840 (6), and subsection (7) of section 103.091, Florida Statutes,
1841 are amended, present subsection (8) of that section is
1842 redesignated as subsection (9), and a new subsection (8) is
1843 added to that section, to read:

1844 103.091 Political parties.--

1845 (4) Any political party other than a minor political party
1846 may by rule provide for the membership of its state or county

1847 executive committee to be elected for 4-year terms at the
 1848 primary election in each year a presidential election is held.
 1849 Such political party may adopt any additional requirements for
 1850 qualifying for the office of state or county executive committee
 1851 in addition to any other requirements imposed by law. The terms
 1852 shall commence on the first day of the month following each
 1853 presidential general election; but the names of candidates for
 1854 political party offices shall not be placed on the ballot at any
 1855 other election. The results of such election shall be determined
 1856 by a plurality of the votes cast. In such event, electors
 1857 seeking to qualify for such office shall do so with the
 1858 Department of State or supervisor of elections not earlier than
 1859 noon of the 71st day, or later than noon of the 67th day,
 1860 preceding the primary election. The outgoing chair of each
 1861 county executive committee shall, within 30 days after the
 1862 committee members take office, hold an organizational meeting of
 1863 all newly elected members for the purpose of electing officers.
 1864 The chair of each state executive committee shall, within 60
 1865 days after the committee members take office, hold an
 1866 organizational meeting of all newly elected members for the
 1867 purpose of electing officers.

1868 (6)
 1869 (b) Each state executive committee shall include, as at-
 1870 large committeemen and committeewomen, all members of the United
 1871 States Congress representing the State of Florida who are
 1872 members of the political party, all statewide elected officials
 1873 who are members of the party, ~~10 Florida registered voters who~~
 1874 ~~are members of the party as appointed by the Governor if the~~

1875 ~~Governor is a member of the party,~~ and the President of the
 1876 Senate or the Minority Leader in the Senate, and the Speaker of
 1877 the House of Representatives or the Minority Leader in the House
 1878 of Representatives, whichever is a member of the political
 1879 party. The state executive committee shall also include members
 1880 of the political party equal to the number of elected senators
 1881 who are members of the political party, only half of whom must
 1882 be senators as appointed by the President of the Senate or the
 1883 Minority Leader in the Senate, whichever is a member of the
 1884 political party; members of the political party equal to the
 1885 number of elected senators who are members of the political
 1886 party, only half of whom must be representatives as appointed by
 1887 the Speaker of the House of Representatives, or the Minority
 1888 Leader of the House of Representatives, whichever is a member of
 1889 the political party; and members of the political party equal to
 1890 the number of elected senators who are members of the political
 1891 party as appointed by the Governor if the Governor is a member
 1892 of the political party. If the Governor is not a member of the
 1893 political party, the senior Florida United States Senator who is
 1894 a member of the political party shall appoint such members. If
 1895 there is no United States Senator who is a member of the
 1896 political party, the appointments that would otherwise be made
 1897 by the Governor or the United States Senator may not be made.~~7~~
 1898 ~~and 20 members of the Legislature who are members of the~~
 1899 ~~political party. Ten of the legislators shall be appointed with~~
 1900 ~~the concurrence of the state chair of the respective party, as~~
 1901 ~~follows: five to be appointed by the President of the Senate;~~
 1902 ~~five by the Minority Leader in the Senate; five by the Speaker~~

1903 ~~of the House of Representatives; and five by the Minority Leader~~
 1904 ~~in the House.~~

1905 (7) Members of the state executive committee or governing
 1906 body may vote by proxy if proxy voting is permitted by party
 1907 rule.

1908 (8) Each member of a state executive committee, whether
 1909 elected or appointed, shall be considered a full member with all
 1910 rights and privileges of that office.

1911 Section 40. Paragraph (c) is added to subsection (1) of
 1912 section 103.121, Florida Statutes, to read:

1913 103.121 Powers and duties of executive committees.--

1914 (1)

1915 (c) Venue for any action involving a political party's
 1916 constitution, rules, or bylaws shall be in the Circuit Court of
 1917 Leon County.

1918 Section 41. Subsections (4) and (5) of section 105.031,
 1919 Florida Statutes, are amended to read:

1920 105.031 Qualification; filing fee; candidate's oath; items
 1921 required to be filed.--

1922 (4) CANDIDATE'S OATH.--

1923 (a) All candidates for the office of school board member
 1924 shall subscribe to the oath as prescribed in s. 99.021.

1925 (b) All candidates for judicial office shall subscribe to
 1926 an oath or affirmation in writing to be filed with the
 1927 appropriate qualifying officer upon qualifying. A ~~printed~~ copy
 1928 of the oath or affirmation shall be made available ~~furnished~~ to
 1929 the candidate by the qualifying officer and shall be in
 1930 substantially the following form:

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State of Florida
County of

Before me, an officer authorized to administer oaths,
personally appeared ...(please print name as you wish it to
appear on the ballot)..., to me well known, who, being sworn,
says he or she: is a candidate for the judicial office of;
that his or her legal residence is County, Florida; that he
or she is a qualified elector of the state and of the
territorial jurisdiction of the court to which he or she seeks
election; that he or she is qualified under the constitution and
laws of Florida to hold the judicial office to which he or she
desires to be elected or in which he or she desires to be
retained; ~~that he or she has taken the oath required by ss.~~
~~876.05-876.10, Florida Statutes;~~ that he or she has qualified
for no other public office in the state, the term of which
office or any part thereof runs concurrent to the office he or
she seeks; ~~and~~ that he or she has resigned from any office which
he or she is required to resign pursuant to s. 99.012, Florida
Statutes; and that he or she will support the Constitution of
the United States and the Constitution of the State of Florida.

...(Signature of candidate)...

...(Address)...

Sworn to and subscribed before me this day of,
...(year),... at County, Florida.

...(Signature and title of officer administering oath)...

(5) ITEMS REQUIRED TO BE FILED.--

1959 (a) In order for a candidate for judicial office or the
 1960 office of school board member to be qualified, the original of
 1961 the following items must be received by the filing officer by
 1962 the end of the qualifying period:

1963 1. Except for candidates for retention to judicial office,
 1964 a properly executed check drawn upon the candidate's campaign
 1965 account payable to the person or entity as prescribed by the
 1966 filing officer in an amount not less than the fee required by
 1967 subsection (3), unless the candidate obtained the required
 1968 number of signatures on petitions ~~or, in lieu thereof, the copy~~
 1969 ~~of the notice of obtaining ballot position~~ pursuant to s.
 1970 105.035. If a candidate's check is returned by the bank for any
 1971 reason, the filing officer shall immediately notify the
 1972 candidate and the candidate shall, the end of qualifying
 1973 notwithstanding, have 48 hours from the time such notification
 1974 is received, excluding Saturdays, Sundays, and legal holidays,
 1975 to pay the fee with a cashier's check purchased from funds of
 1976 the campaign account. Failure to pay the fee as provided in this
 1977 subparagraph shall disqualify the candidate.

1978 2. The candidate's oath required by subsection (4), which
 1979 must contain the name of the candidate as it is to appear on the
 1980 ballot; the office sought, including the district or group
 1981 number if applicable; and the signature of the candidate, duly
 1982 notarized pursuant to s. 117.05 ~~acknowledged~~.

1983 ~~3. The loyalty oath required by s. 876.05, signed by the~~
 1984 ~~candidate and duly acknowledged.~~

1985 ~~3.4. The completed form for the appointment of campaign~~
 1986 ~~treasurer and designation of campaign depository, as required by~~

1987 s. 106.021, to include the name, address, and telephone number
 1988 of the candidate; the office sought, with district, circuit, or
 1989 group designation, as applicable; the name, address, and
 1990 telephone number of the campaign treasurer; the name and address
 1991 of the primary campaign depository; the dated signatures of the
 1992 candidate and the campaign treasurer; and the acceptance of the
 1993 appointment by the campaign treasurer. In addition, each
 1994 candidate for judicial office, including an incumbent judge,
 1995 shall file a statement with the qualifying officer, within 10
 1996 days after filing the appointment of campaign treasurer and
 1997 designation of campaign depository, stating that the candidate
 1998 has read and understands the requirements of the Florida Code of
 1999 Judicial Conduct. Such statement shall be in substantially the
 2000 following form:

2001 Statement of Candidate for Judicial Office

2002
 2003 I, ...(name of candidate)..., a judicial candidate, have
 2004 been provided access to ~~received~~, read, and understand the
 2005 requirements of the Florida Code of Judicial Conduct.

2006 ...(Signature of candidate)...

2007 ...(Date)...

2008 ~~4.5.~~ The full and public disclosure of financial interests
 2009 required by s. 8, Art. II of the State Constitution, duly
 2010 notarized pursuant to s. 117.05, or the statement of financial
 2011 interests required by s. 112.3145, whichever is applicable. A
 2012 public officer who has filed the full and public disclosure or
 2013 statement of financial interests with the Commission on Ethics
 2014 or the supervisor of elections prior to qualifying for office

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2015 may file a copy of that disclosure at the time of qualifying.

2016 (b) If the filing officer receives qualifying papers
 2017 during the qualifying period prescribed in this section that do
 2018 not include all items ~~as~~ required by paragraph (a) prior to the
 2019 last day of qualifying, the filing officer shall make a
 2020 reasonable effort to notify the candidate of the missing or
 2021 incomplete items and shall inform the candidate that all
 2022 required items must be received by the close of qualifying. A
 2023 candidate's name as it is to appear on the ballot may not be
 2024 changed after the end of qualifying.

2025 Section 42. Subsection (16) of section 106.011, Florida
 2026 Statutes, is amended to read:

2027 106.011 Definitions.--As used in this chapter, the
 2028 following terms have the following meanings unless the context
 2029 clearly indicates otherwise:

2030 (16) "Candidate" means any person to whom any one or more
 2031 of the following apply:

2032 (a) Any person who seeks to qualify for nomination or
 2033 election by means of the petitioning process.

2034 (b) Any person who seeks to qualify for election as a
 2035 write-in candidate.

2036 (c) Any person who receives contributions or makes
 2037 expenditures, or consents for any other person to receive
 2038 contributions or make expenditures, with a view to bring about
 2039 his or her nomination or election to, or retention in, public
 2040 office. Expenditures related to potential candidate polls as
 2041 defined in s. 106.17 are not contributions or expenditures for
 2042 purposes of this subsection.

2043 (d) Any person who appoints a treasurer and designates a
 2044 primary depository.

2045 (e) Any person who files qualification papers and
 2046 subscribes to a candidate's oath as required by law.

2047
 2048 However, this definition does not include any candidate for a
 2049 political party executive committee.

2050 Section 43. Subsection (2) of section 106.08, Florida
 2051 Statutes, is amended to read:

2052 106.08 Contributions; limitations on.--

2053 (2) (a) A candidate may not accept contributions from
 2054 national, state, including any subordinate committee of a
 2055 national, state, or county committee of a political party, and
 2056 county executive committees of a political party, which
 2057 contributions in the aggregate exceed \$50,000, ~~no more than~~
 2058 ~~\$25,000 of which may be accepted prior to the 28-day period~~
 2059 ~~immediately preceding the date of the general election.~~

2060 (b) A candidate for statewide office may not accept
 2061 contributions from national, state, or county executive
 2062 committees of a political party, including any subordinate
 2063 committee of a national, state, or county committee of a
 2064 political party, which contributions in the aggregate exceed
 2065 \$250,000, ~~no more than \$125,000 of which may be accepted prior~~
 2066 ~~to the 28-day period immediately preceding the date of the~~
 2067 ~~general election.~~ Polling services, research services, costs for
 2068 campaign staff including office expenses, professional
 2069 consulting services, communications media, and telephone calls
 2070 are not contributions to be counted toward the contribution

2071 limits of paragraph (a) or this paragraph. Any item not
 2072 expressly identified in this paragraph as nonallocable is a
 2073 contribution in an amount equal to the fair market value of the
 2074 item and must be counted as allocable toward the contribution
 2075 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
 2076 contributions must be reported by the candidate under s. 106.07
 2077 and by the political party under s. 106.29.

2078 Section 44. Subsection (6) of section 106.141, Florida
 2079 Statutes, is amended to read:

2080 106.141 Disposition of surplus funds by candidates.--

2081 (6) (a) Before ~~Prior to~~ disposing of funds pursuant to
 2082 subsection (4) or transferring funds into an office account
 2083 pursuant to subsection (5), any candidate who filed an oath
 2084 stating that he or she was unable to pay the election assessment
 2085 or fee for verification of petition signatures without imposing
 2086 an undue burden on his or her personal resources or on resources
 2087 otherwise available to him or her, or who filed both such oaths,
 2088 or who qualified by the petition process and was not required to
 2089 pay an election assessment, shall reimburse the state or local
 2090 governmental entity, whichever is applicable, for such waived
 2091 assessment or fee or both. Such reimbursement shall be made
 2092 first for the cost of petition verification and then, if funds
 2093 are remaining, for the amount of the election assessment. If
 2094 there are insufficient funds in the account to pay the full
 2095 amount of either the assessment or the fee or both, the
 2096 remaining funds shall be disbursed in the above manner until no
 2097 funds remain. All funds disbursed pursuant to this subsection
 2098 shall be remitted to the qualifying officer. Any reimbursement

2099 for petition verification costs which are reimbursable by the
 2100 state shall be forwarded by the qualifying officer to the state
 2101 for deposit in the General Revenue Fund. All reimbursements for
 2102 the amount of the election assessment shall be forwarded by the
 2103 qualifying officer to the Department of State for deposit in the
 2104 General Revenue Fund.

2105 (b) The qualifying officer shall notify the candidate no
 2106 later than 14 days after the candidate becomes unopposed of:

2107 1. The requirements of subsection(a);

2108 2. If the qualifying officer verified the signatures on
 2109 petitions for the candidate, the amount owed for petition
 2110 verification fees, and if the qualifying officer was not the
 2111 responsible officer for verifying the signatures on petitions
 2112 for the candidate, who to contact to determine the amount owed
 2113 for signature verification fees; and

2114 3. The amount owed for the election assessment if the
 2115 candidate has any funds remaining after payment of the signature
 2116 verification fees.

2117 Section 45. Subsection (2) of section 106.143, Florida
 2118 Statutes, is amended, and subsection (9) is added to that
 2119 section, to read:

2120 106.143 Political advertisements circulated prior to
 2121 election; requirements.--

2122 (2) (a) Any political advertisement of a candidate running
 2123 for partisan office shall express the name of the political
 2124 party of which the candidate is seeking nomination or is the
 2125 nominee. If the candidate for partisan office is running as a
 2126 candidate with no party affiliation, any political advertisement

2127 of the candidate must state that the candidate has no party
 2128 affiliation.

2129 (b) Political advertisements made pursuant to s. 106.08 or
 2130 by a political party provided as an in-kind contribution to a
 2131 candidate running for partisan office must prominently state:
 2132 "Paid political advertisement paid for in kind by (name of
 2133 political party). Approved by (name of person, party affiliation
 2134 and office sought in the political advertisement)."

2135 (9) Political advertisements paid for by political parties
 2136 may use names and abbreviations as filed pursuant to s. 103.081
 2137 in the disclaimer.

2138 Section 46. Section 106.17, Florida Statutes, is amended
 2139 to read:

2140 106.17 Polls and surveys relating to candidacies.--Any
 2141 candidate, political committee, committee of continuous
 2142 existence, electioneering communication organization, or state
 2143 or county executive committee of a political party may authorize
 2144 or conduct a political poll, survey, index, or measurement of
 2145 any kind relating to candidacy for public office so long as the
 2146 candidate, political committee, committee of continuous
 2147 existence, electioneering communication organization, or
 2148 political party maintains complete jurisdiction over the poll in
 2149 all its aspects. A state or county executive committee of a
 2150 political party may authorize and conduct political polls for
 2151 the purpose of determining the viability of a potential
 2152 candidate. Such poll results may be shared with the potential
 2153 candidate if the potential candidate has not filed as a
 2154 candidate or write-in candidate or sought to qualify for

2155 elective office by the petition process before the results of
 2156 the poll are shared. Expenditures incurred by state and county
 2157 executive committees for potential candidate polls do not
 2158 constitute contributions to potential candidates.

2159 Section 47. Subsections (4) and (6) of section 106.24,
 2160 Florida Statutes, are amended to read:

2161 106.24 Florida Elections Commission; membership; powers;
 2162 duties.--

2163 (4) The commission shall appoint an executive director,
 2164 subject to confirmation by the Senate. The executive director
 2165 ~~who~~ shall serve under the direction, supervision, and control of
 2166 the commission. The executive director shall be appointed for a
 2167 term of 2 years. An executive director may not serve for more
 2168 than four consecutive 2-year terms. The executive director, with
 2169 the consent of the commission, shall employ such staff as are
 2170 necessary to adequately perform the functions of the commission,
 2171 within budgetary limitations. All employees, except the
 2172 executive director and attorneys, are subject to part II of
 2173 chapter 110. The executive director shall serve at the pleasure
 2174 of the commission and be subject to part III of chapter 110,
 2175 except that the commission shall have complete authority for
 2176 setting the executive director's salary. Attorneys employed by
 2177 the commission shall be subject to part V of chapter 110.

2178 (6) There is ~~hereby~~ established in the State Treasury an
 2179 Elections Commission Trust Fund to be utilized by the Division
 2180 of Elections and the Florida Elections Commission in order to
 2181 carry out their duties pursuant to ss. 106.24-106.28. The trust
 2182 fund may also be used by the Secretary of State, pursuant to his

2183 or her authority under s. 97.012(15) ~~s. 97.012(14)~~, to provide
 2184 rewards for information leading to criminal convictions related
 2185 to voter registration fraud, voter fraud, and vote scams.

2186 Section 48. Subsection (1) of section 106.29, Florida
 2187 Statutes, is amended to read:

2188 106.29 Reports by political parties; restrictions on
 2189 contributions and expenditures; penalties.--

2190 (1) The state executive committee and each county
 2191 executive committee of each political party regulated by chapter
 2192 103 shall file regular reports of all contributions received and
 2193 all expenditures made by such committee. Such reports shall
 2194 contain the same information as do reports required of
 2195 candidates by s. 106.07, except that expenditures for salaries
 2196 may be reported in the aggregate. Such reports ~~and~~ shall be
 2197 filed on the 10th day following the end of each calendar
 2198 quarter, except that, during the period from the last day for
 2199 candidate qualifying until the general election, such reports
 2200 shall be filed on the Friday immediately preceding both the
 2201 primary election and the general election. In addition to the
 2202 reports filed under this section, the state executive committee
 2203 and each county executive committee shall file a copy of each
 2204 prior written acceptance of an in-kind contribution given by the
 2205 committee during the preceding calendar quarter as required
 2206 under s. 106.08(6). Each state executive committee shall file
 2207 the original and one copy of its reports with the Division of
 2208 Elections. Each county executive committee shall file its
 2209 reports with the supervisor of elections in the county in which
 2210 such committee exists. Any state or county executive committee

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2211 failing to file a report on the designated due date shall be
 2212 subject to a fine as provided in subsection (3). No separate
 2213 fine shall be assessed for failure to file a copy of any report
 2214 required by this section.

2215 Section 49. Section 106.295, Florida Statutes, is amended
 2216 to read:

2217 106.295 Leadership fund.--

2218 (1) For purposes of this section:

2219 (a) "Leadership fund" means accounts comprised of any
 2220 moneys contributed to a political party, directly or indirectly,
 2221 which are designated to be used at the partial or total
 2222 discretion of a leader.

2223 (b) "Leader" means the President of the Senate, the
 2224 Speaker of the House of Representatives, the majority leader and
 2225 the minority leader of each house, and any person designated by
 2226 a political caucus of members of either house to succeed to any
 2227 such position.

2228 (2) Notwithstanding any other provision of law, leadership
 2229 funds are authorized ~~prohibited~~ in this state. ~~No leader shall~~
 2230 ~~accept any leadership funds.~~

2231 ~~(3) This section applies to leadership funds in existence~~
 2232 ~~on or after January 1, 1990.~~

2233 Section 50. Subsection (1) of section 876.05, Florida
 2234 Statutes, is amended to read:

2235 876.05 Public employees; oath.--

2236 (1) All persons who now or hereafter are employed by or
 2237 who now or hereafter are on the payroll of the state, or any of
 2238 its departments and agencies, subdivisions, counties, cities,

2239 school boards and districts of the free public school system of
 2240 the state or counties, or institutions of higher learning, ~~and~~
 2241 ~~all candidates for public office, except candidates for federal~~
 2242 ~~office,~~ are required to take an oath before any person duly
 2243 authorized to take acknowledgments of instruments for public
 2244 record in the state in the following form:

2245
 2246 I,, a citizen of the State of Florida and of the
 2247 United States of America, and being employed by or an officer of
 2248 and a recipient of public funds as such employee or
 2249 officer, do hereby solemnly swear or affirm that I will support
 2250 the Constitution of the United States and of the State of
 2251 Florida.

2252 Section 51. Section 876.07, Florida Statutes, is repealed.

2253 Section 52. Any signature gathered on a previously
 2254 approved initiative petition form that is submitted for
 2255 verification before October 1, 2009, may be verified and counted
 2256 if otherwise valid. However, any signature gathered on an
 2257 initiative petition form that is submitted for verification on
 2258 or after October 1, 2009, may be verified and counted only if
 2259 such form complies with this act.

2260 Section 53. If any provision of this act or its
 2261 application to any person or circumstance is held invalid, the
 2262 invalidity does not affect other provisions or applications of
 2263 the act which can be given effect without the invalid provision
 2264 or application, and to this end the provisions of this act are
 2265 severable.

2266 Section 54. This act shall take effect July 1, 2009.