

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

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

Amendment (with title amendment)

Between lines 81 and 82, insert:

6 Section 1. Sections 4, 7 through 14, and 26 of this act
 7 may be cited as the "Florida Voting Rights Act" or the "FLVRA."
 8 Sections 2, 3, 5, 6, and 15 through 25 of this act may be cited
 9 as the "Expanding Voter Access Act" or the "EVAA." This act as a
 10 whole may be cited as the "Harry T. Moore and Harriette V. Moore
 11 Florida Voting Rights Act."

12 Section 2. Subsection (4) is added to section 20.32,
 13 Florida Statutes, to read:

20.32 Florida Commission on Offender Review.—

15 (4) (a) For the purpose of assisting a person who has been
 16 disqualified from voting based on a felony conviction other than

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

17 murder or a felony sexual offense in determining whether he or
18 she has met the requirements under s. 98.0751 and had his or her
19 voting rights restored pursuant to s. 4, Art. VI of the State
20 Constitution, the commission shall develop and maintain a
21 database that contains for each such person all of the
22 following:

23 1. His or her name and any other personal identifying
24 information.

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

28 3. The remaining amount of any restitution owed to a
29 victim as ordered by a court as a part of his or her sentence.

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

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

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

39 (b) The Department of State, the Department of
40 Corrections, clerks of the circuit courts, county comptrollers,
41 and the Board of Executive Clemency shall monthly provide to the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

42 commission any information held by such governmental entity
43 which is required under paragraph (a).

44 (c) The Department of Management Services, acting through
45 the Florida Digital Service, shall provide any technical
46 assistance necessary for the commission to develop and maintain
47 the database. The Department of Management Services may adopt
48 rules to provide such assistance.

49 (d) By July 1, 2027, the commission shall make the
50 database available to the public on an Internet website. The
51 commission must update the database monthly with the information
52 received from each governmental entity under paragraph (b). The
53 commission shall publish on the website clear instructions that
54 a person who has been disqualified from voting based on a felony
55 conviction other than murder or a felony sexual offense may
56 follow to have his or her voting rights restored and to register
57 to vote.

58 (e) By July 1, 2025, the commission shall provide a
59 comprehensive plan to the Governor, the President of the Senate,
60 and the Speaker of the House of Representatives which includes
61 all of the following:

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

65 2. A description of any infrastructure and services,
66 including, but not limited to, software, hardware, and

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

67 information technology services, that may be necessary to create
68 and maintain the database.

69 3. The anticipated number of additional employees
70 necessary for:

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

72 b. A governmental entity to provide the information
73 required under paragraph (b).

74 c. The Florida Digital Service to provide the assistance
75 required under paragraph (c).

76 4. The anticipated cost to initially develop the database;
77 annual cost to maintain the database; and annual appropriation
78 required to fund the anticipated costs of the commission, each
79 governmental entity, and the Florida Digital Service.

80 5. Any legal authority necessary for the commission to
81 develop and maintain the database.

82 6. Draft legislation to implement the comprehensive plan.

83 (f) Notwithstanding any law to the contrary, a person who
84 registers to vote or who votes in reasonable reliance on
85 information contained in the database indicating that his or her
86 voting rights have been restored pursuant to s. 4, Art. VI of
87 the State Constitution has an affirmative right to register to
88 vote and to vote and may not be charged with a violation of any
89 criminal law of this state related to fraudulently voting or
90 registering to vote.

91 (g) The commission shall adopt rules to implement this

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

92 subsection.

93 Section 3. Subsections (5) through (8), (9) through (17),
94 (18), (19) through (31), (32) through (35), and (36) through
95 (47) of section 97.021, Florida Statutes, are renumbered as
96 subsections (7) through (10), (12) through (20), (23), (25)
97 through (37), (39) through (42), and (44) through (55),
98 respectively, and new subsections (5), (6), (11), (21), (22),
99 (24), (38), and (43) are added to that section to read:

100 97.021 Definitions.—For the purposes of this code, except
101 where the context clearly indicates otherwise, the term:

102 (5) "Alternative method of election" means a method of
103 electing candidates to the legislative body of a local
104 government other than an at-large method of election or a
105 district-based method of election, and includes, but is not
106 limited to, ranked-choice voting, cumulative voting, and limited
107 voting.

108 (6) "At-large method of election" means any of the
109 following methods of electing members to the governing body of a
110 political subdivision, but does not include any alternative
111 method of election in which:

112 (a) The voters of the entire jurisdiction elect the
113 members to the governing body.

114 (b) The candidates are required to reside within given
115 areas of the jurisdiction and the voters of the entire
116 jurisdiction elect the members to the governing body.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

117 (c) At-large elections are combined with district-based
118 elections.

119 (11) "District-based method of election" means a method of
120 electing candidates to the legislative body of a local
121 government in which, for counties or municipalities divided into
122 districts, a candidate for any such district is required to
123 reside in the district and candidates representing or seeking to
124 represent the district are voted upon by only the voters of the
125 district.

126 (21) "Government enforcement action" means any denial of
127 administrative or judicial preclearance by the state or federal
128 government, pending litigation filed by a state or federal
129 entity, final judgment or adjudication, consent decree, or other
130 similar formal action.

131 (22) "Legislative body" means the commission, council,
132 school board, or other similar body, by whatever name known, of
133 local government.

134 (24) "Local government" means an entity that administers
135 elections or in which elections are conducted and includes a
136 county, municipality, school district, special district, or
137 supervisor of elections.

138 (38) "Protected class" means a class of citizens who are
139 members of a race, color, or language minority group, as
140 referenced in the federal Voting Rights Act of 1965.

141 (43) "Racially polarized voting" means voting in which the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

142 candidate or electoral choice preferred by protected class
143 members diverges from the candidate or electoral choice
144 preferred by voters who are not protected class members.

145 Section 4. Section 97.022, Florida Statutes, is repealed.

146 Section 5. Section 97.0291, Florida Statutes, is repealed.

147 Section 6. Section 97.0293, Florida Statutes, is created
148 to read:

149 97.0293 Prohibition on voter suppression and vote
150 dilution.—

151 (1) A local government, state agency, or state official
152 may not implement a regulation, standard, practice, procedure,
153 or policy regarding the administration of elections, or take or
154 fail to take any action, that results or is intended to result
155 in:

156 (a) A disparity among protected class members in electoral
157 participation, access to voting opportunities, or ability to
158 participate in the political process; or

159 (b) Based on the totality of the circumstances, an
160 impairment of the opportunity or ability of a local government's
161 protected class members to participate in the political process
162 and elect candidates of their choice or otherwise influence the
163 outcome of elections.

164 (2) There is a rebuttable presumption that paragraph
165 (1)(b) is violated in circumstances that include, but are not
166 limited to, any of the following:

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

167 (a) A local government closes, moves, consolidates, or
168 fails to provide polling places, early voting sites, or secure
169 ballot intake stations, or reassigns voters to precincts or
170 precincts to polling places, in a manner that impairs the right
171 to vote of members of a protected class or results in a
172 disparity in geographic access between members of a protected
173 class and other members of the electorate.

174 (b) A local government selects or changes dates or hours
175 of an election or for early voting in a manner that impairs the
176 right to vote of members of a protected class, including, but
177 not limited to, making the change without proper notice as
178 required by law.

179 (c) A local government fails to provide voting or election
180 materials in languages other than English as required by law.

181 (d) A local government conducts general or primary
182 elections on dates that do not align with the dates of federal
183 or state general or primary elections, resulting in a disparity
184 in levels of participation between protected class voters and
185 other voters that exceeds any disparity in federal or state
186 general or primary elections.

187 (e) A special election to fill a vacancy is called on a
188 date that would reasonably result in a disparity in levels of
189 participation between protected class voters and other voters,
190 and there exists an alternate date in a reasonable timeframe in
191 which the disparity would be materially less significant.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

192 (f) A special election to fill a vacancy is not scheduled
193 within a reasonable timeframe for an office in which protected
194 class voters would be able to elect candidates of their choice
195 or otherwise influence the outcome of elections, thus denying
196 representation to protected class voters.

197 (3) A local government may not employ a method of election
198 for any office that has the effect, or is motivated in part by
199 the intent, of impairing the opportunity or ability of protected
200 class members to participate in the political process and elect
201 candidates of their choice or otherwise influence the outcome of
202 elections as a result of diluting the vote of such protected
203 class members. This subsection is violated in any of the
204 following circumstances:

205 (a) A local government employs an at-large method of
206 election and:

207 1. Elections in the local government exhibit racially
208 polarized voting resulting in an impairment of the equal
209 opportunity or ability of protected class members to nominate or
210 elect candidates of their choice; or, based on the totality of
211 the circumstances, the equal opportunity or ability of members
212 of a protected class to nominate or elect candidates of their
213 choice is impaired; and

214 2. One or more new methods of election or modifications to
215 the existing method of election exist that the court could order
216 pursuant to s. 97.0298 that would likely mitigate the impairment

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

217 of the equal opportunity or ability of protected class members
218 to nominate or elect candidates of their choice. To the extent
219 that the new method of election or modification is a proposed
220 district-based plan that provides members of a protected class
221 with one or more reasonably configured districts in which they
222 would have an equal opportunity or ability to nominate or elect
223 candidates of their choice, it is not necessary to show that
224 members of a protected class comprise a majority in any such
225 district or districts.

226 (b) A local government employs a district-based or
227 alternative method of election and:

228 1. Elections in the local government exhibit racially
229 polarized voting resulting in an impairment of the equal
230 opportunity or ability of protected class members to nominate or
231 elect candidates of their choice; or, based on the totality of
232 the circumstances, the equal opportunity or ability of members
233 of a protected class to nominate or elect candidates of their
234 choice is impaired; and

235 2. One or more new methods of election or modifications to
236 the existing method of election exist that the court could order
237 pursuant to s. 97.0298 that would likely mitigate the impairment
238 of the equal opportunity or ability of protected class members
239 to nominate or elect candidates of their choice. To the extent
240 that the new method of election or modification is a proposed
241 district-based plan that provides members of a protected class

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

242 with one or more reasonably configured districts in which they
243 would have an equal opportunity or ability to nominate or elect
244 candidates of their choice, it is not necessary to show that
245 members of a protected class comprise a majority in any such
246 district or districts.

247 (4) For the purpose of determining whether racially
248 polarized voting by protected class members in a local
249 government occurs under this section, courts shall adhere to all
250 of the following guidelines:

251 (a) Elections conducted before the filing of a cause of
252 action are more probative than elections conducted after the
253 filing of a cause of action.

254 (b) Evidence concerning an election for any office in that
255 local government, including executive, legislative, judicial,
256 and other offices of that local government, is more probative
257 than evidence concerning an election for any other office, but
258 evidence concerning an election for another office may still be
259 afforded probative value.

260 (c) Statistical evidence is more probative than non-
261 statistical evidence.

262 (d) In the case of claims brought on behalf of two or more
263 protected classes that are politically cohesive in that local
264 government, members of those protected classes must be combined
265 to determine whether voting by those combined protected class
266 members is polarized from other electors. It is not necessary to

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

267 demonstrate that voting by members of each protected class is
268 separately polarized from other electors.

269 (e) Evidence concerning the causes of, or the reasons for,
270 the occurrence of racially polarized voting is not relevant to
271 the determination of whether racially polarized voting by
272 protected class members occurs, or whether candidates or
273 electoral choices preferred by protected class members would
274 usually be defeated. In particular, evidence concerning
275 alternate explanations for racially polarized voting patterns or
276 election outcomes, including, but not limited to, partisan
277 explanations, may not be considered.

278 (f) Evidence concerning whether subgroups of protected
279 class members have different voting patterns may not be
280 considered.

281 (g) Evidence concerning whether protected class electors
282 are geographically compact or concentrated may not be
283 considered, but may be considered when determining a remedy for
284 a violation of this section.

285 (5) For the purpose of determining whether, based on the
286 totality of the circumstances, an impairment of the right to
287 vote for any protected class member, or of the opportunity or
288 ability of protected class members to participate in the
289 political process and elect candidates of their choice or
290 otherwise influence the outcome of elections, has occurred,
291 courts may consider factors including, but not limited to, those

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

292 designated in this subsection. A particular combination or
293 number of these factors is not required for a court to determine
294 that an impairment occurred. The court shall consider a
295 particular factor only if and to the extent that evidence
296 pertaining to that factor is introduced. Evidence of these
297 factors is most probative if the evidence relates to the local
298 government in which the alleged violation occurred, but still
299 holds probative value if the evidence relates to the geographic
300 region in which that local government is located or to this
301 state. The factors that a court may consider include, but are
302 not limited to, the following:

303 (a) The history of discrimination.

304 (b) The extent to which protected class members have been
305 elected to office.

306 (c) Any action by the local government that may enhance
307 the dilutive effects of a method of election in the local
308 government. Such actions may include the use of any
309 qualification for voter eligibility or other prerequisite to
310 voting; any statute, ordinance, regulation, or other law
311 regarding the administration of elections; or any standard,
312 practice, procedure, or policy.

313 (d) The extent of any history of unequal access on the
314 part of protected class members or candidates to election
315 administration or campaign finance processes that determine
316 which candidates will receive access to the ballot or financial

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

317 or other support in a given election for an office of the local
318 government.

319 (e) The extent to which protected class members in the
320 local government or state have historically made expenditures as
321 defined in s. 106.011 at lower rates than other individuals.

322 (f) The extent to which protected class members vote at
323 lower rates than other voters.

324 (g) The extent to which protected class members are
325 disadvantaged or otherwise bear the effects of public or private
326 discrimination in areas that may hinder their ability to
327 participate effectively in the political process, such as
328 education, employment, health, criminal justice, housing,
329 transportation, land use, or environmental protection.

330 (h) The extent to which protected class members are
331 disadvantaged in other areas that may hinder their ability to
332 participate effectively in the political process.

333 (i) The use of overt or subtle racial appeals in political
334 campaigns, by government officials, or surrounding the adoption
335 or maintenance of a challenged practice.

336 (j) The extent to which candidates face hostility or
337 barriers while campaigning due to their membership in a
338 protected class.

339 (k) The lack of responsiveness by elected officials to the
340 particular needs of protected class members or a community of
341 protected class members.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

342 (1) Whether the particular method of election, ordinance,
343 regulation, or other law regarding the administration of
344 elections, standard, practice, procedure, or policy was designed
345 to advance, and materially advances, a valid and substantiated
346 state interest.

347 (6) In determining whether a violation of this section has
348 occurred, a court may not consider any of the following factors:

349 (a) The total number or share of members of a protected
350 class on whom a challenged method of election, ordinance,
351 resolution, rule, policy, standard, regulation, procedure, or
352 law does not impose a material burden.

353 (b) The degree to which the challenged method of election,
354 ordinance, resolution, rule, policy, standard, regulation,
355 procedure, or law has a long pedigree or was in widespread use
356 at some earlier date.

357 (c) The use of an identical or similar challenged method
358 of election, ordinance, resolution, rule, policy, standard,
359 regulation, procedure, or law in another local government.

360 (d) The availability of other forms of voting unimpacted
361 by the challenged method of election, ordinance, resolution,
362 rule, policy, standard, regulation, procedure, or law to all
363 members of the electorate, including members of the protected
364 class.

365 (e) A prophylactic impact on potential criminal activity
366 by individual electors, if those crimes have not occurred in the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

367 local government in substantial numbers, or if the connection
368 between the challenged policy and any claimed prophylactic
369 effect is not supported by substantial evidence.

370 (f) Mere invocation of interests in voter confidence or
371 prevention of fraud.

372 (g) A lack of evidence concerning the intent of electors,
373 elected officials, or public officials to discriminate against
374 protected class members.

375 (h) The fact that the challenged method of election,
376 ordinance, resolution, rule, policy, standard, regulation,
377 procedure, or law is authorized or mandated by any provision of
378 general law or any special act, charter or home rule ordinance,
379 or other enactment of the state or any local government.

380 (7) Before filing an action against a local government
381 pursuant to this section, a prospective plaintiff must send by
382 certified mail, return receipt requested, a Florida Voting
383 Rights Act notification letter, hereinafter referred to as an
384 "FLVRA notification letter," to the local government asserting
385 that the local government may be in violation of this act.

386 (a) Except as noted in paragraph (e), a party may not file
387 an action against a local government earlier than 50 days after
388 sending an FLVRA notification letter to the local government.

389 (b) Before receiving an FLVRA notification letter, or not
390 later than 50 days after any FLVRA notification letter is sent
391 to a local government, a local government may adopt a Florida

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

392 Voting Rights Act resolution, hereinafter referred to as an
393 "FLVRA resolution," that does all of the following:

394 1. Identifies a potential violation of this section by the
395 local government.

396 2. Identifies a specific remedy to the potential
397 violation.

398 3. Affirms the local government's intention to enact and
399 implement a remedy for a potential violation.

400 4. Sets forth specific measures the local government will
401 take to facilitate enactment and implementation of the remedy.

402 5. Provides a schedule for the enactment and
403 implementation of the remedy.

404 (c) Except as provided in paragraph (e), a party that has
405 sent an FLVRA notification letter may not file an action
406 pursuant to this section earlier than 90 days after the adoption
407 of an FLVRA notification letter.

408 (d) If the remedy identified in an FLVRA resolution is
409 barred by state or local law, or a legislative body of a local
410 government lacks authority under state or local law to enact or
411 implement a remedy identified in an FLVRA resolution within 90
412 days after the adoption of the FLVRA resolution, or if the local
413 government is a covered jurisdiction under s. 97.0296(3), the
414 local government may nonetheless enact and implement the remedy
415 identified in an FLVRA resolution upon approval of the FLVRA
416 Commission, which may only provide approval if the commission

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

417 finds that the local government may be in violation of this act,
418 the proposed remedy would address a potential violation, and
419 implementation of the proposed remedy is feasible. The approval
420 of a remedy by the FLVRA Commission does not bar an action to
421 challenge the remedy.

422 (e) If, pursuant to this subsection, a local government
423 enacts or implements a remedy or the FLVRA Commission approves a
424 proposed remedy, a party who sent a FLVRA notification letter
425 may submit a claim for reimbursement from the local government
426 for the costs associated with producing and sending the FLVRA
427 notification letter. The party shall submit the claim in writing
428 and substantiate the claim with financial documentation,
429 including a detailed invoice for any demography services or
430 analysis of voting patterns in the local government. If a party
431 and local government fail to agree to a reimbursement amount,
432 either the party or local government may file an action for a
433 declaratory judgment for a clarification of rights.

434 (f) Notwithstanding this subsection, a party may bring a
435 cause of action for a violation of this section under any of the
436 following circumstances:

437 1. The action is commenced within 1 year after the
438 adoption of the challenged method of election, ordinance,
439 resolution, rule, policy, standard, regulation, procedure, or
440 law.

441 2. The prospect of obtaining relief under this section

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

442 would be futile.

443 3. Another party has already submitted an FLVRA
444 notification letter under this subsection alleging a
445 substantially similar violation and that party is eligible to
446 bring a cause of action under this subsection.

447 4. Following the party's submission of an FLVRA
448 notification letter, the local government has adopted an FLVRA
449 resolution that identifies a remedy that does not remedy the
450 violation identified in the party's FLVRA notification letter.

451 5. The party is seeking preliminary relief with respect to
452 an upcoming election in accordance with s. 97.0298.

453 (8) A local government may not assert the doctrine of
454 laches as a defense to a claim brought under this section. A
455 local government may not assert that a plaintiff has failed to
456 comply with any notice, exhaustion, or other procedural
457 requirements under general law other than the requirements in
458 this section as a defense to a claim brought under this section.

459 (9) Any individual aggrieved by a violation of this
460 section, any entity whose membership includes individuals
461 aggrieved by a violation of this section, any entity whose
462 mission would be frustrated by a violation of this section, any
463 entity that would expend resources in order to fulfill its
464 mission as a result of a violation of this section, the Attorney
465 General, or the FLVRA Commission may file an action alleging a
466 violation of this section to enforce compliance with this

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

467 section. Such a claim may be filed pursuant to the Florida Rules
468 of Civil Procedure or in the Second Judicial Circuit. Members of
469 two or more protected classes that are politically cohesive in a
470 local government may jointly file an action.

471 Section 7. Section 97.02935, Florida Statutes, is created
472 to read:

473 97.02935 Language access.-

474 (1) As used in this section, the term "limited English
475 proficient individual" means an individual who does not speak
476 English as his or her primary language and who speaks, reads, or
477 understands the English language less than "very well" in
478 accordance with United States Census Bureau data or data of
479 comparable quality collected by a governmental entity.

480 (2) The FLVRA Commission must designate one or more
481 languages other than English for which assistance in voting and
482 elections must be provided in a local government if the FLVRA
483 Commission finds that a significant and substantial need for
484 assistance exists.

485 (3) The FLVRA Commission shall find that a significant and
486 substantial need exists if, based on the best available data,
487 which may include information from the United States Census
488 Bureau's American Community Survey or data of comparable quality
489 collected by a governmental entity:

490 (a) More than 2 percent, but not fewer than 200, of the
491 citizens of voting age of a local government speak a language

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

492 other than English and are limited English proficient
493 individuals.

494 (b) More than 4,000 of the citizens of voting age of the
495 local government speak a language other than English and are
496 limited English proficient individuals.

497 (c) In the case of a local government that contains any
498 part of a Native American reservation, more than 2 percent of
499 the Native American citizens of voting age within the Native
500 American reservation are proficient in a language other than
501 English and are limited English proficient individuals. As used
502 in this subsection, the term "Native American" includes any
503 person recognized by the United States Census Bureau or the
504 state as "American Indian."

505 (4) The FLVRA Commission must annually publish on its
506 website a list of each local government in which assistance in
507 voting and elections in a language other than English must be
508 provided, and each designated language in which such assistance
509 must be provided in each local government. The FLVRA
510 Commission's determinations under this section are effective
511 upon publication. The FLVRA Commission must distribute this
512 information to each affected local government.

513 (5) A local government must provide assistance in voting
514 and elections, including related materials, in any language
515 designated by the FLVRA Commission under subsection (4) to
516 voters in the local government who are limited English

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

517 proficient individuals.

518 (6) Whenever the FLVRA Commission determines, pursuant to
519 this section, that language assistance must be provided in a
520 local government, the local government must provide competent
521 assistance in each designated language and provide related
522 materials in English, and in each designated language, including
523 voter registration or voting notices, forms, instructions,
524 assistance, ballots, or other materials or information relating
525 to the electoral process, except in the case of a language that
526 is oral or unwritten, including historically unwritten as may be
527 the case for some Native Americans, a local government may
528 provide only oral instructions, assistance, or other information
529 relating to the electoral process in such language. All
530 materials provided in a designated language must be of an equal
531 quality to the corresponding English materials. All provided
532 translations must convey the intent and essential meaning of the
533 original text or communication and may not rely solely on an
534 automatic translation service. Whenever available, language
535 assistance must also include live translation.

536 (7) The FLVRA Commission must adopt rules to establish a
537 review process under which the FLVRA Commission will determine
538 whether a significant and substantial need exists in a local
539 government for a language to be designated for the provision of
540 assistance in voting and elections. This process must include,
541 at a minimum, all of the following:

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

542 (a) An opportunity to request that the FLVRA Commission
543 consider designating a language in a local government which must
544 be made available to any voter, organization whose membership
545 includes or is likely to include voters, organization whose
546 mission would be frustrated by a local government's failure to
547 provide language assistance, or organization that would expend
548 resources in order to fulfill the organization's mission as a
549 result of such a failure.

550 (b) An opportunity for public comment.

551 (c) That upon receipt of any such request and
552 consideration of any public comment, the FLVRA Commission may,
553 in accordance with the process for making this determination,
554 designate any language in a local government.

555 (8) Any individual aggrieved by a violation of this
556 section, any entity whose membership includes individuals
557 aggrieved by a violation of this section, any entity whose
558 mission would be frustrated by a violation of this section, any
559 entity that would expend resources in order to fulfill its
560 mission as a result of a violation of this section, the Attorney
561 General, or the FLVRA Commission may file an action alleging a
562 violation of this section. Such a claim may be filed pursuant to
563 the Florida Rules of Civil Procedure or in the Second Judicial
564 Circuit.

565 Section 8. Section 97.0294, Florida Statutes, is created
566 to read:

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

567 97.0294 Florida Voting and Elections Database and
568 Institute.-

569 (1) The FLVRA Commission shall enter into an agreement
570 with one or more universities to create the Florida Voting and
571 Elections Database and Institute, hereinafter referred to as the
572 "database and institute," to maintain and administer a central
573 repository of elections and voting data available to the public
574 from all local governments in this state and to foster, pursue,
575 and sponsor research on existing laws and best practices in
576 voting and elections. The parties to the agreement shall enter
577 into a memorandum of understanding that includes the process for
578 selecting the director of the database and institute.

579 (2) The database and institute shall provide a center for
580 research, training, and information on voting systems and
581 election administration. The database and institute may do any
582 of the following:

583 (a) Conduct classes both for credit and noncredit.

584 (b) Organize interdisciplinary groups of scholars to
585 research voting and elections.

586 (c) Conduct seminars relating to voting and elections.

587 (d) Establish a nonpartisan centralized database in order
588 to collect, archive, and make publicly available at no cost an
589 accessible database pertaining to elections, voter registration,
590 and ballot access.

591 (e) Assist in the dissemination of election data to the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

592 public.

593 (f) Publish books and periodicals as the database and
594 institute considers appropriate on voting and elections.

595 (g) Provide nonpartisan technical assistance to local
596 governments, scholars, and the general public seeking to use the
597 resources of the database and institute.

598 (3) The database and institute shall maintain in an
599 electronic format all relevant election and voting data and
600 records for at least the previous 12-year period. The data and
601 records maintained by the database and institute must be posted
602 online and made available to the public at no cost. The data and
603 records that must be maintained include, but are not limited to,
604 all of the following:

605 (a) Estimates of the total population, voting age
606 population, and citizen voting age population by racial, color,
607 or language minority group and disability status, aggregated by
608 precinct level, on an annual basis, for every local government
609 in this state, based on data from the United States Census
610 Bureau's American Community Survey or data of comparable quality
611 collected by a public office. The estimates shall be prepared by
612 applying the most advanced, peer-reviewed, and validated
613 methodologies available.

614 (b) Election results, aggregated by precinct level, for
615 every federal, state, and local election held in every local
616 government in this state.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

617 (c) Contemporaneous voter registration lists, voter
618 history files, election day polling places, and absentee voter
619 ballot drop box locations for every election in every local
620 government in this state. Absentee voter ballot drop box
621 locations must be made available in a geospatial file format.

622 (d) Contemporaneous maps or other documentation of the
623 configuration of precincts, which must be made available in a
624 geospatial file format.

625 (e) Election day polling places, including, but not
626 limited to, lists of precincts assigned to each polling place,
627 if applicable. Election day polling places must be made
628 available in a geospatial file format.

629 (f) Adopted districting or redistricting plans for every
630 election in every local government in this state.

631 (g) A current record, updated to the current month, of
632 persons eligible to register to vote with prior criminal
633 convictions whose eligibility has been restored in compliance
634 with s. 98.0751.

635 (h) Any other data that the director of the database and
636 institute considers necessary to maintain in furtherance of the
637 purposes of the database and institute.

638 (4) All state agencies and local governments shall timely
639 provide the director of the database and institute with any
640 information he or she requests. Within 90 days after an
641 election, each local government shall transmit to the database

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

642 and institute copies of all of the following:
643 (a) Election results, aggregated by precinct level.
644 (b) Contemporaneous voter registration lists.
645 (c) Voter history files.
646 (d) Maps, descriptions, and shapefiles for election
647 districts.
648 (e) Lists of election day polling places, shapefiles, or
649 descriptions of the precincts assigned to each election day
650 polling place.
651 (f) Any other data as requested by the database and
652 institute.
653 (5) At least annually, or upon the request of the director
654 of the database and institute, any state entity identified by
655 the director as possessing data, statistics, or other
656 information that the database and institute requires to carry
657 out its duties and responsibilities shall provide such data,
658 statistics, or information to the database and institute.
659 (6) If a state agency or local government fails to provide
660 any information to the database and institute as required by
661 this section, any individual aggrieved by such a violation, any
662 entity whose membership includes individuals aggrieved by such a
663 violation, any entity whose mission would be frustrated by such
664 a violation, any entity that would expend resources in order to
665 fulfill its mission as a result of such a violation, the
666 director of the database and institute, the Attorney General, or

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

667 the FLVRA Commission may file an action to enforce compliance
668 with this section. Such a claim may be filed pursuant to the
669 Florida Rules of Civil Procedure or in the Second Judicial
670 Circuit.

671 (7) Within 90 days after the end of each state fiscal
672 year, the database and institute shall publish and make
673 available to the public a report relating to its priorities and
674 finances.

675 (8) There shall be a rebuttable presumption that the data
676 and records maintained by the database and institute are valid.

677 Section 9. Section 97.0295, Florida Statutes, is created
678 to read:

679 97.0295 Florida Voting Rights Act Commission.-

680 (1) The Florida Voting Rights Act Commission, hereinafter
681 referred to as the "FLVRA Commission," a commission as defined
682 in s. 20.03, is created in the department. The FLVRA Commission
683 is responsible for administering this act.

684 (2) The FLVRA Commission shall consist of five
685 commissioners, each of whom shall serve staggered 5-year terms.
686 Commissioners shall be compensated for their actual time spent
687 on FLVRA Commission business at an hourly rate based on the rate
688 equivalent to an assistant attorney general.

689 (a) A nominating committee shall be formed to identify
690 qualified candidates to serve as members of the FLVRA
691 Commission. The nominating committee shall be comprised of

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

692 nominating organizations, to be selected as follows:

693 1. Organizations may apply with the Secretary of State to
694 be certified as a nominating organization for 5-year terms, at
695 which point organizations may be recertified. The Secretary of
696 State must certify any organization that applies to be a
697 nominating organization if it meets all of the following
698 requirements:

699 a. Demonstrated commitment to the purpose of the FLVRA
700 Commission and securing the voting rights of protected class
701 members as defined by the FLVRA Commission, including, but not
702 limited to, reference to such protected class members in its
703 mission statement, involvement in numerous voting rights cases
704 brought within the state on behalf of members of protected
705 classes, or involvement in advocacy in support of the FLVRA
706 Commission.

707 b. Registered as a nonprofit corporation with the
708 Secretary of State.

709 c. In continuous operation as a nonprofit organization
710 under s. 501(c)(3) of the Internal Revenue Code or as a
711 nonprofit corporation registered with the Secretary of State for
712 at least 20 years.

713 2. If the Secretary of State fails to timely certify an
714 organization that satisfies these qualifications following the
715 organization's application to be certified as a nominating
716 organization, such organization may file an action against the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

717 Secretary of State for a declaratory judgment certifying the
718 organization as a nominating organization.

719 3. A nominating organization may be removed for cause by a
720 majority vote of all of the nominating organizations.

721 4. If there are fewer than 16 nominating organizations
722 certified by the Secretary of State, the nominating committee
723 shall consist of all of the nominating organizations. If there
724 are 16 or more nominating organizations certified by the
725 Secretary of State, the nominating committee shall consist of 15
726 nominating organizations to be randomly selected from all
727 nominating organizations on an annual basis.

728 5. The nominating committee shall select its own chair to
729 preside over meetings and voting.

730 (b) Commissioners shall be selected as follows:

731 1. The nominating committee shall solicit applications to
732 serve on the FLVRA Commission from across the state.

733 Commissioners must meet all of the following criteria:

734 a. Be a Florida resident.

735 b. Be a member of The Florida Bar with at least 5 years of
736 legal experience.

737 c. Have demonstrated experience representing or advocating
738 on behalf of members of protected classes.

739 d. Have not served in elected office within the previous 5
740 years.

741 e. Not currently serve in any government office or hold

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

742 any political party office.

743 2. The nominating committee shall maintain a qualified
744 candidate pool consisting of 30 qualified candidates to serve on
745 the FLVRA Commission. Individuals shall only be added to the
746 qualified candidate pool upon a three-fifths vote of the
747 nominating committee. The size of the qualified candidate pool
748 may be increased or decreased from 30 qualified individuals by a
749 three-fifths vote of the nominating committee.

750 3. All members of the FLVRA Commission shall be randomly
751 selected from the qualified candidate pool. Upon the initial
752 formation of the FLVRA Commission, five commissioners shall be
753 randomly selected from the qualified candidate pool and randomly
754 assigned to term lengths of 5 years, 4 years, 3 years, 2 years,
755 and 1 year. At least 60 days before the conclusion of each
756 commissioner's term, a new commissioner shall be randomly
757 selected from the qualified candidate pool to serve a 5-year
758 term upon the conclusion of the current commissioner's term.
759 Within 30 days after a vacancy occurs on the FLVRA Commission, a
760 new commissioner shall be randomly selected from the qualified
761 candidate pool to complete the vacant term.

762 (3) In any action or investigation to enforce this act,
763 the FLVRA Commission may subpoena witnesses; administer oaths;
764 examine individuals under oath; determine material facts; and
765 compel production of records, books, papers, contracts, and
766 other documents in accordance with the ordinary rules of civil

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

767 procedure.

768 (4) The FLVRA Commission may hire staff and make
769 expenditures as necessary to carry out its responsibilities.

770 (5) The FLVRA Commission may adopt rules to administer
771 this act.

772 Section 10. Section 97.0296, Florida Statutes, is created
773 to read:

774 97.0296 Preclearance.—

775 (1) The enactment or implementation of a covered policy by
776 a covered jurisdiction is subject to preclearance by the FLVRA
777 Commission.

778 (2) A covered policy includes any new or modified
779 qualification for voter registration, prerequisite to voting, or
780 ordinance, regulation, standard, practice, procedure, or policy
781 concerning:

782 (a) Districting or redistricting.

783 (b) Method of election.

784 (c) Form of government.

785 (d) Annexation, incorporation, dissolution, consolidation,
786 or division of a local government.

787 (e) Removal of individuals from registry lists or
788 enrollment lists and other activities concerning any such list.

789 (f) Hours of any early voting site, or location or number
790 of early voting sites, polling places, or secure ballot intake
791 station.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

792 (g) Assignment of voting precincts to polling place or
793 secure ballot intake station locations.

794 (h) Assistance offered to protected class members.

795 (i) Any additional subject matter identified by the FLVRA
796 Commission pursuant to a rule adopted by the FLVRA Commission,
797 if the FLVRA Commission determines that any qualification for
798 voter registration, prerequisite to voting, or ordinance,
799 regulation, standard, practice, procedure, or policy concerning
800 such subject matter may have the effect of diminishing the right
801 to vote of any protected class member or have the effect of
802 violating this act.

803 (3) A covered jurisdiction includes all of the following:

804 (a) Any local government that, within the previous 25
805 years, has been subject to any court order, government
806 enforcement action, court-approved consent decree, or other
807 settlement in which the local government conceded liability,
808 based upon a violation of this act, the federal Voting Rights
809 Act of 1965, the Fifteenth Amendment to the United States
810 Constitution, a voting-related violation of the Fourteenth
811 Amendment to the United States Constitution, or violation of any
812 other state or federal election law based upon discrimination
813 against members of a protected class.

814 (b) Any local government that, within the previous 25
815 years, has been subject to any court order, government
816 enforcement action, court-approved consent decree, or other

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

817 settlement in which the local government conceded liability,
818 based upon a violation of any state or federal civil rights law
819 or the Fourteenth Amendment to the United States Constitution
820 concerning discrimination against members of a protected class.

821 (c) Any local government that, during the prior 3 years,
822 has failed to comply with that local government's obligations to
823 provide data or information to the statewide database pursuant
824 to s. 97.0294.

825 (d) Any local government that, within the previous 25
826 years, was found to have enacted or implemented a covered policy
827 without obtaining preclearance for such covered policy pursuant
828 to this section.

829 (e) Any local government that contains at least 1,000
830 eligible voters of any protected class, or in which members of
831 any protected class constitute at least 10 percent of the
832 eligible voter population of the local government, and in which,
833 in any year in the previous 10 years, the percentage of voters
834 of any protected class in a local government that participated
835 in any general election for any local government office is at
836 least 10 percentage points lower than the percentage of all
837 voters in the local government that participated in such
838 election.

839 (f) Any local government that contains at least 1,000
840 eligible voters of any protected class, or in which members of
841 any protected class constitute at least 10 percent of the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

842 eligible voter population of the local government, and in which,
843 in any year in the previous 10 years, the percentage of eligible
844 voters of that protected class who were registered to vote was
845 at least 10 percentage points lower than the percentage of all
846 eligible voters in the local government who were registered to
847 vote.

848 (g) Any county that contains at least 1,000 eligible
849 voters of any protected class, or in which members of any
850 protected class constitute at least 10 percent of the eligible
851 voter population of the local government, and in which, in any
852 year in the previous 10 years, the arrest rate among members of
853 such protected class exceeds the arrest rate among the
854 population of the local government as a whole by at least 10
855 percentage points.

856 (h) Any local government that contains at least 1,000
857 eligible voters of any protected class, or in which members of
858 any protected class constitute at least 10 percent of the
859 eligible voter population of the local government, and in which,
860 in any year in the previous 10 years, based on data made
861 available by the United States Census, the dissimilarity index
862 of such protected class, calculated using census tracts, is in
863 excess of 50 with respect to the race, color, or language-
864 minority group that comprises a plurality within the local
865 government.

866 (i) Any school district that contains at least 1,000

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

867 eligible voters of any protected class, or in which members of
868 any protected class constitute at least 10 percent of the
869 eligible voter population of the local government, and in which,
870 in any year in the previous 10 years, the graduation rate of
871 such protected class is lower than the graduation rate of the
872 entire district student population by at least 10 percentage
873 points.

874 (j) Any local government that contains at least 1,000
875 eligible voters of any protected class, or in which members of
876 any protected class constitute at least 10 percent of the
877 eligible voter population of the local government, and in which,
878 in any year in the previous 10 years, the poverty rate among
879 members of such protected class exceeds the poverty rate among
880 the population of the local government as a whole by at least 10
881 percentage points.

882 (4) The FLVRA Commission must annually determine which
883 local governments are covered jurisdictions and publish a list
884 of these local governments online.

885 (5) If a covered jurisdiction seeks preclearance from the
886 FLVRA Commission for the adoption or implementation of any
887 covered policy, the covered jurisdiction must submit the covered
888 policy to the FLVRA Commission in writing and may obtain
889 preclearance in accordance with this subsection.

890 (a) The FLVRA Commission shall review the covered policy
891 submitted for preclearance, including any public comment, and

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

892 make a determination to grant or deny preclearance. The covered
893 jurisdiction shall bear the burden of proof in any preclearance
894 determinations.

895 (b) The FLVRA Commission may only deny preclearance to a
896 submitted covered policy if the commission determines that the
897 covered policy is likely to diminish the opportunity or ability
898 of protected class members to participate in the political
899 process and elect candidates of their choice or otherwise
900 influence the outcome of elections or that the covered policy is
901 likely to violate this act. If the FLVRA Commission denies
902 preclearance, the applicable covered jurisdiction may not enact
903 or implement the covered policy. The FLVRA Commission shall
904 provide written explanation of any denial.

905 (c) If the FLVRA Commission grants preclearance to a
906 covered policy, the covered jurisdiction may immediately enact
907 or implement the covered policy. A determination by the FLVRA
908 Commission to grant preclearance may not be admissible in or
909 otherwise considered by a court in any subsequent action
910 challenging the covered policy. If the FLVRA Commission fails to
911 deny or grant preclearance to a submitted covered policy within
912 the time period sets forth in paragraph (d), the covered policy
913 is deemed precleared, and the covered jurisdiction may enact or
914 implement the covered policy.

915 (d) If a covered policy concerns the method of election
916 for a legislative body, districting or redistricting, the number

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

917 of seats on the legislative body, or annexation, incorporation,
918 dissolution, consolidation, or division of a local government,
919 the FLVRA Commission shall review the covered policy, including
920 any public comment, and make a determination to deny or grant
921 preclearance within 60 days after the submission of the covered
922 policy. The FLVRA Commission may invoke up to two extensions of
923 90 days each to make such a determination. For all other covered
924 policies, the FLVRA Commission shall review the covered policy,
925 including any public comment, and make a determination to deny
926 or grant preclearance within 30 days after the submission of the
927 covered policy. The FLVRA Commission may invoke an extension of
928 60 days to make such a determination.

929 (e) Any denial of preclearance under this section may be
930 appealed only by the covered jurisdiction, and shall be filed in
931 the Second Judicial Circuit.

932 (6) If any covered jurisdiction enacts or implements a
933 covered policy without obtaining preclearance for such covered
934 policy in accordance with this section, any individual aggrieved
935 by such a violation, any entity whose membership includes
936 individuals aggrieved by such a violation, any entity whose
937 mission would be frustrated by such a violation, any entity that
938 would expend resources in order to fulfill its mission as a
939 result of such a violation, the director of the database and
940 institute, the Attorney General, or the FLVRA Commission may
941 file an action to enjoin enactment or implementation and seek

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

942 sanctions against the covered jurisdiction for violations of
943 this section. Such a claim may be filed pursuant to the Florida
944 Rules of Civil Procedure or in the Second Judicial Circuit. A
945 claim under this subsection does not preclude, bar, or limit any
946 other claims that may be brought regarding the covered policy in
947 any way, including claims brought under other sections of this
948 act.

949 (7) If the FLVRA Commission approves preclearance to a
950 covered policy in violation of this section, identifies or fails
951 to identify a list of local governments that are covered
952 jurisdictions in violation of this section, or otherwise fails
953 to properly implement any of the provisions of this section, any
954 individual aggrieved by such a violation, any entity whose
955 membership includes individuals aggrieved by such a violation,
956 any entity whose mission would be frustrated by such a
957 violation, or any entity that would expend resources in order to
958 fulfill its mission as a result of such a violation may file an
959 action seeking appropriate relief, including, but not limited
960 to, injunctive relief, against the FLVRA Commission or any other
961 party as the court deems necessary to effectuate this section.
962 Such a claim may be filed pursuant to the Florida Rules of Civil
963 Procedure or in the Second Judicial Circuit. A claim under this
964 subsection does not preclude, bar, or limit any other claims
965 that may be brought regarding any covered policy in any way,
966 including claims brought under other sections of this act.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

967 (8) The FLVRA Commission shall adopt rules to effectuate
968 this section, including regulations concerning the content of
969 and procedure for preclearance submissions, procedures for
970 public comment and transparency regarding preclearance
971 determinations, and procedures for expedited and emergency
972 preclearance determinations, which may deviate from the
973 timelines provided in paragraph (5) (d), provided that such
974 preclearance determinations are preliminary.

975 Section 11. Section 97.0297, Florida Statutes, is created
976 to read:

977 97.0297 Democracy canon.—

978 (1) Any provision of the Florida Election Code or any
979 regulation, charter, home rule ordinance, or other enactment of
980 the state or any local government relating to the right to vote
981 must be construed liberally in favor of all of the following:

982 (a) Protecting the right to cast a ballot and make the
983 ballot valid.

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

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

988 (d) Making the fundamental right to vote more accessible
989 to eligible voters.

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

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

992 (2) It is the policy of the state to promote the free flow
993 of documents and information concerning the intent of public
994 officials in actions concerning the right to vote. Accordingly,
995 in any action under this act, the federal Voting Rights Act of
996 1965, or a voting-related claim under the State Constitution or
997 the United States Constitution, no sovereign, governmental,
998 executive, legislative, or deliberative immunities and
999 privileges, including any evidentiary privileges, may be
1000 asserted. However, this section does not affect attorney-client
1001 or attorney work-product privileges.

1002 Section 12. Section 97.0298, Florida Statutes, is created
1003 to read:

1004 97.0298 Remedies.—

1005 (1) Whenever a court finds a violation of any provision of
1006 this act, such court shall order appropriate remedies that are
1007 tailored to address such violation and to ensure protected class
1008 members have equitable opportunities to fully participate in the
1009 political process which can be implemented in a manner that will
1010 not unduly disrupt the administration of an ongoing or imminent
1011 election. Appropriate remedies may include, but need not be
1012 limited to:

1013 (a) A district-based method of election.

1014 (b) An alternative method of election.

1015 (c) New or revised districting or redistricting plans.

1016 (d) Eliminating staggered elections so that all members of

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

- 1017 the legislative body are elected at the same time.
- 1018 (e) Reasonably increasing the size of the legislative
1019 body.
- 1020 (f) Additional voting days or hours.
- 1021 (g) Additional polling places and early voting sites, as
1022 applicable.
- 1023 (h) Additional opportunities to return ballots.
- 1024 (i) Holding special elections.
- 1025 (j) Expanding opportunities for voter registration.
- 1026 (k) Additional voter education.
- 1027 (l) Restoring or adding individuals to the statewide voter
1028 registration system.
- 1029 (m) Retaining jurisdiction for such period of time as the
1030 court deems appropriate.
- 1031 (2) The court shall consider remedies proposed by any
1032 parties to the action or by interested nonparties. The court may
1033 not give deference or priority to a proposed remedy because it
1034 is proposed by the state or any local government.
- 1035 (3) If necessary to remedy a violation of this act, the
1036 court may require a local government to implement a remedy that
1037 is inconsistent with any other provision of general law,
1038 including any special act, charter or home rule ordinance, or
1039 other enactment of the state or any local government.
- 1040 (4) Notwithstanding the Florida Rules of Civil Procedure
1041 or any other provision of general law, the court shall grant a

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1042 temporary injunction and any other preliminary relief requested
1043 under this section with respect to an upcoming election if the
1044 court determines that the party is likely to succeed on the
1045 merits and it is possible to implement an appropriate temporary
1046 remedy that would resolve the violation alleged under this
1047 section before the election.

1048 (5) In any action to enforce this act, the court must
1049 award reasonable attorney fees and litigation costs, including,
1050 but not limited to, expert witness fees and expenses, to the
1051 party that filed an action, other than the state or any local
1052 government, and that prevailed in such action. The party that
1053 filed the action is deemed to have prevailed when, as a result
1054 of litigation, the party against whom the action was filed has
1055 yielded some or all of the relief sought in the action. In the
1056 case of a party against whom an action was filed and who
1057 prevailed, the court may not award the party any costs unless
1058 the court finds the action to be frivolous, unreasonable, or
1059 without foundation.

1060 Section 13. Section 97.0299, Florida Statutes, is created
1061 to read:

1062 97.0299 Voter education fund.—

1063 (1) There is established a voter education fund to be
1064 administered by the FLVRA Commission.

1065 (2) The FLVRA Commission may expend moneys from the fund
1066 for any of the following purposes:

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1067 (a) Developing and distributing educational materials on
1068 voting rights and the voting process, including information on
1069 voter registration, vote-by-mail, and polling place
1070 accessibility.

1071 (b) Conducting public education campaigns to inform voters
1072 about changes to voting laws, procedures, or polling locations,
1073 and to counteract false or misleading information about voting.

1074 (c) Providing training and resources to local election
1075 officials, poll workers, and volunteers on how to ensure fair
1076 and equitable access to the ballot for all eligible voters.

1077 (d) Establishing and maintaining voter hotlines, online
1078 portals, or other mechanisms for voters to report incidents of
1079 voter intimidation, suppression, or discrimination, and for
1080 election officials to respond to such reports.

1081 (e) Supporting voter outreach efforts targeted at
1082 historically underrepresented communities, including, but not
1083 limited to, members of protected classes, low-income
1084 individuals, youth, and people with disabilities.

1085 (f) Providing grants to community-based organizations,
1086 civic groups, and civil rights organizations to conduct voter
1087 education and mobilization activities, such as voter
1088 registration drives, candidate forums, and get-out-the-vote
1089 campaigns, or to engage in nonpartisan advocacy, litigation, or
1090 other legal actions to protect voting rights, challenge
1091 discriminatory voting practices, or seek redress for victims of

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1092 voter suppression or intimidation.

1093 (g) Partnering with schools and universities to develop
1094 and implement nonpartisan curricula on civic engagement, voting,
1095 and the importance of participating in the democratic process.

1096 (h) Funding research and evaluation projects to assess the
1097 impact of voter education and outreach efforts on voter
1098 participation and civic engagement, and to identify best
1099 practices for improving access to the ballot.

1100 Section 14. Section 97.0556, Florida Statutes, is created
1101 to read:

1102 97.0556 Same-day voter registration.—A person who meets
1103 the qualifications to register to vote in s. 97.041 and who
1104 provides the information required for the statewide voter
1105 registration application in s. 97.052 may register at an early
1106 voting site or at his or her polling place and immediately
1107 thereafter cast a ballot.

1108 Section 15. Section 97.057, Florida Statutes, is amended
1109 to read:

1110 97.057 Voter registration by the Department of Highway
1111 Safety and Motor Vehicles.—

1112 (1)(a) Each of the following serves as an application ~~The~~
1113 ~~Department of Highway Safety and Motor Vehicles shall provide~~
1114 ~~the opportunity to preregister to vote, register to vote, or to~~
1115 update a voter registration record when submitted to the
1116 Department of Highway Safety and Motor Vehicles to each

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1117 ~~individual who comes to an office of that department to:~~
1118 1.(a) An application for or renewal of ~~Apply for or renew~~
1119 a driver license;
1120 2.(b) An application for or renewal of ~~Apply for or renew~~
1121 an identification card pursuant to chapter 322; or
1122 3.(e) An application for a change of an ~~an~~ address on an
1123 existing driver license or identification card.
1124 (b) Unless the applicant declines to register or
1125 preregister to vote, he or she is deemed to have consented to
1126 the use of the signature from his or her driver license or
1127 identification card application for voter registration purposes.
1128 (2) An application for a driver license or an
1129 identification card must include a voter registration component.
1130 The voter registration component must be approved by the
1131 Department of State and must contain all of the following:
1132 (a) The minimum amount of information necessary to prevent
1133 duplicate voter registrations and to preserve the ability of the
1134 department and supervisors of elections to assess the
1135 eligibility of the applicant and administer voter registration
1136 and other provisions of this code.
1137 (b) A statement setting forth voting eligibility
1138 requirements.
1139 (c) An explanation that the applicant is consenting to the
1140 use of his or her signature from the applicant's driver license
1141 or identification card application for voter registration

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1142 purposes. By consenting to the use of his or her signature, the
1143 applicant is deemed to have subscribed to the oath required by
1144 s. 3, Art. VI of the State Constitution and s. 97.051 and to
1145 have sworn and affirmed that the voter registration information
1146 contained in the application is true under penalty for false
1147 swearing pursuant to s. 104.011.

1148 (d) An option that allows the applicant to choose or
1149 update a party affiliation; otherwise, an applicant who is
1150 initially registering to vote and does not exercise such option
1151 must be sent a notice by the supervisor of elections in
1152 accordance with s. 97.053(5)(b).

1153 (e) An option that allows the applicant to decline to
1154 register to vote or preregister to vote. The Department of
1155 Highway Safety and Motor Vehicles shall note any such
1156 declination in its records and forward the declination to the
1157 Department of State. Any declination may be used only for voter
1158 registration purposes and is confidential and exempt from public
1159 records requirements as provided in s. 97.0585.

1160 (3) The Department of Highway Safety and Motor Vehicles
1161 shall:

1162 (a) Develop a voter registration component for
1163 applications which meets the requirements set forth in
1164 subsection (2).

1165 (b) Electronically transmit the voter registration
1166 component of an applicant's driver license or identification

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1167 card application to the Department of State within 24 hours
1168 after receipt. Upon receipt of the voter registration component,
1169 the Department of State shall provide the information to the
1170 supervisor of elections of the county in which the applicant is
1171 registering or preregistering to vote or updating his or her
1172 voter registration record.

1173 ~~(2) The Department of Highway Safety and Motor Vehicles~~
1174 ~~shall:~~

1175 ~~(a) Notify each individual, orally or in writing, that:~~

1176 ~~1. Information gathered for the completion of a driver~~
1177 ~~license or identification card application, renewal, or change~~
1178 ~~of address can be automatically transferred to a voter~~
1179 ~~registration application;~~

1180 ~~2. If additional information and a signature are provided,~~
1181 ~~the voter registration application will be completed and sent to~~
1182 ~~the proper election authority;~~

1183 ~~3. Information provided can also be used to update a voter~~
1184 ~~registration record;~~

1185 ~~4. All declinations will remain confidential and may be~~
1186 ~~used only for voter registration purposes; and~~

1187 ~~5. The particular driver license office in which the~~
1188 ~~person applies to register to vote or updates a voter~~
1189 ~~registration record will remain confidential and may be used~~
1190 ~~only for voter registration purposes.~~

1191 ~~(b) Require a driver license examiner to inquire orally~~

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1192 ~~or, if the applicant is hearing impaired, inquire in writing~~
1193 ~~whether the applicant wishes to register to vote or update a~~
1194 ~~voter registration record during the completion of a driver~~
1195 ~~license or identification card application, renewal, or change~~
1196 ~~of address.~~

1197 ~~1. If the applicant chooses to register to vote or to~~
1198 ~~update a voter registration record:~~

1199 ~~a. All applicable information received by the Department~~
1200 ~~of Highway Safety and Motor Vehicles in the course of filling~~
1201 ~~out the forms necessary under subsection (1) must be transferred~~
1202 ~~to a voter registration application.~~

1203 ~~b. The additional necessary information must be obtained~~
1204 ~~by the driver license examiner and must not duplicate any~~
1205 ~~information already obtained while completing the forms required~~
1206 ~~under subsection (1).~~

1207 ~~e. A voter registration application with all of the~~
1208 ~~applicant's voter registration information required to establish~~
1209 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
1210 ~~presented to the applicant to review and verify the voter~~
1211 ~~registration information received and provide an electronic~~
1212 ~~signature affirming the accuracy of the information provided.~~

1213 ~~2. If the applicant declines to register to vote, update~~
1214 ~~the applicant's voter registration record, or change the~~
1215 ~~applicant's address by either orally declining or by failing to~~
1216 ~~sign the voter registration application, the Department of~~

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1217 ~~Highway Safety and Motor Vehicles must note such declination on~~
1218 ~~its records and shall forward the declination to the statewide~~
1219 ~~voter registration system.~~

1220 ~~(3) For the purpose of this section, the Department of~~
1221 ~~Highway Safety and Motor Vehicles, with the approval of the~~
1222 ~~Department of State, shall prescribe:~~

1223 ~~(a) A voter registration application that is the same in~~
1224 ~~content, format, and size as the uniform statewide voter~~
1225 ~~registration application prescribed under s. 97.052; and~~

1226 ~~(b) A form that will inform applicants under subsection~~
1227 ~~(1) of the information contained in paragraph (2)(a).~~

1228 ~~(4) The Department of Highway Safety and Motor Vehicles~~
1229 ~~must electronically transmit completed voter registration~~
1230 ~~applications within 24 hours after receipt to the statewide~~
1231 ~~voter registration system. Completed paper voter registration~~
1232 ~~applications received by the Department of Highway Safety and~~
1233 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
1234 ~~the supervisor of the county where the office that processed or~~
1235 ~~received that application is located.~~

1236 ~~(5) The Department of Highway Safety and Motor Vehicles~~
1237 ~~must send, with each driver license renewal extension~~
1238 ~~application authorized pursuant to s. 322.18(8), a uniform~~
1239 ~~statewide voter registration application, the voter registration~~
1240 ~~application prescribed under paragraph (3)(a), or a voter~~
1241 ~~registration application developed especially for the purposes~~

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1242 ~~of this subsection by the Department of Highway Safety and Motor~~
1243 ~~Vehicles, with the approval of the Department of State, which~~
1244 ~~must meet the requirements of s. 97.052.~~

1245 ~~(4)(6)~~ A person providing voter registration services for
1246 a driver license office may not:

1247 (a) Seek to influence an applicant's political preference
1248 or party registration;

1249 (b) Display any political preference or party allegiance;

1250 (c) Make any statement to an applicant or take any action
1251 the purpose or effect of which is to discourage the applicant
1252 from registering to vote; or

1253 (d) Disclose any applicant's voter registration
1254 information except as needed for the administration of voter
1255 registration.

1256 ~~(5)(7)~~ The Department of Highway Safety and Motor Vehicles
1257 shall collect data determined necessary by the Department of
1258 State for program evaluation and reporting to the Election
1259 Assistance Commission pursuant to federal law.

1260 ~~(6)(8)~~ The Department of Highway Safety and Motor Vehicles
1261 shall ~~must~~ ensure that all voter registration services provided
1262 by driver license offices are in compliance with the Voting
1263 Rights Act of 1965.

1264 ~~(7)(9)~~ The Department of Highway Safety and Motor Vehicles
1265 shall retain complete records of voter registration information
1266 received, processed, and submitted to the Department of State

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1267 ~~statewide voter registration system~~ by the Department of Highway
1268 Safety and Motor Vehicles. The retention of such ~~These~~ records
1269 ~~is shall be~~ for the explicit purpose of supporting audit and
1270 accounting controls established to ensure accurate and complete
1271 electronic transmission of records between the Department of
1272 State ~~statewide voter registration system~~ and the Department of
1273 Highway Safety and Motor Vehicles.

1274 ~~(8)-(10)~~ The Department of State shall provide the
1275 Department of Highway Safety and Motor Vehicles with an
1276 electronic database of street addresses valid for use as the
1277 address of legal residence as required in s. 97.053(5). The
1278 Department of Highway Safety and Motor Vehicles shall compare
1279 the address provided by the applicant against the database of
1280 valid street addresses. If the address provided by the applicant
1281 does not match a valid street address in the database, the
1282 applicant will be asked to verify the address provided. The
1283 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
1284 reject any application for voter registration for which a valid
1285 match cannot be made.

1286 ~~(9)-(11)~~ The Department of Highway Safety and Motor
1287 Vehicles shall enter into an agreement with the Department of
1288 State to match information in the statewide voter registration
1289 system with information in the database of the Department of
1290 Highway Safety and Motor Vehicles to the extent required to
1291 verify the accuracy of the driver license number, Florida

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1292 identification number, or last four digits of the social
1293 security number provided on applications for voter registration
1294 as required in s. 97.053.

1295 ~~(10)-(12)~~ The Department of Highway Safety and Motor
1296 Vehicles shall enter into an agreement with the Commissioner of
1297 Social Security as required by the Help America Vote Act of 2002
1298 to verify the last four digits of the social security number
1299 provided in applications for voter registration as required in
1300 s. 97.053.

1301 ~~(11)-(13)~~ The Department of Highway Safety and Motor
1302 Vehicles shall ~~must~~ assist the Department of State in regularly
1303 identifying changes in residence address on the driver license
1304 or identification card of a voter. The Department of State shall
1305 ~~must~~ report each such change to the appropriate supervisor of
1306 elections, who must change the voter's registration records in
1307 accordance with s. 98.065(4).

1308 Section 16. Section 97.0575, Florida Statutes, is amended
1309 to read:

1310 97.0575 Third-party voter registration organizations.—

1311 (1) Before engaging in any voter registration activities,
1312 a third-party voter registration organization must register and
1313 provide to the division, in an electronic format, the following
1314 information:

1315 (a) The names of the officers of the organization and the
1316 name and permanent address of the organization.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1317 (b) The name and address of the organization's registered
1318 agent in the state.

1319 (c) The names, permanent addresses, and temporary
1320 addresses, if any, of each registration agent registering
1321 persons to vote in this state on behalf of the organization.
1322 This paragraph does not apply to persons who only solicit
1323 applications and do not collect or handle voter registration
1324 applications.

1325 ~~(d) Beginning November 6, 2024, the specific general~~
1326 ~~election cycle for which the third-party voter registration~~
1327 ~~organization is registering persons to vote.~~

1328 ~~(e) An affirmation that each person collecting or handling~~
1329 ~~voter registration applications on behalf of the third-party~~
1330 ~~voter registration organization has not been convicted of a~~
1331 ~~felony violation of the Election Code, a felony violation of an~~
1332 ~~offense specified in s. 825.103, a felony offense specified in~~
1333 ~~s. 98.0751(2)(b) or (c), or a felony offense specified in~~
1334 ~~chapter 817, chapter 831, or chapter 837. A third-party voter~~
1335 ~~registration organization is liable for a fine in the amount of~~
1336 ~~\$50,000 for each such person who has been convicted of a felony~~
1337 ~~violation of the Election Code, a felony violation of an offense~~
1338 ~~specified in s. 825.103, a felony offense specified in s.~~
1339 ~~98.0751(2)(b) or (c), or a felony offense specified in chapter~~
1340 ~~817, chapter 831, or chapter 837 who is collecting or handling~~
1341 ~~voter registration applications on behalf of the third-party~~

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1342 ~~voter registration organization.~~

1343 ~~(f) An affirmation that each person collecting or handling~~
1344 ~~voter registration applications on behalf of the third-party~~
1345 ~~voter registration organization is a citizen of the United~~
1346 ~~States of America. A third-party voter registration organization~~
1347 ~~is liable for a fine in the amount of \$50,000 for each such~~
1348 ~~person who is not a citizen and is collecting or handling voter~~
1349 ~~registration applications on behalf of the third-party voter~~
1350 ~~registration organization.~~

1351 ~~(2) Beginning November 6, 2024, the registration of a~~
1352 ~~third-party voter registration organization automatically~~
1353 ~~expires at the conclusion of the specific general election cycle~~
1354 ~~for which the third-party voter registration organization is~~
1355 ~~registered.~~

1356 (2)~~(3)~~ The division or the supervisor of elections shall
1357 make voter registration forms available to third-party voter
1358 registration organizations. All such forms must contain
1359 information identifying the organization to which the forms are
1360 provided. The division shall maintain a database of all third-
1361 party voter registration organizations and the voter
1362 registration forms assigned to the third-party voter
1363 registration organization. Each supervisor of elections shall
1364 provide to the division information on voter registration forms
1365 assigned to and received from third-party voter registration
1366 organizations. The information must be provided in a format and

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1367 at times as required by the division by rule. The division shall
1368 update information on third-party voter registrations daily and
1369 make the information publicly available.

1370 ~~(4) A third-party voter registration organization that~~
1371 ~~collects voter registration applications shall provide a receipt~~
1372 ~~to an applicant upon accepting possession of his or her~~
1373 ~~application. The division shall adopt by rule a uniform format~~
1374 ~~for the receipt by October 1, 2023. The format must include, but~~
1375 ~~need not be limited to, the name of the applicant, the date the~~
1376 ~~application is received, the name of the third-party voter~~
1377 ~~registration organization, the name of the registration agent,~~
1378 ~~the applicant's political party affiliation, and the county in~~
1379 ~~which the applicant resides.~~

1380 (3)~~(5)~~(a) A third-party voter registration organization
1381 that collects voter registration applications serves as a
1382 fiduciary to the applicant and shall ensure that any voter
1383 registration application entrusted to the organization,
1384 irrespective of party affiliation, race, ethnicity, or gender,
1385 is promptly delivered to the division or the supervisor of
1386 elections ~~in the county in which the applicant resides~~ within 14
1387 ~~10~~ days after the application is completed by the applicant, but
1388 not after registration closes for the next ensuing election. If
1389 a voter registration application collected by any third-party
1390 voter registration organization is not promptly delivered to the
1391 division or supervisor of elections in the county in which the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1392 applicant resides, the third-party voter registration
1393 organization is liable for the following fines:
1394 1. A fine in the amount of \$50 ~~per each day late, up to~~
1395 ~~\$2,500,~~ for each application received by the division or the
1396 supervisor of elections in the county in which the applicant
1397 resides more than 14 ~~10~~ days after the applicant delivered the
1398 completed voter registration application to the third-party
1399 voter registration organization or any person, entity, or agent
1400 acting on its behalf. A fine in the amount of \$250 ~~\$2,500~~ for
1401 each application received if the third-party voter registration
1402 organization or person, entity, or agency acting on its behalf
1403 acted willfully.

1404 2. A fine in the amount of \$100 ~~per each day late, up to~~
1405 ~~\$5,000,~~ for each application collected by a third-party voter
1406 registration organization or any person, entity, or agent acting
1407 on its behalf, before book closing for any given election for
1408 federal or state office and received by the division or the
1409 supervisor of elections in the county in which the applicant
1410 resides after the book-closing deadline for such election. A
1411 fine in the amount of \$500 ~~\$5,000~~ for each application received
1412 if the third-party voter registration organization or any
1413 person, entity, or agency acting on its behalf acted willfully.

1414 3. A fine in the amount of \$500 for each application
1415 collected by a third-party voter registration organization or
1416 any person, entity, or agent acting on its behalf, which is not

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1417 submitted to the division or supervisor of elections in the
1418 county in which the applicant resides. A fine in the amount of
1419 \$1,000 ~~\$5,000~~ for any application not submitted if the third-
1420 party voter registration organization or person, entity, or
1421 agency acting on its behalf acted willfully.

1422
1423 The aggregate fine which may be assessed pursuant to this
1424 paragraph against a third-party voter registration organization,
1425 including affiliate organizations, for violations committed in a
1426 calendar year is \$1,000 ~~\$250,000~~.

1427 (b) A showing by the third-party voter registration
1428 organization that the failure to deliver the voter registration
1429 application within the required timeframe is based upon force
1430 majeure or impossibility of performance shall be an affirmative
1431 defense to a violation of this subsection. The secretary may
1432 waive the fines described in this subsection upon a showing that
1433 the failure to deliver the voter registration application
1434 promptly is based upon force majeure or impossibility of
1435 performance.

1436 ~~(6) If a person collecting voter registration applications~~
1437 ~~on behalf of a third-party voter registration organization~~
1438 ~~alters the voter registration application of any other person,~~
1439 ~~without the other person's knowledge and consent, in violation~~
1440 ~~of s. 104.012(4) and is subsequently convicted of such offense,~~
1441 ~~the applicable third-party voter registration organization is~~

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1442 ~~liable for a fine in the amount of \$5,000 for each application~~
1443 ~~altered.~~

1444 ~~(4)-(7)~~ If a person collecting voter registration
1445 applications on behalf of a third-party voter registration
1446 organization copies a voter's application or retains a voter's
1447 personal information, such as the voter's Florida driver license
1448 number, Florida identification card number, social security
1449 number, or signature, for any reason other than to provide such
1450 application or information to the third-party voter registration
1451 organization in compliance with this section, the person commits
1452 a felony of the third degree, punishable as provided in s.
1453 775.082, s. 775.083, or s. 775.084.

1454 ~~(5)-(8)~~ If the Secretary of State reasonably believes that
1455 a person has committed a violation of this section, the
1456 secretary may refer the matter to the Attorney General for
1457 enforcement. The Attorney General may institute a civil action
1458 for a violation of this section or to prevent a violation of
1459 this section. An action for relief may include a permanent or
1460 temporary injunction, a restraining order, or any other
1461 appropriate order.

1462 ~~(9)~~ ~~The division shall adopt by rule a form to elicit~~
1463 ~~specific information concerning the facts and circumstances from~~
1464 ~~a person who claims to have been registered to vote by a third-~~
1465 ~~party voter registration organization but who does not appear as~~
1466 ~~an active voter on the voter registration rolls. The division~~

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1467 ~~shall also adopt rules to ensure the integrity of the~~
1468 ~~registration process, including controls to ensure that all~~
1469 ~~completed forms are promptly delivered to the division or a~~
1470 ~~supervisor in the county in which the applicant resides.~~

1471 ~~(6)-(10)~~ The date on which an applicant signs a voter
1472 registration application is presumed to be the date on which the
1473 third-party voter registration organization received or
1474 collected the voter registration application.

1475 ~~(11)~~ A third-party voter registration organization may not
1476 mail or otherwise provide a voter registration application upon
1477 which any information about an applicant has been filled in
1478 before it is provided to the applicant. A third-party voter
1479 registration organization that violates this section is liable
1480 for a fine in the amount of \$50 for each such application.

1481 ~~(12)~~ The requirements of this section are retroactive for
1482 any third-party voter registration organization registered with
1483 the department as of July 1, 2023, and must be complied with
1484 within 90 days after the department provides notice to the
1485 third-party voter registration organization of the requirements
1486 contained in this section. Failure of the third-party voter
1487 registration organization to comply with the requirements within
1488 90 days after receipt of the notice shall automatically result
1489 in the cancellation of the third-party voter registration
1490 organization's registration.

1491 Section 17. Paragraph (b) of subsection (4) of section

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1492 98.045, Florida Statutes, is amended to read:

1493 98.045 Administration of voter registration.—

1494 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
1495 STREET ADDRESSES.—

1496 (b) The department shall make the statewide database of
1497 valid street addresses available to the Department of Highway
1498 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
1499 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
1500 shall use the database for purposes of validating the legal
1501 residential addresses provided in voter registration
1502 applications received by the Department of Highway Safety and
1503 Motor Vehicles.

1504 Section 18. Section 100.51, Florida Statutes, is created
1505 to read:

1506 100.51 General Election Day paid holiday.—In order to
1507 encourage civic participation, enable more individuals to serve
1508 as poll workers, and provide additional time for the resolution
1509 of any issues that arise while a voter is casting his or her
1510 vote, General Election Day shall be a paid holiday. A voter is
1511 entitled to absent himself or herself from any service or
1512 employment in which he or she is engaged or employed during the
1513 time the polls are open on General Election Day. A voter who
1514 absents himself or herself under this section may not be
1515 penalized in any way, and a deduction may not be made from his
1516 or her usual salary or wages on account of his or her absence.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1517 Section 19. Section 101.016, Florida Statutes, is created
1518 to read:

1519 101.016 Strategic elections equipment reserve.—The
1520 division shall maintain a strategic elections equipment reserve
1521 of voting systems that may be deployed in the event of an
1522 emergency as defined in s. 101.732 or upon the occurrence of
1523 equipment capacity issues due to unexpected voter turnout. The
1524 reserve must include tabulation equipment and any other
1525 necessary equipment, including, but not limited to, printers,
1526 which are in use by each supervisor of elections. In lieu of
1527 maintaining a physical reserve of such equipment, the division
1528 may contract with a vendor of voting equipment to provide such
1529 equipment on an as-needed basis.

1530 Section 20. Section 101.019, Florida Statutes, is
1531 repealed.

1532 Section 21. Subsection (1) and paragraphs (a) and (b) of
1533 subsection (2) of section 101.048, Florida Statutes, are amended
1534 to read:

1535 101.048 Provisional ballots.—

1536 (1) At all elections, a voter claiming to be properly
1537 registered in the state and eligible to vote ~~at the precinct~~ in
1538 the election but whose eligibility cannot be determined, a
1539 person whom an election official asserts is not eligible,
1540 including, but not limited to, a person to whom notice has been
1541 sent pursuant to s. 98.075(7), but for whom a final

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1542 determination of eligibility has not been made, and other
1543 persons specified in the code shall be entitled to vote a
1544 provisional ballot at any precinct in the county in which the
1545 voter claims to be registered. Once voted, the provisional
1546 ballot must be placed in a secrecy envelope and thereafter
1547 sealed in a provisional ballot envelope. The provisional ballot
1548 must be deposited in a ballot box. All provisional ballots must
1549 remain sealed in their envelopes for return to the supervisor of
1550 elections. The department shall prescribe the form of the
1551 provisional ballot envelope. A person casting a provisional
1552 ballot has the right to present written evidence supporting his
1553 or her eligibility to vote to the supervisor of elections by not
1554 later than 5 p.m. on the second day following the election.

1555 (2) (a) The county canvassing board shall examine each
1556 Provisional Ballot Voter's Certificate and Affirmation to
1557 determine if the person voting that ballot was entitled to vote
1558 in the county in which ~~at the precinct where~~ the person cast a
1559 vote in the election and that the person had not already cast a
1560 ballot in the election. In determining whether a person casting
1561 a provisional ballot is entitled to vote, the county canvassing
1562 board shall review the information provided in the Voter's
1563 Certificate and Affirmation, written evidence provided by the
1564 person pursuant to subsection (1), information provided in any
1565 cure affidavit and accompanying supporting documentation
1566 pursuant to subsection (6), any other evidence presented by the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1567 supervisor, and, in the case of a challenge, any evidence
1568 presented by the challenger. A ballot of a person casting a
1569 provisional ballot shall be canvassed pursuant to paragraph (b)
1570 unless the canvassing board determines by a preponderance of the
1571 evidence that the person was not entitled to vote.

1572 (b) If it is determined that the person was registered and
1573 entitled to vote in the county in which ~~at the precinct where~~
1574 the person cast a vote in the election, the canvassing board
1575 must compare the signature on the Provisional Ballot Voter's
1576 Certificate and Affirmation or the provisional ballot cure
1577 affidavit with the signature on the voter's registration or
1578 precinct register. A provisional ballot may be counted only if:

1579 1. The signature on the voter's certificate or the cure
1580 affidavit matches the elector's signature in the registration
1581 books or the precinct register; however, in the case of a cure
1582 affidavit, the supporting identification listed in subsection
1583 (6) must also confirm the identity of the elector; or

1584 2. The cure affidavit contains a signature that does not
1585 match the elector's signature in the registration books or the
1586 precinct register, but the elector has submitted a current and
1587 valid Tier 1 form of identification confirming his or her
1588 identity pursuant to subsection (6).

1589
1590 For purposes of this paragraph, any canvassing board finding
1591 that signatures do not match must be by majority vote and beyond

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1592 a reasonable doubt.

1593 Section 22. Paragraph (a) of subsection (1) and paragraphs
1594 (c) and (d) of subsection (3) of section 101.62, Florida
1595 Statutes, are amended, and subsection (7) is added to that
1596 section, to read:

1597 101.62 Request for vote-by-mail ballots.—

1598 (1) REQUEST.—

1599 (a) The supervisor shall accept a request for a vote-by-
1600 mail ballot only from a voter or, if directly instructed by the
1601 voter, a member of the voter's immediate family or the voter's
1602 legal guardian. A request may be made in person, in writing, by
1603 telephone, or through the supervisor's website. The department
1604 shall prescribe by rule by October 1, 2023, a uniform statewide
1605 application to make a written request for a vote-by-mail ballot
1606 which includes fields for all information required in this
1607 subsection. One request is deemed sufficient to receive a vote-
1608 by-mail ballot for all elections until the voter or the voter's
1609 designee notifies the supervisor that the voter cancels such
1610 request ~~through the end of the calendar year of the next~~
1611 ~~regularly scheduled general election~~, unless the voter or the
1612 voter's designee indicates at the time the request is made the
1613 elections ~~within such period~~ for which the voter desires to
1614 receive a vote-by-mail ballot. The supervisor must cancel a
1615 request for a vote-by-mail ballot when any first-class mail or
1616 nonforwardable mail sent by the supervisor to the voter is

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1617 returned as undeliverable. If the voter requests a vote-by-mail
1618 ballot thereafter, the voter must provide or confirm his or her
1619 current residential address.

1620 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.—

1621 (c) Except as otherwise provided in paragraph (a) or
1622 paragraph (b), the supervisor shall mail vote-by-mail ballots
1623 within 2 business days after receiving a request for such a
1624 ballot, but no later than the 11th ~~10th~~ day before election day.
1625 The deadline to submit a request for a ballot to be mailed is 5
1626 p.m. local time on the 12th day before an upcoming election.

1627 (d) Upon a request for a vote-by-mail ballot, the
1628 supervisor shall provide a vote-by-mail ballot to each voter by
1629 whom a request for that ballot has been made, by one of the
1630 following means:

1631 1. By nonforwardable, return-if-undeliverable mail to the
1632 voter's current mailing address on file with the supervisor or
1633 any other address the voter specifies in the request. The
1634 envelopes must be prominently marked "Do Not Forward."

1635 2. By forwardable mail, e-mail, or facsimile machine
1636 transmission to absent uniformed services voters and overseas
1637 voters. The absent uniformed services voter or overseas voter
1638 may designate in the vote-by-mail ballot request the preferred
1639 method of transmission. If the voter does not designate the
1640 method of transmission, the vote-by-mail ballot must be mailed.

1641 3. By personal delivery to the voter after vote-by-mail

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1642 ballots have been mailed and up to 7 p.m. on election day upon
1643 presentation of the identification required in s. 101.043.

1644 4. By delivery to the voter's designee after vote-by-mail
1645 ballots have been mailed and up to 7 p.m. on election day. Any
1646 voter may designate in writing a person to pick up the ballot
1647 for the voter; ~~however, the person designated may not pick up~~
1648 ~~more than two vote-by-mail ballots per election, other than the~~
1649 ~~designee's own ballot, except that additional ballots may be~~
1650 ~~picked up for members of the designee's immediate family. The~~
1651 ~~designee shall provide to the supervisor the written~~
1652 ~~authorization by the voter and a picture identification of the~~
1653 ~~designee and must complete an affidavit. The designee shall~~
1654 ~~state in the affidavit that the designee is authorized by the~~
1655 ~~voter to pick up that ballot and shall indicate if the voter is~~
1656 ~~a member of the designee's immediate family and, if so, the~~
1657 ~~relationship. The department shall prescribe the form of the~~
1658 ~~affidavit. If the supervisor is satisfied that the designee is~~
1659 ~~authorized to pick up the ballot and that the signature of the~~
1660 ~~voter on the written authorization matches the signature of the~~
1661 ~~voter on file, the supervisor must give the ballot to that~~
1662 ~~designee for delivery to the voter.~~

1663 5. Except as provided in s. 101.655, the supervisor may
1664 not deliver a vote-by-mail ballot to a voter or a voter's
1665 designee pursuant to subparagraph 3. or subparagraph 4.,
1666 respectively, during the mandatory early voting period and up to

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1667 7 p.m. on election day, unless there is an emergency, to the
1668 extent that the voter will be unable to go to a designated early
1669 voting site in his or her county or to his or her assigned
1670 polling place on election day. If a vote-by-mail ballot is
1671 delivered, the voter or his or her designee must execute an
1672 affidavit affirming to the facts which allow for delivery of the
1673 vote-by-mail ballot. The department shall adopt a rule providing
1674 for the form of the affidavit.

1675 (7) DEADLINES.—If a deadline under this section falls on a
1676 day when the office of a supervisor is usually closed, the
1677 deadline must be extended until the next business day.

1678 Section 23. Subsections (1), (2), and (4) of section
1679 101.64, Florida Statutes, are amended to read:

1680 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

1681 (1)(a) The supervisor shall enclose with each vote-by-mail
1682 ballot two envelopes: a secrecy envelope, into which the voter
1683 must ~~absent elector shall~~ enclose his or her marked ballot; and
1684 a postage prepaid mailing envelope, into which the voter must
1685 ~~absent elector shall~~ then place the secrecy envelope, which
1686 shall be addressed to the supervisor and also bear on the back
1687 side a certificate in substantially the following form:

1688 Note: Please Read Instructions Carefully Before
1689 Marking Ballot and Completing Voter's Certificate.

1690 VOTER'S CERTIFICATE

1691 I,, do solemnly swear or affirm that I am a qualified

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1717 envelope. The voter must ~~absent elector shall~~ execute the
1718 certificate on the envelope.

1719 (4) The supervisor shall mark, code, indicate on, or
1720 otherwise track the precinct of the voter ~~absent elector~~ for
1721 each vote-by-mail ballot.

1722 Section 24. Subsection (1), paragraph (a) of subsection
1723 (2), and subsection (3) of section 101.69, Florida Statutes, are
1724 amended to read:

1725 101.69 Voting in person; return of vote-by-mail ballot.—

1726 (1) The provisions of this code may ~~shall~~ not be construed
1727 to prohibit any voter ~~elector~~ from voting in person at the
1728 voter's ~~elector's~~ precinct on the day of an election or at an
1729 early voting site, notwithstanding that the voter ~~elector~~ has
1730 requested a vote-by-mail ballot for that election. A voter ~~an~~
1731 ~~elector~~ who has returned a voted vote-by-mail ballot to the
1732 supervisor, however, is deemed to have cast his or her ballot
1733 and is not entitled to vote another ballot or to have a
1734 provisional ballot counted by the county canvassing board. A
1735 voter ~~An elector~~ who has received a vote-by-mail ballot and has
1736 not returned the voted ballot to the supervisor, but desires to
1737 vote in person, shall return the ballot, whether voted or not,
1738 to the election board in the voter's ~~elector's~~ precinct or to an
1739 early voting site. The returned ballot shall be marked
1740 "canceled" by the board and placed with other canceled ballots.
1741 However, if the voter ~~elector~~ does not return the ballot and the

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1742 election official:

1743 (a) Confirms that the supervisor has received the voter's
1744 ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ shall not be
1745 allowed to vote in person. If the voter ~~elector~~ maintains that
1746 he or she has not returned the vote-by-mail ballot or remains
1747 eligible to vote, the voter ~~elector~~ shall be provided a
1748 provisional ballot as provided in s. 101.048.

1749 (b) Confirms that the supervisor has not received the
1750 voter's ~~elector's~~ vote-by-mail ballot, the voter ~~elector~~ shall
1751 be allowed to vote in person as provided in this code. The
1752 voter's ~~elector's~~ vote-by-mail ballot, if subsequently received,
1753 shall not be counted and shall remain in the mailing envelope,
1754 and the envelope shall be marked "Rejected as Illegal."

1755 (c) Cannot determine whether the supervisor has received
1756 the voter's ~~elector's~~ vote-by-mail ballot, the elector may vote
1757 a provisional ballot as provided in s. 101.048.

1758 (2)(a) The supervisor shall allow a voter ~~an elector~~ who
1759 has received a vote-by-mail ballot to physically return a voted
1760 vote-by-mail ballot to the supervisor by placing the return mail
1761 envelope containing his or her marked ballot in a secure ballot
1762 intake station. Secure ballot intake stations shall be placed at
1763 the main office of the supervisor, at each permanent branch
1764 office of the supervisor which meets the criteria set forth in
1765 s. 101.657(1)(a) for branch offices used for early voting and
1766 which is open for at least the minimum number of hours

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1767 prescribed by s. 98.015(4), and at each early voting site.
1768 Secure ballot intake stations may also be placed at any other
1769 site that would otherwise qualify as an early voting site under
1770 s. 101.657(1). Secure ballot intake stations must be
1771 geographically located so as to provide all voters in the county
1772 with an equal opportunity to cast a ballot, insofar as is
1773 practicable. ~~Except for secure ballot intake stations at an~~
1774 ~~office of the supervisor, a secure ballot intake station may~~
1775 ~~only be used during the county's early voting hours of operation~~
1776 ~~and must be monitored in person by an employee of the~~
1777 ~~supervisor's office.~~ A secure ballot intake station at an office
1778 of the supervisor must be continuously monitored ~~in person~~ by an
1779 ~~employee~~ of the supervisor's office when the secure ballot
1780 intake station is accessible for deposit of ballots.

1781 ~~(3) If any secure ballot intake station is left accessible~~
1782 ~~for ballot receipt other than as authorized by this section, the~~
1783 ~~supervisor is subject to a civil penalty of \$25,000. The~~
1784 ~~division is authorized to enforce this provision.~~

1785 Section 25. Subsections (2), (3), and (4) of section
1786 104.0515, Florida Statutes, are amended, and subsections (6) and
1787 (7) are added to that section, to read:

1788 104.0515 Voting rights; deprivation of, or interference
1789 with, prohibited; penalty.-

1790 (2) A ~~No~~ person acting under color of law may not shall:

1791 (a) In determining whether any individual is qualified

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1792 under law to vote in any election, apply any standard, practice,
1793 or procedure different from the standards, practices, or
1794 procedures applied under law to other individuals within the
1795 same political subdivision who have been found to be qualified
1796 to vote; or

1797 (b) Deny the right of any individual to vote in any
1798 election because of an error or omission on any record or paper
1799 relating to any application, registration, or other act
1800 requisite to voting, if such error or omission is not material
1801 in determining whether such individual is qualified under law to
1802 vote in such election. This paragraph shall apply to vote-by-
1803 mail ballots only if there is a pattern or history of
1804 discrimination on the basis of race, color, or previous
1805 condition of servitude in regard to vote-by-mail ballots.

1806 (3) (a) A ~~No~~ person, whether acting under color of law or
1807 otherwise, may not deceive, ~~shall~~ intimidate, threaten, or
1808 coerce, or attempt to deceive, intimidate, threaten, or coerce,
1809 any other person for the purpose of interfering with the right
1810 of such other person to vote or not to vote as that person may
1811 choose, or for the purpose of causing such other person to vote
1812 for, or not vote for, any candidate for any office at any
1813 general, special, or primary election held solely or in part for
1814 the purpose of selecting or electing any such candidate.

1815 (b) A violation of this subsection includes, but is not
1816 limited to, any the following:

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1817 1. The use of force or threats to use force, or the use of
1818 any other conduct to practice intimidation that causes or is
1819 reasonably expected to cause interference with an individual's
1820 right to vote.

1821 2. The knowing use of a deceptive or fraudulent device,
1822 contrivance, or communication that causes or is reasonably
1823 expected to cause interference with an individual's right to
1824 vote.

1825 3. The obstruction of, impediment to, or other
1826 interference with access to any early voting site, polling
1827 place, secure ballot intake station, or office of the supervisor
1828 of elections in a manner that causes interference with or
1829 delays, or is reasonably expected to interfere with or cause a
1830 delay in, an individual's right to vote or the voting process.

1831 (4) ~~A No voting qualification or prerequisite to voting,~~
1832 ~~and no standard, practice, or procedure, shall be imposed or~~
1833 ~~applied by any political subdivision of this state may not~~
1834 ~~impose or apply any voting qualification or prerequisite to~~
1835 ~~voting or any standard, practice, or procedure to deny or~~
1836 ~~abridge the right of any citizen to vote on account of race or~~
1837 ~~color.~~

1838 (6) Notwithstanding any other provision of law, any
1839 aggrieved person, organization whose membership includes or is
1840 likely to include aggrieved persons, organization whose mission
1841 would be frustrated by a violation of this section, organization

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

Amendment No.

1842 that would expend resources in order to fulfill such
1843 organization's mission, the Attorney General, or the FLVRA
1844 Commission may file a civil action alleging a violation of
1845 subsection (3) in a court of competent jurisdiction pursuant to
1846 the Florida Rules of Civil Procedure or in the Second Judicial
1847 Circuit.

1848 (7) Notwithstanding any other provision of law and in
1849 addition to any other remedies that may be imposed, a court that
1850 finds a violation of subsection (3) shall impose remedies
1851 appropriate to address the violation. Appropriate remedies
1852 include, but are not limited to, requiring an extended voting
1853 period, awarding nominal damages for any violation, and awarding
1854 compensatory or punitive damages for any willful violation.

1855 Section 26. Subsection (1) of section 104.42, Florida
1856 Statutes, is amended to read:

1857 104.42 Fraudulent registration and illegal voting;
1858 investigation.—

1859 (1) The supervisor of elections is authorized to
1860 investigate fraudulent registrations and illegal voting and to
1861 report his or her findings to the local state attorney ~~and the~~
1862 ~~Office of Election Crimes and Security.~~

1863
1864 -----

1865 **T I T L E A M E N D M E N T**

1866 Remove lines 2-78 and insert:

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1867 An act relating to elections; providing short titles;
1868 amending s. 20.32, F.S.; requiring the Florida
1869 Commission on Offender Review to develop and maintain
1870 a database containing certain information for a
1871 certain purpose; requiring certain governmental
1872 entities to provide certain information to the
1873 commission; requiring the Department of Management
1874 Services, acting through the Florida Digital Service,
1875 to provide certain technical assistance to the
1876 commission; authorizing the department to adopt rules;
1877 requiring the commission to make the database
1878 available to the public on an Internet website by a
1879 certain date; requiring the commission to update the
1880 database monthly and publish certain information on
1881 the website; requiring the commission to provide a
1882 comprehensive plan to the Governor and Legislature by
1883 a certain date; providing requirements for such plan;
1884 prohibiting certain persons from being charged with
1885 certain violations; requiring the commission to adopt
1886 rules; amending s. 97.021, F.S.; providing
1887 definitions; repealing s. 97.022, F.S., relating to
1888 the Office of Election Crimes and Security; repealing
1889 s. 97.0291, F.S., relating to a prohibition on the use
1890 of private funds for election-related expenses;
1891 creating s. 97.0293, F.S.; prohibiting certain

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1892 governmental entities from taking certain actions
1893 relating to elections; providing a rebuttable
1894 presumption; prohibiting a local government from
1895 employing certain election methods; requiring courts
1896 to adhere to certain guidelines when making certain
1897 determinations; providing factors that courts may
1898 consider when making certain determinations;
1899 prohibiting courts from considering certain factors
1900 when making certain determinations; requiring a
1901 plaintiff to send a certain notification letter to a
1902 local government in certain circumstances; providing
1903 requirements for such letter; authorizing a local
1904 government to adopt a certain resolution in certain
1905 circumstances; providing requirements for such
1906 resolution; prohibiting a local government from
1907 asserting the doctrine of laches as a defense to
1908 certain claims; authorizing certain persons to file
1909 certain actions; creating s. 97.02935, F.S.; providing
1910 a definition; requiring the Florida Voting Rights Acts
1911 Commission to designate certain languages for which
1912 assistance in voting and elections must be provided in
1913 certain circumstances; requiring the commission to
1914 find that a significant and substantial need exists in
1915 certain circumstances; requiring the commission to
1916 annually publish a certain list on its website;

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1917 requiring a local government to provide certain
1918 assistance in voting and elections; providing
1919 requirements for such assistance; requiring the
1920 commission to adopt certain rules; authorizing certain
1921 persons to file certain claims; creating s. 97.0294,
1922 F.S.; requiring the commission to enter into an
1923 agreement with one or more universities to create the
1924 Florida Voting and Elections Database and Institute;
1925 providing requirements for the database and institute;
1926 authorizing the database and institute to take certain
1927 actions; requiring the database and institute to
1928 maintain certain data and records in an electronic
1929 format and make such data and records available to the
1930 public; requiring state agencies and local governments
1931 to timely provide the director of the database and
1932 institute with certain information; requiring each
1933 local government to transmit to the database and
1934 institute copies of certain information within a
1935 certain period; authorizing certain persons to file
1936 certain actions; requiring the database and institute
1937 to publish a certain report annually within a certain
1938 period; providing a rebuttable presumption; creating
1939 s. 97.0295, F.S.; establishing the Florida Voting
1940 Rights Act Commission; providing that the commission
1941 is not a unit of any other state agency; providing for

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1942 selection, compensation, terms, and qualifications of
1943 commissioners; providing powers of the commission;
1944 authorizing the commission to hire staff, make
1945 expenditures, and adopt rules; creating s. 97.0296,
1946 F.S.; providing that the enactment or implementation
1947 of certain policies by a covered jurisdiction is
1948 subject to preclearance by the commission; requiring
1949 the commission to annually make and publish a certain
1950 determination online; requiring a covered jurisdiction
1951 to seek preclearance from the commission in a certain
1952 manner; authorizing the commission to deny
1953 preclearance in certain circumstances; providing
1954 requirements for review of certain covered policies;
1955 authorizing certain persons to file certain actions;
1956 requiring the commission to adopt certain rules;
1957 creating s. 97.0297, F.S.; providing construction;
1958 prohibiting the assertion of certain immunities and
1959 privileges in certain circumstances; creating s.
1960 97.0298, F.S.; authorizing a court to order certain
1961 appropriate remedies; authorizing a court to consider
1962 certain remedies; requiring a court to grant a
1963 temporary injunction or certain other relief in
1964 certain circumstances; requiring a court to award
1965 certain fees and costs to a prevailing party in
1966 certain circumstances; creating s. 97.0299, F.S.;

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1967 establishing a voter education fund to be administered
1968 by the commission; authorizing the commission to
1969 expend moneys from the fund for certain purposes;
1970 creating s. 97.0556, F.S.; authorizing certain persons
1971 to register to vote and immediately thereafter cast a
1972 vote in certain circumstances; amending s. 97.057,
1973 F.S.; authorizing the Department of Highway Safety and
1974 Motor Vehicles to preregister certain individuals to
1975 vote; providing that driver license or identification
1976 card applications, driver license or identification
1977 card renewal applications, and applications for a
1978 change of address for existing driver licenses or
1979 identification cards submitted to the department serve
1980 as voter registration applications; providing that an
1981 applicant is deemed to have consented to the use of
1982 his or her signature for voter registration purposes;
1983 providing an exception; requiring specified
1984 applications to include a voter registration
1985 component, subject to approval by the Department of
1986 State; specifying requirements for such component;
1987 requiring the Department of Highway Safety and Motor
1988 Vehicles to electronically transmit voter registration
1989 information to the Department of State within a
1990 certain period; requiring the Department of State to
1991 provide such information to supervisors of elections;

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

1992 deleting obsolete language; making technical changes;
1993 amending s. 97.0575, F.S.; revising information that a
1994 third-party voter registration organization must
1995 provide to the Division of Elections; removing a
1996 provision that provides for the automatic expiration
1997 of the registration of such organization; removing a
1998 provision that requires such organization to provide a
1999 certain receipt to an applicant; removing a provision
2000 that requires such organization to deliver a voter
2001 registration application to a certain supervisor of
2002 elections; revising the period within which such
2003 organization must deliver such applications to the
2004 division or a supervisor of elections; revising the
2005 amounts of certain fines; removing a provision that
2006 subjects such organization to certain fines for
2007 certain acts committed by a person collecting
2008 applications on behalf of such organization; removing
2009 a provision that requires the division to adopt by
2010 rule a certain form and certain rules; removing a
2011 provision that prohibits such organization from
2012 prefilling certain information on an application and
2013 that provides for certain fines; removing a provision
2014 relating to retroactive application of certain
2015 requirements; amending s. 98.045, F.S.; conforming a
2016 cross-reference; creating s. 100.51, F.S.;

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2017 establishing General Election Day as a paid holiday;
2018 authorizing an elector to absent himself or herself
2019 from service or employment during a certain period on
2020 such day; prohibiting such elector from being
2021 penalized or having his or her salary or wages reduced
2022 for such absence; creating s. 101.016, F.S.; requiring
2023 the Division of Elections to maintain a strategic
2024 elections equipment reserve of voting systems for
2025 specified purposes; requiring such reserve to include
2026 specified equipment; authorizing the division to
2027 contract with specified entities rather than
2028 maintaining a physical reserve of such equipment;
2029 repealing s. 101.019, F.S., relating to a prohibition
2030 on ranked-choice voting; amending s. 101.048, F.S.;
2031 authorizing a voter to cast a provisional vote at any
2032 precinct in the county in which the voter claims to be
2033 registered; amending s. 101.62, F.S.; providing that a
2034 request for a vote-by-mail ballot is valid until such
2035 request is canceled; revising the deadline by which
2036 requests for vote-by-mail ballots must be received by
2037 a supervisor of elections; removing provisions
2038 providing requirements for a person designated by an
2039 elector to pick up the elector's vote-by-mail ballot;
2040 requiring the extension of deadlines in certain
2041 circumstances; amending s. 101.64, F.S.; requiring

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2042 supervisors of elections to enclose a postage prepaid
2043 mailing envelope with each vote-by-mail ballot;
2044 authorizing vote-by-mail ballot voter's certificates
2045 to be signed with the last four digits of the voter's
2046 social security number; amending s. 101.69, F.S.;
2047 removing a provision that limits the use of a secure
2048 ballot intake station to certain hours and that
2049 requires certain monitoring; removing a provision that
2050 subjects a supervisor of elections to a civil penalty
2051 in certain circumstances; amending s. 104.0515, F.S.;
2052 prohibiting a person from deceiving, or attempting to
2053 deceive, another person for certain purposes;
2054 specifying certain acts that violate a certain
2055 prohibition; authorizing certain persons to file
2056 certain civil actions; requiring a court to impose
2057 certain remedies; amending s. 104.42, F.S.; conforming
2058 a provision to changes made by the act; amending s.
2059 97.021, F.S.; providing and revising definitions;
2060 amending s. 97.055, F.S.; providing that a change of a
2061 voter's party affiliation received during a certain
2062 period is not effective until after a certain date;
2063 amending s. 97.071, F.S.; prohibiting certain voter
2064 information cards from being issued until after a
2065 certain date; amending s. 97.1031, F.S.; conforming
2066 provisions to changes made by the act; amending s.

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2067 98.015, F.S.; requiring supervisors of elections to
2068 designate the main office of the supervisor;
2069 authorizing supervisors to designate branch offices of
2070 the supervisor; requiring supervisors to notify the
2071 Division of Elections in writing of the locations of
2072 such offices by a specified date; requiring
2073 supervisors to provide certain notification to the
2074 division within a specified timeframe; specifying the
2075 hours of operation for the main office of the
2076 supervisor; amending s. 98.077, F.S.; conforming
2077 provisions to changes made by the act; amending s.
2078 98.081, F.S.; prohibiting an elector who makes a
2079 certain request from registering with a different
2080 party affiliation until after a certain date; amending
2081 s. 98.0981, F.S.; conforming provisions to changes
2082 made by the act; amending s. 98.255, F.S.; requiring
2083 the Department of State to adopt certain rules;
2084 amending s. 99.061, F.S.; revising the dates by which
2085 persons seeking to qualify for certain offices must
2086 file qualifying papers and pay certain fees and
2087 assessments; amending s. 99.063, F.S.; revising the
2088 date by which a candidate for Governor must designate
2089 a Lieutenant Governor and the date by which such
2090 designee must file certain documents with the
2091 department; amending s. 99.103, F.S.; conforming

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2092 provisions to changes made by the act; amending s.
2093 100.061, F.S.; revising provisions relating to primary
2094 elections to provide the date on which a first primary
2095 election shall be held and to provide that a candidate
2096 who receives a majority, rather than the highest
2097 number, of the votes at such election is declared
2098 nominated; creating s. 100.062, F.S.; providing for a
2099 second primary election in certain circumstances;
2100 providing the date on which a second primary election
2101 shall be held; providing criteria for placing
2102 candidates on the ballot; providing that the candidate
2103 who receives the highest number of votes at such
2104 election is declared nominated; requiring certain
2105 persons to draw lots in the case of a tie; amending
2106 ss. 100.081, 100.111, 100.141, and 101.252, F.S.;
2107 conforming provisions to changes made by the act;
2108 amending s. 101.56075, F.S.; authorizing a voter to
2109 choose and requiring the supervisor to provide the
2110 option to vote in a certain manner; amending s.
2111 101.62, F.S.; conforming provisions to changes made by
2112 the act; amending s. 101.69, F.S.; providing that
2113 secure ballot intake stations may be placed only at
2114 the main office of the supervisor and at each early
2115 voting site; requiring that all secure ballot intake
2116 stations be continuously monitored by an employee of

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2117 the supervisor; amending s. 102.014, F.S.; conforming
2118 provisions to changes made by the act; amending s.
2119 103.021, F.S.; revising the date by which certain
2120 petitions must be submitted to the supervisor of
2121 elections; amending s. 103.022, F.S.; conforming
2122 provisions to changes made by the act; amending s.
2123 103.091, F.S.; revising the period in which electors
2124 seeking to qualify for certain offices must do so;
2125 amending s. 105.031, F.S.; revising the period in
2126 which candidates seeking to qualify for certain
2127 offices must do so; amending ss. 105.041 and 105.051,
2128 F.S.; conforming provisions to changes made by the
2129 act; amending ss. 106.07, 106.0702, and 106.0703,
2130 F.S.; revising the dates on which certain reports must
2131 be filed; amending ss. 106.08 and 106.29, F.S.;
2132 conforming provisions to changes made by the act;
2133 amending s. 106.35, F.S.; revising the date on which
2134 the distribution of certain funds must begin;
2135 providing effective dates.

2136
2137 WHEREAS, electoral systems that deny race, color, or
2138 language minority groups an equal opportunity to elect
2139 candidates of their choice and influence the outcome of an
2140 election are inconsistent with the right to equal treatment
2141 before the law as provided in s. 2, Art. I of the State

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2142 Constitution as well as protections found in the Fourteenth and
2143 Fifteenth Amendments to the United States Constitution, and

2144 WHEREAS, following United States Supreme Court decisions in
2145 *Shelby County v. Holder* and *Brnovich v. Democratic National*
2146 *Committee*, the landmark federal Voting Rights Act of 1965 has
2147 been severely diminished in its ability to protect the freedom
2148 of black and brown voters to fully participate in the political
2149 processes of our democratic republic, and

2150 WHEREAS, Harry T. Moore and Harriette V. Moore were the
2151 first true civil rights activists of the modern civil rights era
2152 in the State of Florida, and were instrumental in registering
2153 more than 100,000 black voters in the state, and

2154 WHEREAS, Harry T. Moore and Harriette V. Moore paid the
2155 ultimate price for the freedoms fought for their community when
2156 their home in Mims was bombed by members of the Ku Klux Klan on
2157 the night of Christmas, December 25, 1951, and

2158 WHEREAS, By the time of their death, Florida had the
2159 highest number of registered black voters, far more than any
2160 other state in the South, and

2161 WHEREAS, this bill expands on voting rights granted under
2162 the federal Voting Rights Act of 1965, reaffirms the well-
2163 established principle of "one person, one vote," and builds on
2164 the historical work of the named and nameless Floridians who
2165 fought for their right to the elective franchise, and

2166 WHEREAS, given their history and the intended impact of

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. PCB SAC 24-06 (2024)

Amendment No.

2167 | this act on voting rights in this state, it is appropriate to
2168 | name this act after Harry T. Moore and Harriette V. Moore, NOW,
2169 | THEREFORE,

PCB SAC 24-06 a2

Published On: 2/20/2024 5:35:35 PM