

BILL

Ballot Initiatives

YEAR

1 A bill to be entitled
2 An act relating to ballot initiatives; amending s. 16.061,
3 F.S.; expanding Supreme Court advisory opinion review to
4 compliance with specified provisions; repealing s.
5 97.021(28) and renumbering subsequent subsections;
6 amending s. 99.092, F.S.; lowering candidate filing fee
7 and party assessment; providing for the creation of a
8 uniform candidate petition form; amending s. 99.095, F.S.;
9 providing verification requirements; amending s. 100.371,
10 F.S.; repealing provisions related to paid petition
11 collection; providing for the creation of a initiative
12 petition forms; providing for the rescission of
13 certificates of ballot position; altering the composition
14 of the financial impact statement panel; amending s.
15 100.373, F.S.; defining the term "circulated petition
16 form"; providing a procedure for verification; creating s.
17 100.375, F.S.; defining the term "requested petition
18 form"; providing a procedure for request, delivery, and
19 verification; prohibiting supervisors of elections from
20 sending unsolicited petition forms; creating s. 100.377,
21 F.S.; specifying applicability to pending petitions;
22 amending s. 101.161, F.S.; requiring constitutional
23 amendments proposed by initiative to include certain
24 information; directing the Attorney General to compose a
25 disclosure of material legal effects for the ballot;
26 amending s. 104.0045, F.S.; prohibiting offering or
27 accepting anything of value to submit a petition or
28 refrain from submitting a petition; providing penalties;

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29 repealing s. 104.186, F.S.; repealing s. 106.19(3), F.S.
30 and renumbering subsequent subsections; providing for
31 severability; providing an effective date.

32
33 Be It Enacted by the Legislature of the State of Florida:

34
35 Section 1. Subsection (1) of section 16.061, Florida
36 Statutes, is amended to read:

37 (1) The Attorney General shall, within 30 days after
38 receipt of a proposed revision or amendment to the State
39 Constitution by initiative petition from the Secretary of State,
40 petition the Supreme Court, requesting an advisory opinion
41 regarding the compliance of the text of the proposed amendment
42 or revision with s. 3, Art. XI and s. 2, Art. I of the State
43 Constitution, whether the proposed amendment is facially invalid
44 under the United States Constitution, the compliance of the text
45 of the proposed constitutional amendment or revision with s.
46 101.161, and the compliance of the proposed ballot title and
47 substance with s. 101.161. The petition may enumerate any
48 specific factual issues that the Attorney General believes would
49 require a judicial determination.

50 Section 2. Subsection (28) of section 97.021, Florida
51 Statutes, is repealed and subsequent subsections are renumbered
52 accordingly.

53 ~~(28) "Petition circulator" means an entity or individual~~
54 ~~who collects signatures for compensation for the purpose of~~
55 ~~qualifying a proposed constitutional amendment for ballot~~
56 ~~placement.~~

57 Section 3. Section 99.092, Florida Statutes, is amended to
58 read:

59 (1) Each person seeking to qualify for nomination or
60 election to any office, except a person seeking to qualify by
61 the petition process pursuant to s. 99.095 and except a person
62 seeking to qualify as a write-in candidate, shall pay a
63 qualifying fee, which shall consist of a filing fee and election
64 assessment, to the officer with whom the person qualifies, and
65 any party assessment levied, and shall attach the original or
66 signed duplicate of the receipt for his or her party assessment
67 or pay the same, in accordance with the provisions of s.
68 103.121, at the time of filing his or her other qualifying
69 papers. The amount of the filing fee is ~~3~~ 1 percent of the
70 annual salary of the office. The amount of the election
71 assessment is 1 percent of the annual salary of the office
72 sought. The election assessment shall be transferred to the
73 Elections Commission Trust Fund. The amount of the party
74 assessment is ~~2~~ 1 percent of the annual salary. The annual
75 salary of the office for purposes of computing the filing fee,
76 election assessment, and party assessment shall be computed by
77 multiplying 12 times the monthly salary, excluding any special
78 qualification pay, authorized for such office as of July 1
79 immediately preceding the first day of qualifying. No qualifying
80 fee shall be returned to the candidate unless the candidate
81 withdraws his or her candidacy before the last date to qualify.
82 If a candidate dies prior to an election and has not withdrawn
83 his or her candidacy before the last date to qualify, the
84 candidate's qualifying fee shall be returned to his or her

85 designated beneficiary, and, if the filing fee or any portion
86 thereof has been transferred to the political party of the
87 candidate, the Secretary of State shall direct the party to
88 return that portion to the designated beneficiary of the
89 candidate.

90 (2) The supervisor of elections shall, immediately after
91 the last day for qualifying, submit to the Department of State a
92 list containing the names, party affiliations, and addresses of
93 all candidates and the offices for which they qualified.

94 (3) (a) The division shall create a uniform petition form on
95 which signatures for a candidate petition will be affixed. The
96 form shall solicit and require the following information:

97 1. The full name of the voter;

98 2. The voter's residential address and county;

99 3. The voter's voter registration number or date of birth;

100 4. The voter's Florida driver license number, the voter's
101 Florida identification card number, or the last four digits of
102 the voter's social security number;

103 5. An attestation that the voter is a registered Florida
104 voter and is petitioning the Secretary of State to place the
105 candidate's name on the ballot;

106 6. The voter's signature and the date signed; and

107 7. The candidate's name and party information and the title
108 of the office sought by the candidate.

109 (b) The petition form shall include notice that the form
110 becomes a public record upon receipt by the supervisor of
111 elections; that it is a first degree misdemeanor to knowingly
112 sign the same candidate petition more than once; and that the

113 form will not be validated if all requested information is not
114 completed.

115 Section 4. Subsection (3) of section 99.095, Florida
116 Statutes, is amended to read:

117 (3) Each petition must be submitted before noon of the 28th
118 day preceding the first day of the qualifying period for the
119 office sought to the supervisor of elections of the county in
120 which such petition was circulated. Each supervisor shall check
121 the signatures on the petitions to verify their status as voters
122 in the county, district, or other geographical area represented
123 by the office sought. The supervisor may verify that the
124 signature on a form is valid only if the petition form is a
125 circulated petition form properly verified pursuant to s.
126 100.373 or a requested petition form properly verified pursuant
127 to s. 100.375. No later than the 7th day before the first day of
128 the qualifying period, the supervisor shall certify the number
129 of valid signatures.

130 Section 5. Section 100.371, Florida Statutes, is amended
131 to read:

132 Section 100.371 Initiatives; procedure for placement on
133 ballot.—

134 (1) Constitutional amendments proposed by initiative shall
135 be placed on the ballot for the general election, provided the
136 initiative petition has been filed with the Secretary of State
137 no later than February 1 of the year the general election is
138 held. A petition shall be deemed to be filed with the Secretary
139 of State upon the date the secretary determines that valid and
140 verified petition forms have been signed by the constitutionally

141 required number and distribution of electors under this code.

142 (2) The sponsor of an initiative amendment shall, prior to
143 ~~obtaining any signatures~~ circulating any initiative petition
144 forms to any voters, register as a political committee pursuant
145 to s. 106.03 and submit the text of the proposed amendment to
146 the Secretary of State, ~~with the form on which the signatures~~
147 ~~will be affixed, and shall obtain the approval of the Secretary~~
148 ~~of State of such form. The Secretary of State shall adopt rules~~
149 ~~pursuant to s. 120.54 prescribing the style and requirements of~~
150 ~~such form.~~ Upon filing with the Secretary of State, the text of
151 the proposed amendment and all forms filed in connection with
152 this section must, upon request, be made available in
153 alternative formats.

154 (3) (a) The division shall assign the initiative petition a
155 petition number and create the form on which signatures for the
156 initiative petition will be affixed. The petition form shall
157 prominently display the petition number, the ballot title, and
158 the full text of the proposed amendment; shall contain the date
159 approved by the Secretary of State, a bar code associated with
160 the initiative petition, and a serial number; and shall solicit
161 and require the following information:

- 162 1. The full name of the voter;
- 163 2. The voter's residential address and county;
- 164 3. The voter's voter registration number or date of birth;
- 165 4. The voter's Florida driver license number, the voter's
166 Florida identification card number, or the last four digits of
167 the voter's social security number;
- 168 5. An attestation that the voter is a registered Florida

169 voter and is petitioning the Secretary of State to place the
170 proposed amendment on the ballot; and

171 6. The voter's signature and the date signed.

172 (b) The petition form shall include notice that the form
173 becomes a public record upon receipt by the supervisor of
174 elections; that it is a first degree misdemeanor to knowingly
175 sign the same initiative petition more than once; and that the
176 form will not be validated if all requested information is not
177 completed.

178 ~~A person may not collect signatures or initiative~~
179 ~~petitions for compensation unless the person is registered as a~~
180 ~~petition circulator with the Secretary of State.~~

181 ~~(b) A citizen may challenge a petition circulator's~~
182 ~~registration under this section by filing a petition in circuit~~
183 ~~court. If the court finds that the respondent is not a~~
184 ~~registered petition circulator, the court may enjoin the~~
185 ~~respondent from collecting signatures or initiative petitions~~
186 ~~for compensation until she or he is lawfully registered.~~

187 ~~(4) An application for registration must be submitted in~~
188 ~~the format required by the Secretary of State and must include~~
189 ~~the following:~~

190 ~~(a) The information required to be on the petition form~~
191 ~~under s. 101.161, including the ballot summary and title as~~
192 ~~approved by the Secretary of State.~~

193 ~~(b) The applicant's name, permanent address, temporary~~
194 ~~address, if applicable, and date of birth.~~

195 ~~(c) An address in this state at which the applicant will~~
196 ~~accept service of process related to disputes concerning the~~

197 ~~petition process, if the applicant is not a resident of this~~
198 ~~state.~~

199 ~~(d) A statement that the applicant consents to the~~
200 ~~jurisdiction of the courts of this state in resolving disputes~~
201 ~~concerning the petition process.~~

202 ~~(e) Any information required by the Secretary of State to~~
203 ~~verify the applicant's identity or address.~~

204 ~~(5) All petitions collected by a petition circulator must~~
205 ~~contain, in a format required by the Secretary of State, a~~
206 ~~completed Petition Circulator's Affidavit which includes:~~

207 ~~(a) The circulator's name and permanent address;~~

208 ~~(b) The following statement, which must be signed by the~~
209 ~~circulator:~~

210 ~~By my signature below, as petition circulator, I verify~~
211 ~~that the petition was signed in my presence. Under penalties of~~
212 ~~perjury, I declare that I have read the foregoing Petition~~
213 ~~Circulator's Affidavit and the facts stated in it are true.~~

214 ~~(6) The division or the supervisor of elections shall make~~
215 ~~hard copy petition forms or electronic portable document format~~
216 ~~petition forms available to registered petition circulators. All~~
217 ~~such forms must contain information identifying the petition~~
218 ~~circulator to which the forms are provided. The division shall~~
219 ~~maintain a database of all registered petition circulators and~~
220 ~~the petition forms assigned to each. Each supervisor of~~
221 ~~elections shall provide to the division information on petition~~
222 ~~forms assigned to and received from petition circulators. The~~
223 ~~information must be provided in a format and at times as~~
224 ~~required by the division by rule. The division must update~~

225 ~~information on petition forms daily and make the information~~
226 ~~publicly available.~~

227 ~~(7)(a) A sponsor that collects petition forms or uses a~~
228 ~~petition circulator to collect petition forms serves as a~~
229 ~~fiduciary to the elector signing the petition form, ensuring~~
230 ~~that any petition form entrusted to the petition circulator~~
231 ~~shall be promptly delivered to the supervisor of elections~~
232 ~~within 30 days after the elector signs the form. If a petition~~
233 ~~form collected by any petition circulator is not promptly~~
234 ~~delivered to the supervisor of elections, the sponsor is liable~~
235 ~~for the following fines:~~

236 ~~1. A fine in the amount of \$50 for each petition form~~
237 ~~received by the supervisor of elections more than 30 days after~~
238 ~~the elector signed the petition form or the next business day,~~
239 ~~if the office is closed. A fine in the amount of \$250 for each~~
240 ~~petition form received if the sponsor or petition circulator~~
241 ~~acted willfully.~~

242 ~~2. A fine in the amount of \$500 for each petition form~~
243 ~~collected by a petition circulator which is not submitted to the~~
244 ~~supervisor of elections. A fine in the amount of \$1,000 for any~~
245 ~~petition form not submitted if the sponsor or petition~~
246 ~~circulator acted willfully.~~

247 ~~(b) A showing by the sponsor that the failure to deliver~~
248 ~~the petition form within the required timeframe is based upon~~
249 ~~force majeure or impossibility of performance is an affirmative~~
250 ~~defense to a violation of this subsection. The fines described~~
251 ~~in this subsection may be waived upon a showing that the failure~~
252 ~~to deliver the petition form promptly is based upon force~~

253 ~~majeure or impossibility of performance.~~

254 (4)~~(8)~~ If the Secretary of State reasonably believes that a
255 person or entity has committed a violation of this section, the
256 secretary may refer the matter to the Attorney General for
257 enforcement. The Attorney General may institute a civil action
258 for a violation of this section or to prevent a violation of
259 this section. An action for relief may include a permanent or
260 temporary injunction, a restraining order, or any other
261 appropriate order.

262 (5)~~(9)~~ The division shall adopt by rule a complaint form
263 for an elector who claims to have had his or her signature
264 misrepresented, or forged, ~~or not delivered to the supervisor.~~
265 The division shall also adopt rules to ensure the integrity of
266 the petition form gathering process, ~~including rules requiring~~
267 ~~sponsors to account for all petition forms used by their agents.~~
268 ~~Such rules may require a sponsor or petition circulator to~~
269 ~~provide identification information on each petition form as~~
270 ~~determined by the department as needed to assist in the~~
271 ~~accounting of petition forms.~~

272 ~~(10)~~ ~~The date on which an elector signs a petition form is~~
273 ~~presumed to be the date on which the petition circulator~~
274 ~~received or collected the petition form.~~

275 (6)~~(11)~~(a) An initiative petition form circulated for
276 signature may not be bundled with or attached to any other
277 petition. Each signature shall be dated when made and shall be
278 valid until the next February 1 occurring in an even-numbered
279 year for the purpose of the amendment appearing on the ballot
280 for the general election occurring in that same year, provided

281 all other requirements of law are met. ~~The sponsor shall submit~~
282 ~~signed and dated forms to the supervisor of elections for the~~
283 ~~county of residence listed by the person signing the form for~~
284 ~~verification of the number of valid signatures obtained. If a~~
285 ~~signature on a petition is from a registered voter in another~~
286 ~~county, the supervisor shall notify the petition sponsor of the~~
287 ~~misfiled petition.~~ The supervisor shall promptly verify the
288 signatures within 60 days after receipt of the petition forms
289 and payment of a fee for the actual cost of signature
290 verification incurred by the supervisor. However, for petition
291 forms submitted less than 60 days before February 1 of an even-
292 numbered year, the supervisor shall promptly verify the
293 signatures within 30 days after receipt of the form and payment
294 of the fee for signature verification. The supervisor shall
295 promptly record, in the manner prescribed by the Secretary of
296 State, the date each form is received by the supervisor, and the
297 date the signature on the form is verified as valid. A signature
298 shall be deemed valid only if:

- 299 ~~1. The form contains the original signature of the~~
300 ~~purported elector.~~
- 301 ~~2. The purported elector has accurately recorded on the~~
302 ~~form the date on which he or she signed the form.~~
- 303 ~~3. The form sets forth the purported elector's name,~~
304 ~~address, city, county, and voter registration number or date of~~
305 ~~birth.~~
- 306 ~~4. The purported elector is, at the time he or she signs~~
307 ~~the form and at the time the form is verified, a duly qualified~~
308 ~~and registered elector in the state.~~

309 ~~5. The signature was obtained legally, including that if a~~
310 ~~paid petition circulator was used, the circulator was validly~~
311 ~~registered under subsection (3) when the signature was obtained.~~

312 1. The petition form is a circulated petition form properly
313 verified pursuant to s. 100.373; or

314 2. The petition form is a requested petition form properly
315 verified pursuant to s. 100.375.

316 The supervisor shall retain all signed petition forms,
317 separating forms verified as valid from those deemed invalid,
318 for at least 1 year following the election for which the
319 petition was circulated. Notwithstanding any other provision of
320 law, the supervisor shall promptly transmit copies of signed
321 petition forms to the division upon request.

322 (b) Each supervisor shall post the actual cost of signature
323 verification on his or her website and may increase such cost,
324 as necessary, on February 2 of each even-numbered year. These
325 costs include, but are not limited to, costs incurred processing
326 and fulfilling requests, comparing signatures, and validating
327 information on circulated and requested petition forms pursuant
328 to ss. 100.373 and 100.375. The division shall also publish each
329 county's current cost on its website. The division and each
330 supervisor shall biennially review available technology aimed at
331 reducing verification costs.

332 (c) On the last day of each month, or on the last day of
333 each week from December 1 of an odd-numbered year through
334 February 1 of the following year, each supervisor shall post on
335 his or her website the total number of signatures submitted, the
336 total number of invalid signatures, the total number of

337 signatures processed, and the aggregate number of verified valid
338 signatures and the distribution of such signatures by
339 congressional district for each proposed amendment proposed by
340 initiative, along with the following information specific to the
341 reporting period: the total number of petition forms requested
342 pursuant to s. 100.375, the total number of signed petition
343 forms received, the total number of signatures verified, the
344 distribution of verified valid signatures by congressional
345 district, and the total number of verified petition forms
346 forwarded to the Secretary of State.

347 (7) (a) ~~(12)~~ The Secretary of State shall determine from the
348 signatures verified by the supervisors of elections the total
349 number of verified valid signatures and the distribution of such
350 signatures by congressional districts, and the division shall
351 post such information on its website at the same intervals
352 specified in paragraph (11) (c). Upon a determination that the
353 requisite number and distribution of valid signatures have been
354 obtained, the secretary shall issue a certificate of ballot
355 position for that proposed amendment and shall assign a
356 designating number pursuant to s. 101.161. The Secretary of
357 State shall rescind the certificate of ballot position if:

358 1. An advisory opinion issued by the Supreme Court pursuant
359 to s. 3(b) (10), Art. V of the State Constitution deems the
360 initiative petition invalid; or

361 2. The Secretary of State determines, prior to August 1 of
362 the year the general election is held, that the initiative
363 petition did not obtain the requisite number or distribution of
364 valid signatures.

365 (b) The issuance of a certificate of ballot position
366 pursuant to paragraph (a) may be contested in the circuit court
367 by any voter. The contestant must file a complaint with the
368 clerk of the circuit court for Leon County no later than the
369 first Tuesday after the first Monday in January following the
370 election for which the petition was circulated. The complaint
371 must set forth the grounds on which the contestant intends to
372 establish that the initiative petition did not obtain the
373 requisite number or distribution of valid signatures.

374 (8)~~(13)~~(a) At the same time the Secretary of State submits
375 an initiative petition to the Attorney General pursuant to
376 s. 15.21, the secretary shall submit a copy of the initiative
377 petition to a panel composed of three persons appointed by the
378 Governor ~~the Financial Impact Estimating Conference~~. Within 75
379 days after receipt of a proposed revision or amendment to the
380 State Constitution by initiative petition from the Secretary of
381 State, the panel ~~Financial Impact Estimating Conference~~ shall
382 complete a statement on the financial impact to the state budget
383 to be placed on the ballot ~~of the estimated increase or decrease~~
384 ~~in any revenues or costs to state or local governments and the~~
385 ~~overall impact to the state budget resulting from the proposed~~
386 ~~initiative~~. The 75-day time limit is tolled when the Legislature
387 is in session. The panel ~~Financial Impact Estimating Conference~~
388 shall submit the financial impact statement to the Secretary of
389 State. If the initiative petition has been submitted to the
390 panel ~~Financial Impact Estimating Conference~~ but the validity of
391 signatures has expired and the initiative petition no longer
392 qualifies for ballot placement at the ensuing general election,

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393 the Secretary of State must notify the panel ~~Financial Impact~~
394 ~~Estimating Conference~~. The panel ~~Financial Impact Estimating~~
395 ~~Conference~~ is not required to complete an analysis and financial
396 impact statement for an initiative petition that fails to meet
397 the requirements of subsection (1) for placement on the ballot
398 before the 75-day time limit, including any tolling period,
399 expires. The initiative petition may be resubmitted to the panel
400 ~~Financial Impact Estimating Conference~~ if the initiative
401 petition meets the requisite criteria for a subsequent general
402 election cycle. ~~A new Financial Impact Estimating Conference~~
403 ~~shall be established at such time as the initiative petition~~
404 ~~again satisfies the criteria in s. 15.21(1).~~

405 (b) ~~Immediately upon receipt of a proposed revision or~~
406 ~~amendment from the Secretary of State, the coordinator of the~~
407 ~~Office of Economic and Demographic Research shall contact the~~
408 ~~person identified as the sponsor to request an official list of~~
409 ~~all persons authorized to speak on behalf of the named sponsor~~
410 ~~and, if there is one, the sponsoring organization at meetings~~
411 ~~held by the Financial Impact Estimating Conference. All other~~
412 ~~persons shall be deemed interested parties or proponents or~~
413 ~~opponents of the initiative. The Financial Impact Estimating~~
414 ~~Conference shall provide an opportunity for any representatives~~
415 ~~of the sponsor, interested parties, proponents, or opponents of~~
416 ~~the initiative to submit information and may solicit information~~
417 ~~or analysis from any other entities or agencies, including the~~
418 ~~Office of Economic and Demographic Research.~~

419 (c) All meetings of the panel ~~Financial Impact Estimating~~
420 ~~Conference~~ shall be open to the public. ~~The President of the~~

421 ~~Senate and the Speaker of the House of Representatives, jointly,~~
422 ~~shall be the sole judge for the interpretation, implementation,~~
423 ~~and enforcement of this subsection.~~

424 ~~1. The Financial Impact Estimating Conference is~~
425 ~~established to review, analyze, and estimate the financial~~
426 ~~impact of amendments to or revisions of the State Constitution~~
427 ~~proposed by initiative. The Financial Impact Estimating~~
428 ~~Conference shall consist of four principals: one person from the~~
429 ~~Executive Office of the Governor; the coordinator of the Office~~
430 ~~of Economic and Demographic Research, or his or her designee;~~
431 ~~one person from the professional staff of the Senate; and one~~
432 ~~person from the professional staff of the House of~~
433 ~~Representatives. Each principal shall have appropriate fiscal~~
434 ~~expertise in the subject matter of the initiative. A Financial~~
435 ~~Impact Estimating Conference may be appointed for each~~
436 ~~initiative.~~

437 ~~2. Principals of the Financial Impact Estimating Conference~~
438 ~~shall reach a consensus or majority concurrence on The panel~~
439 ~~shall prepare a clear and unambiguous financial impact~~
440 ~~statement, no more than 150 words in length, and immediately~~
441 ~~submit the statement to the Secretary of State Attorney General.~~
442 ~~Nothing in this subsection prohibits the panel Financial Impact~~
443 ~~Estimating Conference from setting forth a range of potential~~
444 ~~impacts in the financial impact statement. Any financial impact~~
445 ~~statement that a court finds not to be in accordance with this~~
446 ~~section shall be remanded solely to the Financial Impact~~
447 ~~Estimating Conference for redrafting. The panel Financial Impact~~
448 ~~Estimating Conference shall may redraft the financial impact~~

449 statement ~~within 15 days~~ prior to the 75th day before the
450 election.

451 ~~3. If the Supreme Court has rejected the initial submission~~
452 ~~by the Financial Impact Estimating Conference and no redraft has~~
453 ~~been approved by the Supreme Court by 5 p.m. on the 75th day~~
454 ~~before the election, the following statement shall appear on the~~
455 ~~ballot: "The impact of this measure, if any, has not been~~
456 ~~determined at this time."~~

457 ~~(c)~~ (d) The financial impact statement must be separately
458 contained and be set forth after the ballot summary and
459 disclosure of material legal effects as required in
460 s. 101.161(1).

461 1. If the financial impact statement projects a net
462 negative impact on the state budget, the ballot must include the
463 statement required by s. 101.161(1) ~~(c)~~ (b).

464 2. If the financial impact statement projects a net
465 positive impact on the state budget, the ballot must include the
466 statement required by s. 101.161(1) ~~(d)~~ (e).

467 3. If the financial impact statement estimates an
468 indeterminate financial impact or if the members of the panel
469 ~~Financial Impact Estimating Conference~~ are unable to agree on
470 the statement required by this subsection, the ballot must
471 include the statement required by s. 101.161(1) ~~(e)~~ (d).

472 ~~(d)~~ (e)1. ~~Any financial impact statement that the Supreme~~
473 ~~Court finds not to be in accordance with this subsection shall~~
474 ~~be remanded solely to the Financial Impact Estimating Conference~~
475 ~~for redrafting, provided the court's advisory opinion is~~
476 ~~rendered at least 75 days before the election at which the~~

477 ~~question of ratifying the amendment will be presented. The~~
478 ~~Financial Impact Estimating Conference shall prepare and adopt a~~
479 ~~revised financial impact statement no later than 5 p.m. on the~~
480 ~~15th day after the date of the court's opinion.~~

481 ~~2. If, by 5 p.m. on the 75th day before the election, the~~
482 ~~Supreme Court has not issued an advisory opinion on the initial~~
483 ~~financial impact statement prepared by the Financial Impact~~
484 ~~Estimating Conference for an initiative amendment that otherwise~~
485 ~~meets the legal requirements for ballot placement, the financial~~
486 ~~impact statement shall be deemed approved for placement on the~~
487 ~~ballot.~~

488 ~~3.~~In addition to the financial impact statement required
489 by this subsection, the panel ~~Financial Impact Estimating~~
490 ~~Conference~~ shall draft an initiative financial information
491 statement. The initiative financial information statement should
492 describe in greater detail than the financial impact statement
493 any projected increase or decrease in revenues or costs that the
494 state or local governments would likely experience if the ballot
495 measure were approved. If appropriate, the initiative financial
496 information statement may include both estimated dollar amounts
497 and a description placing the estimated dollar amounts into
498 context. The initiative financial information statement must
499 include both a summary of not more than 500 words and additional
500 detailed information that includes the assumptions that were
501 made to develop the financial impacts, workpapers, and any other
502 information deemed relevant by the Financial Impact Estimating
503 Conference.

504 2.4. The Department of State shall have printed, and shall
505 furnish to each supervisor of elections, a copy of the summary
506 from the initiative financial information statements. The
507 supervisors shall have the summary from the initiative financial
508 information statements available at each polling place and at
509 the main office of the supervisor of elections upon request.

510 3.5. The Secretary of State ~~and the Office of Economic and~~
511 ~~Demographic Research~~ shall make available on the Internet each
512 initiative financial information statement in its entirety. In
513 addition, each supervisor of elections whose office has a
514 website shall post the summary from each initiative financial
515 information statement on the website. Each supervisor shall
516 include a copy of each summary from the initiative financial
517 information statements and the Internet addresses for the
518 information statements on the Secretary of State's ~~and the~~
519 ~~Office of Economic and Demographic Research's~~ websites in the
520 publication or mailing required by s. 101.20.

521 (9)~~(14)~~ The Department of State may adopt rules in
522 accordance with s. 120.54 to carry out the provisions of
523 subsections (1) - (8)~~(14)~~.

524 (10)~~(15)~~ No provision of this code shall be deemed to
525 prohibit a private person exercising lawful control over
526 privately owned property, including property held open to the
527 public for the purposes of a commercial enterprise, from
528 excluding from such property persons seeking to engage in
529 activity supporting or opposing initiative amendments.

530 Section 6. Section 100.373, Florida Statutes, is created to
531 read:

- 532 100.373 Circulated petition forms; verification.-
- 533 (1) For purposes of this chapter, "circulated petition
- 534 form" means an initiative petition form circulated pursuant to
- 535 s. 100.371, or a candidate petition form circulated pursuant to
- 536 s. 99.095, that has not been requested pursuant to s. 100.375.
- 537 (2) A voter may submit a signed circulated petition form at
- 538 any supervisor of elections office located within the county in
- 539 which he or she is registered to vote. A circulated petition
- 540 form is valid only if the supervisor verifies that:
- 541 (a) The voter presenting the circulated petition form is
- 542 identified, and his or her signature is verified, pursuant to
- 543 subsection (3);
- 544 (b) The voter accurately recorded on the form the date on
- 545 which he or she signed the form;
- 546 (c) The form accurately sets forth the voter's name,
- 547 address, city, county, and voter registration number or date of
- 548 birth;
- 549 (d) The form accurately sets forth the voter's driver
- 550 license number, Florida identification card number, or the last
- 551 four digits of the voter's social security number; and
- 552 (e) The voter is, at the time he or she signs the form and
- 553 at the time the form is verified, an active and duly qualified
- 554 and registered voter in the state.
- 555 (3) (a) The supervisor shall require the voter to present
- 556 one of the following current and valid picture identifications:
- 557 1. Florida driver license.
- 558 2. Florida identification card issued by the Department of
- 559 Highway Safety and Motor Vehicles.

- 560 3. United States passport.
- 561 4. United States uniform services or merchant marine
562 identification.
- 563 5. Veteran health identification card issued by the United
564 States Department of Veterans Affairs.
- 565 6. A license to carry a concealed weapon or firearm issued
566 pursuant to s. 790.06.
- 567 7. Employee identification card issued by any government
568 branch, department, agency, or entity of the Federal Government,
569 the state, a county, or a municipality.
- 570 (b) If the information on the picture identification
571 matches the information on the circulated petition form and the
572 supervisor is satisfied that the person presenting the
573 circulated petition form is the person shown on the picture
574 identification, the supervisor shall deem the petition form
575 submitted. The supervisor shall thereafter verify that the
576 signature on the circulated petition form matches a signature on
577 file for the voter in the Florida Voter Registration System.
- 578 Section 7. Section 100.375, Florida Statutes, is created to
579 read:
- 580 100.375 Requested petition forms; verification.—
- 581 (1) Definitions.—For purposes of this chapter, “requested
582 petition form” means an initiative petition form created
583 pursuant to s. 100.371, or a candidate petition form created
584 pursuant to s. 99.095, that is requested pursuant to this
585 section.
- 586 (2) Request.—
- 587 (a) The supervisor shall accept a request for a petition

588 form only from a voter or, if directly instructed by the voter,
589 a member of the voter's immediate family or the voter's legal
590 guardian. A request may be made in person, in writing, by
591 telephone, or through the supervisor's website. The supervisor
592 must cancel a request for a petition form when any first-class
593 mail or nonforwardable mail sent by the supervisor to the voter
594 is returned as undeliverable. If the voter requests a petition
595 form thereafter, the voter must provide or confirm his or her
596 current residential address.

597 (b) The supervisor may accept a request for a petition form
598 to be mailed to a voter's address on file in the Florida Voter
599 Registration System from the voter, or, if directly instructed
600 by the voter, a member of the voter's immediate family or the
601 voter's legal guardian. If an in-person or a telephonic request
602 is made, the voter must provide the voter's Florida driver
603 license number, the voter's Florida identification card number,
604 or the last four digits of the voter's social security number.
605 If the petition form is requested to be mailed to an address
606 other than the voter's address on file in the Florida Voter
607 Registration System, the request must be made in writing. A
608 written request must be signed by the voter and include the
609 voter's Florida driver license number, the voter's Florida
610 identification card number, or the last four digits of the
611 voter's social security number. The division shall create
612 uniform applications to request a candidate or initiative
613 petition form. The applications shall solicit and require the
614 following information:

615 1. The full name of the voter for whom the petition form is

616 requested;

617 2. The voter's residential address and county and the
618 voter's mailing address if different than his or her residential
619 address;

620 3. The voter's voter registration number or date of birth;

621 4. The voter's Florida driver license number, the voter's
622 Florida identification card number, or the last four digits of
623 the voter's social security number;

624 5. The requester's name, if applicable;

625 6. The requester's residential address, if applicable;

626 7. The requester's driver license number, the requester's
627 identification card number, or the last four digits of the
628 requester's social security number, if applicable;

629 8. The requester's relationship to the voter, if
630 applicable;

631 9. An affidavit stating that the requester is authorized by
632 the voter to request a petition form on the voter's behalf, if
633 applicable;

634 10. The voter's signature and the date signed or the
635 requester's signature and the date signed; and

636 11. If the petition form requested is for an initiative
637 petition, the ballot title and the initiative petition number
638 assigned by the division.

639 (c) For purposes of this section, the term "immediate
640 family" refers to the following, as applicable:

641 1. The voter's spouse, parent, child, grandparent,
642 grandchild, or sibling, or the parent, child, grandparent,
643 grandchild, or sibling of the voter's spouse.

644 2. The designee's spouse, parent, child, grandparent,
645 grandchild, or sibling, or the parent, child, grandparent,
646 grandchild, or sibling of the designee's spouse.

647 (3) Petition form request information.—For each request for
648 a petition form received, the supervisor shall record the
649 following information: the date the request was made; the
650 initiative petition number, if applicable; the identity of the
651 voter's designee making the request, if any; the Florida driver
652 license number, Florida identification card number, or last four
653 digits of the social security number of the voter provided with
654 a written request; the date the petition form was delivered to
655 the voter or the voter's designee or the date the petition form
656 was delivered to the post office or other carrier; the address
657 to which the petition form was mailed or the identity of the
658 voter's designee to whom the petition form was delivered; the
659 date the petition form was received by the supervisor; the
660 absence of the voter's signature on the voter's certificate, if
661 applicable; whether the voter's certificate contains a signature
662 that does not match a signature on file for the voter in the
663 Florida Voter Registration System; and such other information he
664 or she may deem necessary. This information must be provided in
665 electronic format as provided by division rule.

666 (4) Delivery of petition forms.—

667 (a) For purposes of this section, "petition deadline"
668 means:

669 1. In the case of an initiative petition, the 30th day
670 preceding February 1 of the year the general election is held.

671 2. In the case of a candidate petition, the 28th day

672 preceding the first day of the qualifying period for the office
673 sought.

674 (b) The supervisor shall mail petition forms within 5
675 business days after receiving a request for such a petition
676 form. However, the supervisor shall mail petition forms that are
677 requested pursuant to this section on or before July 1, 2025,
678 and no later than July 5, 2025.

679 (c) The deadline to submit a request for a petition form to
680 be mailed is 5 p.m. local time on the tenth day before the
681 petition deadline.

682 (d) Upon a request for a petition form, the supervisor
683 shall provide a petition form to each voter by whom a request
684 for that petition form has been made, by one of the following
685 means:

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

690 2. By personal delivery to the voter up to 5 p.m. on the
691 third day before the petition deadline upon presentation of the
692 identification required in s. 101.043.

693 3. By delivery to the voter's designee up to 5 p.m. on the
694 third day before the petition deadline. Any voter may designate
695 in writing a person to pick up the petition form for the voter;
696 however, the person designated may not pick up more than two
697 petition forms per petition, other than the designee's own
698 petition form, except that additional petition forms may be
699 picked up for members of the designee's immediate family. The

700 designee shall provide to the supervisor the written
701 authorization by the voter and a picture identification of the
702 designee and must complete an affidavit. The designee shall
703 state in the affidavit that the designee is authorized by the
704 voter to pick up that petition form and shall indicate if the
705 voter is a member of the designee's immediate family and, if so,
706 the relationship. The department shall prescribe the form of the
707 affidavit. If the supervisor is satisfied that the designee is
708 authorized to pick up the petition form and that the signature
709 of the voter on the written authorization matches the signature
710 of the voter on file, the supervisor must give the petition form
711 to that designee for delivery to the voter.

712 (e) When a requested petition form is mailed to an address
713 other than the voter's address on file in the Florida Voter
714 Registration System or delivered to a designee, the supervisor
715 shall mail a notice letter to the voter's address on file in the
716 Florida Voter Registration System.

717 (5) Materials.—Only the materials necessary to submit a
718 petition form may be mailed or delivered with any petition form.

719 (6) Prohibition.—A supervisor may not send a petition form
720 to a voter unless the voter has requested a petition form in the
721 manner authorized under this section.

722 (7) Mailing envelope.—

723 (a) The supervisor shall enclose with each petition form a
724 mailing envelope which shall be addressed to the supervisor and
725 also bear on the back side a certificate in substantially the
726 following form:

727 Note: Please Read Instructions Carefully Before Completing

728 Petition Form and Completing Voter's Certificate.

729 VOTER'S CERTIFICATE

730 I, _____, do solemnly swear or affirm that I am a qualified
731 and registered voter of _____ County, Florida, and that I have
732 not and will not submit more than one petition form for this
733 petition. I understand that if I commit or attempt to commit any
734 fraud in connection with a petition, submit a fraudulent
735 petition form, or submit more than one petition form for the
736 same petition, I can be convicted of a misdemeanor of the first
737 degree and fined up to \$1,000 and/or imprisoned for up to a
738 year. I also understand that failure to sign this certificate
739 will invalidate my petition form.

740 (Date)

741 (Voter's Signature)

742 (E-Mail Address)

743 (Home Telephone Number)

744 (Mobile Telephone Number)

745 (b) Each return mailing envelope must bear the voter's name
746 and any encoded mark used by the supervisor's office.

747 (c) A mailing envelope may not bear any indication of the
748 political affiliation of a voter.

749 (8) The certificate shall be arranged on the back of the
750 mailing envelope so that the line for the signature of the voter
751 is across the seal of the envelope; however, no statement shall
752 appear on the envelope which indicates that a signature of the
753 voter must cross the seal of the envelope. The voter shall
754 execute the certificate on the envelope.

755 (9) Instructions.—The supervisor shall enclose with each

756 petition form separate printed instructions in substantially the
757 following form; however, where the instructions appear in
758 capitalized text, the text of the printed instructions must be
759 in bold font:

760 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING
761 PETITION FORM.

762 1. VERY IMPORTANT. In order to ensure that your petition
763 form will be counted, it should be completed and returned as
764 soon as possible so that it can reach the supervisor of
765 elections of your county of residence no later than 5 p.m. on
766 [INSERT PETITION DEADLINE].

767 2. Place your completed petition form into the enclosed
768 mailing envelope which is addressed to the supervisor.

769 3. Seal the mailing envelope and completely fill out the
770 Voter's Certificate on the back of the mailing envelope.

771 4. VERY IMPORTANT. In order for your petition form to be
772 counted, you must sign your name on the line above (Voter's
773 Signature). A petition form will not be counted if the signature
774 on the petition form does not match the signature on record. The
775 signature on file at the time the supervisor of elections in
776 your county of residence receives your petition form is the
777 signature that will be used to verify your signature on the
778 voter's certificate. If you need to update your signature for
779 this election, send your signature update on a voter
780 registration application to your supervisor of elections so that
781 it is received before your petition form is received.

782 5. Mail, deliver, or have delivered the completed mailing
783 envelope. Be sure there is sufficient postage if mailed. THE

784 COMPLETED MAILING ENVELOPE MUST BE DELIVERED TO THE OFFICE OF
785 THE SUPERVISOR OF ELECTIONS OF YOUR COUNTY OF RESIDENCE.

786 6. FELONY NOTICE. It is a felony under Florida law to
787 accept any gift, payment, or gratuity in exchange for your
788 submission of a petition form. It is also a felony under Florida
789 law to submit a petition form using a false identity or false
790 address, or under any other circumstances making your petition
791 form false or fraudulent.

792 7. DEADLINE NOTICE. To ensure that your petition form
793 counts, your supervisor of elections must receive your petition
794 by 5 p.m. on [INSERT PETITION DEADLINE]. If you wait to mail
795 your petition form, it might not count. To prevent this from
796 occurring, please mail or turn in your petition form as soon as
797 possible.

798 (10) Request not to preclude submission of a circulated
799 petition form.—The provisions of this chapter shall not be
800 construed to prohibit any voter who has requested a petition
801 form pursuant to this section from submitting a circulated
802 petition form pursuant to s. 100.373, provided that the voter
803 submits no more than one signed petition form for the same
804 initiative or candidate petition.

805 (11) Accommodation of disabilities.—It is the intent of the
806 Legislature that submitting petition forms be by methods that
807 are fully accessible to all voters, including voters having a
808 disability. The Department of State shall work with the
809 supervisors of elections and the disability community to develop
810 and implement procedures and technologies, as possible, which
811 will include procedures for providing petition forms, upon

812 request, in alternative formats that will allow all voters to
813 submit a petition form without the assistance of another person.

814 (12) Verification.—A requested petition form is valid only
815 if the supervisor verifies that:

816 (a) The petition form was returned in a mailing envelope
817 delivered by the supervisor pursuant to subsection (7) and the
818 voter completed the voter certificate;

819 (b) The signature on the petition form matches a signature
820 on file for the voter in the Florida Voter Registration System;

821 (c) The voter accurately recorded on the form the date on
822 which he or she signed the form;

823 (d) The form accurately sets forth the voter's name,
824 address, city, county, and voter registration number or date of
825 birth;

826 (e) The form accurately sets forth the identified voter's
827 driver license number, Florida identification card number, or
828 the last four digits of the voter's social security number; and

829 (f) The voter is, at the time he or she signs the form and
830 at the time the form is verified, an active and duly qualified
831 and registered voter in the state.

832 (13) Posthumous verification.—An otherwise valid petition
833 form will not be invalidated because the voter died after
834 submitting the petition.

835 Section 8. Section 100.377, Florida Statutes, is created to
836 read:

837 100.377 Signatures gathered for initiative petition; effect
838 of this act.—

839 Any initiative petition form approved by the Secretary of

840 State prior to the effective date of this act may continue to be
841 circulated. Any signature gathered on an authorized form for an
842 initiative petition or candidate petition submitted to a
843 supervisor of elections prior to the effective date of this act
844 may be kept and counted, if otherwise valid, and that form is
845 not required to be circulated and verified pursuant to s.
846 100.373 or requested and verified pursuant to s. 100.375.
847 However, any signature submitted to a supervisor of elections
848 after the effective date of this act is subject to the
849 provisions of this act.

850 Section 9. Subsection (1) of section 101.161, Florida
851 Statutes, is amended to read:

852 (1) Constitutional amendments proposed by initiative shall
853 define all terms of art and describe all newly created rights,
854 requirements, prohibitions, and authorizations. Whenever a
855 constitutional amendment or other public measure is submitted to
856 the vote of the people, a ballot summary of such amendment or
857 other public measure shall be printed in clear and unambiguous
858 language on the ballot after the list of candidates, followed by
859 the word "yes" and also by the word "no," and shall be styled in
860 such a manner that a "yes" vote will indicate approval of the
861 proposal and a "no" vote will indicate rejection. The ballot
862 summary of the amendment or other public measure and the ballot
863 title to appear on the ballot shall be embodied in the
864 constitutional revision commission proposal, constitutional
865 convention proposal, taxation and budget reform commission
866 proposal, or enabling resolution or ordinance. The ballot
867 summary of the amendment or other public measure shall be an

BILL

Ballot Initiatives

YEAR

868 explanatory statement, not exceeding 75 words in length, of the
869 chief purpose of the measure. In addition, for every
870 constitutional amendment proposed by initiative, the ballot
871 shall include, following the ballot summary, in the following
872 order:

873 (a) A disclosure prepared by the Attorney General
874 describing the material legal effects of the proposed amendment
875 and identifying each provision of the Florida Constitution and
876 the Florida Statutes that may be repealed in full or in part.

877 (b) A separate financial impact statement concerning the
878 measure prepared by a panel composed of three persons appointed
879 by the Governor the Financial Impact Estimating Conference in
880 accordance with s. 100.371(8~~13~~).

881 (c)~~(b)~~ If the financial impact statement projects a net
882 negative impact on the state budget, the following statement in
883 bold print:

884
885 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO HAVE A
886 NET NEGATIVE IMPACT ON THE STATE BUDGET. THIS IMPACT MAY RESULT
887 IN HIGHER TAXES OR A LOSS OF GOVERNMENT SERVICES IN ORDER TO
888 MAINTAIN A BALANCED STATE BUDGET AS REQUIRED BY THE
889 CONSTITUTION.

890
891 (d)~~(e)~~1. If the financial impact statement projects a net
892 positive impact on the state budget resulting in whole or in
893 part from additional tax revenue, the following statement in
894 bold print:

895

BILL

Ballot Initiatives

YEAR

896 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO HAVE A
897 NET POSITIVE IMPACT ON THE STATE BUDGET. THIS IMPACT MAY RESULT
898 IN GENERATING ADDITIONAL REVENUE OR AN INCREASE IN GOVERNMENT
899 SERVICES.

900

901 2. If the financial impact statement projects a net
902 positive impact on the state budget for reasons other than those
903 specified in subparagraph 1., the following statement in bold
904 print:

905

906 THIS PROPOSED CONSTITUTIONAL AMENDMENT IS ESTIMATED TO HAVE A
907 NET POSITIVE IMPACT ON THE STATE BUDGET. THIS IMPACT MAY RESULT
908 IN LOWER TAXES OR AN INCREASE IN GOVERNMENT SERVICES.

909

910 (e)~~(d)~~ If the financial impact statement is indeterminate
911 or the members of the panel ~~Financial Impact Estimating~~
912 ~~Conference~~ are unable to agree on the financial impact
913 statement, the following statement in bold print:

914

915 THE FINANCIAL IMPACT OF THIS AMENDMENT CANNOT BE DETERMINED DUE
916 TO AMBIGUITIES AND UNCERTAINTIES SURROUNDING THE AMENDMENT'S
917 IMPACT.

918

919 The ballot title shall consist of a caption, not exceeding 15
920 words in length, by which the measure is commonly referred to or
921 spoken of. This subsection does not apply to constitutional
922 amendments or revisions proposed by joint resolution.

923 Section 10. Section 104.0045, Florida Statutes, is amended

924 to read:

925 Any person who:

926 (1) Corruptly offers to vote for or against, or to refrain
927 from voting for or against, any candidate in any election, or to
928 submit a petition form or refrain from submitting a petition
929 form for any initiative or candidate petition, in return for
930 pecuniary or other benefit; or

931 (2) Accepts a pecuniary or other benefit in exchange for a
932 promise to vote for or against, or to refrain from voting for or
933 against, any candidate in any election, or to submit a petition
934 form or refrain from submitting a petition form for any
935 initiative or candidate petition,
936 is guilty of a felony of the third degree, punishable as
937 provided in s. 775.082, s. 775.083, or s. 775.084.

938 Section 11. Section 104.186, Florida Statutes, is repealed.

939 Section 12. Subsection (3) of section 106.19, Florida
940 Statutes, is repealed and subsequent subsections are renumbered
941 accordingly.

942 Section 13. If any provision of this act or its application
943 to any person or circumstances is held invalid, the invalidity
944 does not affect other provisions or applications of this act
945 that can be given effect without the invalid provision or
946 application, and to this end the provisions of this act are
947 severable.

948 Section 14. This act shall take effect upon becoming a law.