

Committee on Rules Subcommittee on Ethics and Elections

CS/CS/HB 1355 — Elections

by State Affairs Committee; Government Operations Subcommittee; and Rep. Baxley and others (CS/CS/SB 2086 by Rules Committee and the Rules Subcommittee on Ethics and Elections)

CS/CS/HB 1355 is an omnibus elections bill consisting primarily of the Secretary of State's election administration and campaign finance packages, along with numerous other significant changes to the Florida Election Code that include:

- **Joint Resolutions:** providing for alternative ballot summaries and/or the full text of a constitutional amendment proposed by joint resolution to be placed on the ballot; providing lead-time until the end of 2013 for voting systems to be modified to accommodate the full text of an amendment; creating a presumption that placing the full text on the ballot provides electors adequate notice of what they're voting on; containing procedures for curing defective ballot summaries; making the provisions of this section retroactive to joint resolutions passed during the 2011 legislative session.
- **Early Voting:** providing for a more compressed, 8-day early voting period that's closer to election day — from the 10th to the 3rd day before the election — while maintaining the current 96 total hours of early voting should supervisors deem it necessary in their counties; requiring early voting at each site to be open for a minimum of 6 hours and a maximum of 12 hours per day.
- **Third-Party Voter Registration Organizations:** requiring such groups to submit voter registration applications within 48 hours of receipt instead of 10 days, identify registration agents collecting applications, and act as a fiduciary to voters whose applications have been collected; requiring registration forms to contain certain identifying information; mandating that the Florida Division of Elections maintain a database of forms issued to third-party voter registration groups; applying the provisions of this section retroactively to existing third-party voter registration groups.
- **Address Changes at the Polls:** allowing voters to change their addresses on election day and still vote a regular ballot, provided the elector is: 1) voting in the same county in which they originally registered to vote; or, 2) an active military member or in the same family with an active military member. Other electors making inter-county address changes at the polls would be required to vote a provisional ballot.
- **Citizen Initiative Petitions:** reducing the shelf-life of initiative petition signatures proposing constitutional amendments from 4 years to 2 years.
- **Reporting Election Results:** requiring county canvassing boards to report all early voting and tabulated absentee ballots to the Department of State within 30 minutes after the polls close, and to subsequently report all results (other than provisional ballots) every 45 minutes until complete.
- **Presidential Preference Primary (PPP) Date:** eliminating the current date for the Presidential Preference Primary (last Tuesday in January) and creating a 10-member PPP Date Selection Committee, which will establish the PPP date every four years to fall between the beginning of January and the beginning of March; the date must be selected by October 1 of the year preceding the presidential election.

- **State Primary Date:** moving the State's primary election from 10 weeks to 12 weeks before the general election (i.e., August 14, 2012).
- **Party Switching:** prohibiting would-be candidates from seeking a party's nomination to an office if the person was a member of any other political party for a year preceding qualifying.
- **Binding Directives:** empowering the Secretary of State to provide writtendirection to supervisors of elections on matters relating to their official duties under the Florida Election Code or department rule.
- **Absentee Ballots:** standardizing the time frames during which absentee ballots are mailed to military, overseas, and other voters; allowing county canvassing boards to begin canvassing absentee ballots at 7 a.m. on the 15th day before an election instead of the 6th day.
- **Election Law Violations:** correcting an oversight in current law by providing that an administrative law judge in the Division of Administrative Hearings has the same authority as the Florida Elections Commission to impose civil penalties for election law violations.
- **Voter Information Cards:** adding the polling place address to voter information cards, and requiring supervisors of elections to comply with this requirement with respect to all voter information cards issued after August 1, 2012.
- **Poll Watchers:** bringing greater transparency and flexibility to poll watcher procedures by providing for "at-large" poll watchers.
- **Random Audits:** specifying that if a manual recount was conducted, a post-election, random audit of the voting system is not required.
- **Campaign Finance Automatic Fines:** increasing the penalty for committees of continuous existence that late-file their final campaign finance report due before a primary or general election for the first three days the report is late, from \$50 per day to \$500 per day (to conform to current law regarding political committee and candidate filings).
- **County Candidates/Reapportionment:** allowing county candidates who are seeking to qualify by petition in an apportionment year to obtain the required number of signatures from any registered voter in the respective county, regardless of district boundaries.

If approved by the Governor and except as otherwise provided, these provisions take effect upon becoming law.

Vote: Senate 25-13; House 77-38

Committee on Rules Subcommittee on Ethics and Elections

HB 7159 — OGSR; Commission on Ethics Audits and Investigations

by Government Operations Subcommittee and Rep. Patronis (SB 2056 by Rules Subcommittee on Ethics and Elections)

House Bill 7159 is the result of an Open Government Sunset Review of an existing exemption for records and meetings relating to an audit or investigation of lobbyists, principals of lobbyists, and lobbying firms who lobby the executive branch or the Constitution Revision Commission. The exemption applies only until either the Commission determines whether probable cause exists to believe a violation of the executive branch lobbying and reporting provisions occurred or until the subject of the audit or investigation waives confidentiality in writing. The bill permanently reenacts the existing exemption but clarifies that only portions of meetings conducted pursuant to such an audit or investigation are confidential. The clarification prevents the Commission from hearing otherwise public matters in a confidential or executive session.

If approved by the Governor, these provisions take effect October 1, 2011.

Vote: Senate 38-0; House 113-0