

<b>Tab 1</b>	<b>SB 460</b> by <b>Polsky</b> ; Identical to H 00597 Special Elections
<b>Tab 2</b>	<b>SB 748</b> by <b>Bracy Davis</b> ; Identical to H 00467 Notice of Restoration of Voting Rights Information on Sentencing Scoresheets
<b>Tab 3</b>	<b>CS/SB 1180</b> by <b>CA, Arrington</b> ; Similar to CS/H 01051 Community Development Districts
<b>Tab 4</b>	<b>SB 1334</b> by <b>Grall</b> ; Compare to H 00991 Elections

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**The Florida Senate**  
**COMMITTEE MEETING EXPANDED AGENDA**

**ETHICS AND ELECTIONS**  
**Senator Gaetz, Chair**  
**Senator Bernard, Vice Chair**

**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m.—12:30 p.m.

**PLACE:** *Mallory Horne Committee Room, 37 Senate Building*

**MEMBERS:** Senator Gaetz, Chair; Senator Bernard, Vice Chair; Senators Avila, Bradley, Garcia, Grall, Polsky, and Rouson

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
1	<b>SB 460</b> Polsky (Identical H 597)	<p>Special Elections; Requiring, rather than authorizing, the Governor to call a special primary election and a special election under a certain circumstance; requiring the Governor to fix the dates of a special election within a specified timeframe after the vacancy occurs; authorizing qualified electors to file a petition in the circuit court seeking judicial determination of an election date under specified conditions; deleting the authority of the Governor, the President of the Senate, and the Speaker of the House of Representatives to waive specified timeframes if all parties concur, etc.</p> <p>EE      02/04/2026 JU RC</p>	
2	<b>SB 748</b> Bracy Davis (Identical H 467)	<p>Notice of Restoration of Voting Rights Information on Sentencing Scoresheets; Specifying information to be provided on sentencing scoresheets concerning restoration of voting rights; requiring that a scoresheet be provided to a defendant before a sentence is imposed, etc.</p> <p>CJ      01/26/2026 Favorable EE      02/04/2026 RC</p>	
3	<b>CS/SB 1180</b> Community Affairs / Arrington (Similar CS/H 1051)	<p>Community Development Districts; Providing that specified provisions regarding synthetic turf do not apply to community development districts enforcing deed restrictions; providing that certain members of the governing body of a community development district may be removed by the electors of the community development district; requiring separate petitions for each member sought to be recalled; requiring a specified percentage of electors to sign the petition; providing the grounds for removal of elected members, etc.</p> <p>CA      01/27/2026 Fav/CS EE      02/04/2026 FP</p>	

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Wednesday, February 4, 2026, 10:30 a.m.—12:30 p.m.

TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION
4	<b>SB 1334</b> Grall (Compare H 991)	Elections; Revising the oath persons must subscribe to when registering to vote; revising the information the statewide voter registration application is designed to elicit from an applicant to include documentation required by the Election Assistance Commission or federal law; requiring that an applicant's legal status as a United States citizen be verified by the records of the Department of Highway Safety and Motor Vehicles before the online voter registration system transmits an application to the supervisor of elections; providing that applications to update a voter's record are retroactive under a specified condition, etc.	
		EE 02/04/2026 ATD RC	
TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
<p><b>Senate Confirmation Hearing:</b> A public hearing will be held for consideration of the below-named executive appointments to the offices indicated.</p>			
<p><b>Board of Trustees of Miami-Dade College</b></p>			
5	Monreal, Ismare (Miami-Dade)	05/31/2029	
<p><b>State Board of Education</b></p>			
6	Collins, Layla ()	12/31/2028	
<p><b>Board of Trustees, University of Central Florida</b></p>			
7	Filburn, Mark C. (Winter Park)	01/06/2031	
	Florez, Alan (Ormond Beach)	01/06/2031	
<p><b>Board of Trustees, Florida International University</b></p>			
8	Plana, Nestor (Miami-Dade)	01/06/2031	
<p><b>Board of Trustees, University of North Florida</b></p>			
9	Moore, Clarence S. (St. Johns)	01/06/2031	
<p><b>Board of Trustees, University of South Florida</b></p>			
10	Piccolo, Fredrick (Sarasota)	01/06/2030	
	Watkins, Nancy Hemmingway (Tampa)	01/06/2031	
<p><b>Director, Agency for Persons with Disabilities</b></p>			
11	Asztalos, Robert P. (Tallahassee)	Pleasure of Governor	
<p><b>Juvenile Welfare Board of Pinellas County</b></p>			
12	Chiea, Renee (Dunedin)	07/17/2028	
	Gnage, Kristen Arrojo ()	08/07/2028	

**COMMITTEE MEETING EXPANDED AGENDA**

Ethics and Elections

Wednesday, February 4, 2026, 10:30 a.m.—12:30 p.m.

TAB	OFFICE and APPOINTMENT (HOME CITY)	FOR TERM ENDING	COMMITTEE ACTION
	McShea, Alicia S. (St. Petersburg)	08/11/2026	
	Millican, James A. ()	08/11/2028	
TAB	BILL NO. and INTRODUCER	BILL DESCRIPTION and SENATE COMMITTEE ACTIONS	COMMITTEE ACTION

Other Related Meeting Documents

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

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BILL: SB 460

INTRODUCER: Senator Polsky

SUBJECT: Special Elections

DATE: February 3, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. <u>Cleary</u>	<u>Roberts</u>	<u>EE</u>	<u>Pre-meeting</u>
2. _____	_____	<u>JU</u>	_____
3. _____	_____	<u>RC</u>	_____

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### I. Summary:

SB 460 revises the requirements under Florida's Election Code for the ordering and scheduling of special primary elections and special elections required to fill a vacancy in certain offices by:

- Requiring the Governor, upon a vacancy, to call a special primary election and special election by a statutorily proscribed deadline.
- Requiring the Governor to call and schedule such special primary elections and special elections, after consultation: to the earliest date feasible to hold such elections, to coincide with existing scheduled elections if possible, to schedule such elections no later from a certain number of days from the occurrence of the vacancy, and require a minimum amount of time between the special primary elections and special elections.
- Providing certain people are deemed elected under specific circumstances.
- Providing timeframes for the scheduling of special primary elections and special elections, relating to vacancies involving: offices with certain time remaining on its term of office, legislative offices that become vacant within a certain period before legislative session, and vacancies that occur under Florida's "Resign to Run" rule.
- Providing qualified electors standing to file petitions with the circuit court, seeking a judicial order to enforce the requirements under the bill on an expedited basis.

The bill takes effect on July 1, 2026.

## II. Present Situation:

### Florida Election Code: Filling Vacancies by Special Election

The Florida Election Code (“Code”) provides for special elections and special primary elections where vacancies<sup>1</sup> occur in certain offices that cannot be filled by appointment.<sup>2</sup>

- If no person has been elected at a general election to fill an office which was required to be filled by election at such general election.
- If a vacancy occurs in the office of state senator or member of the state house of representatives.
- If it is necessary to elect presidential electors, by reason of the offices of President and Vice President both having become vacant.
- If a vacancy occurs in the office of a member from Florida House of Representatives of Congress.

Under the Code, if a vacancy occurs in any office which is required to be filled pursuant to s. 1(f), Art. IV of the Florida Constitution and the remainder of the term of such office is 28 months or longer, then a person must be elected to fill the unexpired portion of such term at the next general election, beginning on the first Tuesday after the first Monday following such general election.<sup>3</sup> If a vacancy occurs prior to the first day set by law for qualifying for election to office at such general election, any person seeking nomination or election to the unexpired portion of the term must qualify within the time prescribed by law for qualifying for other offices to be filled by election at such general election.<sup>4</sup> If a vacancy occurs prior to the primary election but on or after the first day set by law for qualifying, the Secretary of State must set dates for qualifying for the unexpired portion of the term of such office.<sup>5</sup> Any person seeking nomination or election to the unexpired portion of the term must qualify within the time set by the Secretary of State.<sup>6</sup> If time does not permit party nominations to be made in conjunction with the primary election, the Governor may call a special primary election to select party nominees for the unexpired portion of such term.<sup>7</sup>

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<sup>1</sup> See Section 3, art X, Fla. Const. (Vacancy in office means, “Vacancy in office shall occur upon the creation of an office, upon the death, removal from office, or resignation of the incumbent or the incumbent’s succession to another office, unexplained absence for sixty consecutive days, or failure to maintain the residence required when elected or appointed, and upon failure of one elected or appointed to office to qualify within thirty days from the commencement of the term”); s. 114.01(1), F.S. (Office deemed vacant in certain circumstances, “(1) A vacancy in office shall occur: (a) Upon creation of an office. (b) Upon the death of the incumbent officer. (c) Upon removal of the officer from office. (d) Upon the resignation of the officer and acceptance thereof by the Governor. (e) Upon the succession of the officer to another office.

(f) Upon the officer’s unexplained absence for 60 consecutive days. (g) Upon the officer’s failure to maintain the residence required of him or her by law. (h) Upon the failure of a person elected or appointed to office to qualify for office within 30 days from the commencement of the term of office. (i) Upon the refusal of the person elected or appointed to accept the office. (j) Upon the conviction of the officer of a felony as defined in s. 10, Art. X of the State Constitution. (k) Upon final adjudication, in this state or in any other state, of the officer to be mentally incompetent. (l) Upon the rendition of a final judgment of a circuit court of this state declaring void the election or appointment of the incumbent to office.”).

<sup>2</sup> Section 100.101, F.S.

<sup>3</sup> Section 100.111(1)(a), F.S.

<sup>4</sup> Section 100.111(1)(b), F.S.

<sup>5</sup> Section 100.111(1)(c), F.S.

<sup>6</sup> *Id.*

<sup>7</sup> *Id.*

Whenever there is a vacancy for which a special election is required pursuant to section 100.101, Florida Statutes, the Governor, after consultation with the Secretary of State, is required to call and schedule fixed dates for a special primary election and a special election.<sup>8</sup> Before setting special election dates, the Governor is required to consider any upcoming elections in the jurisdiction where the special election will be held.<sup>9</sup> The Governor must fix specific certain, nonconditional, days, for such special primary elections and special elections.<sup>10</sup> The fixed dates must provide a minimum of 2 weeks between each election.<sup>11</sup>

If a vacancy occurs in the office of state Senator or member of the House of Representative when the Legislature is in regular legislative session, the minimum times required under section 100.111(2), Florida statutes, may be waived upon the agreement of the Governor, the Speaker of the House of Representatives, and the President of the Senate.<sup>12</sup> If a vacancy occurs in the office of a state Senator and no session of the Legislature is scheduled to be held prior to the next general election, the Governor may fix the dates for the special primary election and for the special election to coincide with the dates of the primary election and general election.<sup>13</sup> If a vacancy in office occurs in any district in the state Senate or House of Representatives or in any congressional district, and no session of the Legislature, or session of Congress if the vacancy is a congressional district, is scheduled to be held during the unexpired portion of the term, the Governor is not required to call a special election to fill such vacancy.<sup>14</sup> The dates for candidates to qualify in such special election or special primary election must be fixed by the Department of State, and candidates must qualify no later than noon of the last day fixed to qualify.<sup>15</sup> The dates fixed for qualifying must allow a minimum of 14 days between the last day of qualifying and the special primary election.<sup>16</sup>

When a special election is required to fill any vacancy in office, the Governor, after consultation with the Secretary of State, must issue an order declaring a special election and the day the election must be held and the Governor must deliver this order to the Department of State.<sup>17</sup> The Department of State is required to prepare a notice stating what offices are to be filled in the special election, the dates set for the special primary election and the special election, the dates fixed for qualifying for office, the dates fixed for qualifying by the petition process pursuant to section 88.095, Florida Statutes, and the date fixed for filing campaign expenses.<sup>18</sup> The Department of State must deliver a copy of such notice to the supervisor of elections of each county in which the special election is to be held.<sup>19</sup>

<sup>8</sup> Section 100.111(2), F.S. (Nominees of political parties shall be chosen under the primary laws of this state in the special primary election to become candidates in the special election).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

<sup>13</sup> *Id.*

<sup>14</sup> *Id.*

<sup>15</sup> Section 100.111(2)(a), F.S.

<sup>16</sup> *Id.*

<sup>17</sup> Section 100.141(1), F.S.

<sup>18</sup> Section 100.141(2), F.S.

<sup>19</sup> Section 100.141(3), F.S. (The Supervisor of Elections is required to have the notice published two times in a newspaper of general circulation in the county at least 10 days before the first day set for qualifying for office or, for at least 10 days before the first day set for qualifying for office, publish notice on the county's website as provided in section 50.0311, Florida Statutes, or on the supervisor's website").

### ***Florida's Resign-to-Run Law and Its Effect on Vacancies***

Under Florida law, an officeholder is required to submit a resignation from their current office before qualifying as a candidate for another office, if the term of that second office would overlap with their current office.<sup>20</sup> Such resignation must be irrevocable.<sup>21</sup> The written resignation must be submitted at least 10 days prior to the first day of qualifying for the office he or she intends to seek.<sup>22</sup> The written resignation must be effective no later than the earlier of the date the officer would take office, if elected, or the date the officer's successor is required to take office.<sup>23</sup> The office is deemed vacant upon the effective date of the resignation submitted by the official in his or her letter of resignation.<sup>24</sup> Any officer who submits his or her resignation, effective immediately or effective on a date prior to the date of his or her qualifying for office, may then qualify for office as a nonofficeholder.<sup>25</sup>

### **Special Primary Elections and General Special Elections**

Since January 1, 1999, there have been 80 vacancies in congressional and legislative offices in Florida filled by special election.<sup>26</sup> For the 65 vacancies arising between 1999 and 2020, on average, it took 7.6 days for the Governor to call a special election after the vacancy arose.<sup>27</sup>

From 2017 to 2026 there have been 35 vacancies in congressional and legislative offices in Florida, requiring the Governor to order a special election.<sup>28</sup> These vacancies occurred ranging from the death, succession to a new office, and resignation of the office holder.<sup>29</sup> Upon the first notice that a vacancy of an office occurred or is going to occur, that the Governor will have to call for a special election to fill that vacant office, to the time the Governor issued the order and scheduled the special primary election and special election has varied greatly from 2017 to 2026.<sup>30</sup> During this time period, Governors have issued such orders to hold special elections the same day they receive notice that a vacancy has occurred, compared to waiting over 90 days in some instances to issue such an order.

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<sup>20</sup> Section 99.012(3)(a), F.S. ("No officer may qualify as a candidate for another state, district, county, or municipal public office if the terms or any part thereof run concurrently with each other without resigning from the office he or she presently holds"; *See also* Section 99.012(4)(a), F.S. (In regards to any officer who qualifies for federal public office "... must resign from the office he or she presently holds if the terms, or any part thereof, run concurrently with each other").

<sup>21</sup> Section 99.012(3)(b), F.S.

<sup>22</sup> Section 99.012(3)(c), F.S.

<sup>23</sup> Section 99.012(3)(d), F.S.

<sup>24</sup> Section 99.012(3)(f), F.S.

<sup>25</sup> Section 99.012(3)(g), F.S.

<sup>26</sup> Compl., *Lippe v. DeSantis*, No. 2025 CA 1856 (Fla. 2nd Jud. Cir. Sept. 30, 2025) (In 25 instances, the Governor took fewer than five days to call the election).

<sup>27</sup> *Id.*

<sup>28</sup> *See Florida Division of Elections Webpage*, special elections archive 2017-2026 (last updated January 14, 2026), <https://dos.fl.gov/elections/for-voters/special-elections/special-elections-archive/>

<sup>29</sup> *Id.* Resignations have either occurred due to the office holder wanting to leave office entirely or under the requirements of the "Resign to Run Law," section 99.012, F.S., to run for a different office that term overlaps with their current office.

<sup>30</sup> *Id.*

***Charts: Days between first notice of vacancy and Governor's order to hold special elections ranging from 2017-2026<sup>31</sup>***

***2026 Special Elections***

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between notice of vacancy and order to hold special election
State Representative (District 51)	Resignation (effective November 7, 2025)	November 7, 2025	November 10, 2025 <sup>32</sup>	3 days
State Representative (District 52)	Resignation (effective September 18, 2025)	September 18, 2025	November 6, 2025 <sup>33</sup>	50 days
State Representative (District 87)	Succession (effective August 19, 2025)	August 19, 2025	October 24, 2025 <sup>34</sup>	66 days
State Senate (District 14)	Succession (effective August 12, 2025)	August 12, 2025	October 24, 2025 <sup>35</sup>	73 days

<sup>31</sup> See Florida Division of Elections Webpage, special elections archive 2017-2026 (last updated January 14, 2026), <https://dos.fl.gov/elections/for-voters/special-elections/special-elections-archive/> (The data for the charts was gathered and compiled from the State Division of Elections' special elections archive webpage that contains various information regarding the issuing and holding of special primary and special elections, ranging from 2017 to 2026. Of important note, Governors over the years upon first notice that a vacancy in office is to occur have taken the opportunity to order a special election to fill such office at the earliest time they are legally able to make such order, rather than waiting till the office is vacant, in order to minimize the time an office is not filled and constituents are without representation. The charts seek to capture the earliest time that the Governors had notice and could take action to order a special election compared to the actual time they ordered a special election to occur).

<sup>32</sup> Executive Order 25- 233 (November 10, 2025), <https://files.floridados.gov/media/709752/executive-order-25-233.pdf>

<sup>33</sup> Executive Order 25-229 (November 6, 2025), <https://files.floridados.gov/media/709744/executive-order-25-229.pdf>

<sup>34</sup> Executive Order 25-210 (October 24, 2025), <https://files.floridados.gov/media/709667/eo-25-210.pdf>

<sup>35</sup> Executive Order 25-209 (October 24, 2025), <https://files.floridados.gov/media/709666/eo-25-209.pdf>

### 2025 Special Elections

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Representative (District 90)	Death (effective July 18, 2025)	July 18, 2025	July 22, 2025 <sup>36</sup>	4 days.
State Senate (District 11)	Resignation (effective July 21, 2025)	July 21, 2025	July 22, 2025 <sup>37</sup>	1 day
State Representative (District 40)	Resignation (effective September 1, 2025)	April 10, 2025	April 15, 2025 <sup>38</sup>	5 days
State Senate (District 15)	Death (effective February 13, 2025)	February 13, 2025	April 8, 2025 <sup>39</sup>	54 days
State Representative (District 32)	Resignation (effective June 9, 2025)	January 22, 2025	January 23, 2025 <sup>40</sup>	1 day
State Senate (District 19)	Resignation (effective March 31, 2025)	November 26, 2024 <sup>41</sup>	January 21, 2025 <sup>42</sup>	56 days
State Representative (District 3)	Resignation (effective January 1, 2025)	November 25, 2024 <sup>43</sup>	January 21, 2025 <sup>44</sup>	57 days
US House of Representatives (District 1)	Resignation (effective November 19, 2024)	November 13, 2024	November 22, 2024 <sup>45</sup>	9 days

<sup>36</sup> Executive Order 25-149 (July 22, 2025), <https://files.floridados.gov/media/709351/eo-25-149.pdf>

<sup>37</sup> Executive Order 25-148 (July 22, 2025), <https://files.floridados.gov/media/709346/eo-25-148.pdf>

<sup>38</sup> Executive Order 25-82 (April 15, 2025), <https://files.floridados.gov/media/709025/eo-25-82.pdf>

<sup>39</sup> Executive Order 25-77 (April 8, 2025), <https://files.floridados.gov/media/709009/eo-25-77.pdf>

<sup>40</sup> Executive Order 25-17 (January 23, 2025), <https://files.floridados.gov/media/708806/eo-25-17.pdf>

<sup>41</sup> Resignation Letter, State Senator Randy Fine, District 19 (November 26, 2024), available at <https://www.politico.com/f/?id=00000193-6977-dc64-a19f-6f7ff7bd0000>

<sup>42</sup> Executive Order 25-15 (January 21, 2025), <https://files.floridados.gov/media/708765/eo-25-15.pdf>

<sup>43</sup> Resignation Letter, State Representative Joel Rudman, District 3 (November 25, 2024), available at [https://static-s3.lobbytools.com/docs/2024/11/25/133234\\_rep\\_rudman\\_formal\\_resignation\\_letter.pdf](https://static-s3.lobbytools.com/docs/2024/11/25/133234_rep_rudman_formal_resignation_letter.pdf)

<sup>44</sup> Executive Order 25-14 (January 21, 2025), <https://files.floridados.gov/media/708764/eo-25-14.pdf>

<sup>45</sup> Executive Order 24-262 (November 22, 2024), <https://files.floridados.gov/media/708642/eo-24-262.pdf>

US House of Representatives (District 6)	Resignation (effective January 20, 2025)	November 24, 2024	November 25, 2024 <sup>46</sup>	1 day
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### ***2024 Special Elections***

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Senate (District 24)	Resignation (effective November 4, 2024)	April 15, 2024	May 28, 2024 <sup>47</sup>	43 days

### ***2023 Special Elections***

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Representative (District 118)	Resignation (effective June 11, 2023)	June 11, 2023	July 19, 2023 <sup>48</sup>	38 days
State Representative (District 24)	Resignation (effective December 8, 2022)	December 8, 2022 <sup>49</sup>	December 19, 2022 <sup>50</sup>	11 days
State Representative (District 35)	Resignation (effective June 30, 2023)	June 30, 2023	July 19, 2023 <sup>51</sup>	19 days

<sup>46</sup> Executive Order 24-263 (November 25, 2024), <https://files.floridados.gov/media/708632/eo-24-263.pdf>

<sup>47</sup> Executive Order 24-101 (May 28, 2024), <https://files.floridados.gov/media/708084/executive-order-24-101.pdf>; See Allen Cone, *Bobby Powell to resign state Senate seat in November, seeks special election*, WPTV Webpage, (April 15, 2024), available at <https://www.wptv.com/news/political/bobby-powell-to-resign-state-senate-seat-in-november-seeks-special-election#:~:text=Facebook,Bobby%20Powell%20to%20resign%20state%20Senate%20seat%20in%20November%2C%20seeks.set%20a%20special%20election%20date>.

<sup>48</sup> Executive Order 23-141 (July 19, 2023), <https://files.floridados.gov/media/707686/eo-23-141.pdf>

<sup>49</sup> Ryan Wyatt Turbeville, *State Rep Joe Harding Resigns after DOJ Indictment*, 20WCJB webpage (December 7, 2022), available at <https://www.wcjb.com/2022/12/07/doj-indicts-state-rep-harding-defrauding-government/>

<sup>50</sup> Executive Order 22-278 (December 19, 2022), <https://files.floridados.gov/media/706142/executive-order-22-278.pdf>

<sup>51</sup> Executive Order 23-140 (July 19, 2023), <https://files.floridados.gov/media/706840/eo-23-140.pdf>

### ***2022 Special Elections***

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Senate (District 33)	Resignation (effective January 10, 2022)	July 28, 2021 <sup>52</sup>	October 27, 2021 <sup>53</sup>	91 days
State Representative (District 88)	Resignation (effective January 10, 2022)	July 28, 2021 <sup>54</sup>	October 27, 2021. <sup>55</sup>	91 days
State Representative (District 94)	Resignation (effective date January 11, 2022)	July 27, 2021 <sup>56</sup>	October 27, 2021 <sup>57</sup>	92 days
U.S. House of Representatives District 20)	Death (effective April 6, 2021)	April 6, 2021	May 6, 2021 <sup>58</sup>	30 days

### ***2021 Special Elections***

(None)

<sup>52</sup> Compl., *Staples v. DeSantis*, No. 2021 CA 1781 (Fla. 2nd Jud. Cir. Oct. 15, 2021)

<sup>53</sup> Executive Order 21-224 (October 27, 2021), [https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO\\_21-224.pdf](https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO_21-224.pdf)

<sup>54</sup> Compl., *Staples v. DeSantis*, No. 2021 CA 1781 (Fla. 2nd Jud. Cir. Oct. 15, 2021)

<sup>55</sup> Executive Order 21-224 (October 27, 2021), [https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO\\_21-224.pdf](https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO_21-224.pdf)

<sup>56</sup> Compl., *Staples v. DeSantis*, No. 2021 CA 1781 (Fla. 2nd Jud. Cir. Oct. 15, 2021)

<sup>57</sup> Executive Order 21-224 (October 27, 2021), [https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO\\_21-224.pdf](https://www.flgov.com/eog/sites/default/files/executive-orders/2024/EO_21-224.pdf)

<sup>58</sup> Executive Order 21-103 (May 6, 2021), <https://files.floridadatos.gov/media/704305/executive-order-21-103.pdf>

## 2020 Special Elections

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Senate (District 20)	Resignation (effective date November 3, 2020)	May 29, 2020 <sup>59</sup>	June 1, 2020 <sup>60</sup>	3 days

## 2019 Special Elections

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Representative (District 7)	Resignation (effective January 11, 2019)	January 11, 2019 <sup>61</sup>	January 24, 2019 <sup>62</sup>	13 days
State Representative (District 38)	Resignation (effective January 24, 2019)	January 24, 2019 <sup>63</sup>	January 24, 2019 <sup>64</sup>	0 days
State Representative	Resignation	January 11, 2019 <sup>65</sup>	January 24, 2019 <sup>66</sup>	13 days

<sup>59</sup> Gary White, *Florida Sen. Tom Lee resigning, leaving seat open*, The Ledger (May 29, 2020, 3:36 pm) available at <https://www.theledger.com/story/news/local/2020/05/29/florida-sen-tom-lee-resigning-leaving-seat-open/112580230/?gnt-cfr=1&gca-cat=p&gca-uir=true&gca-epi=z113838v113838d--38--b--38--&gca-ft=230&gca-ds=sophi>

<sup>60</sup> Executive Order 20-136 (June 1, 2020), <https://files.floridados.gov/media/703166/executive-order-20-136.pdf>

<sup>61</sup> *Representatives of the Florida House (2018 -2020)*, Florida House of Representatives webpage, (last visited 1/31/26), available at <https://flhouse.gov/Sections/Representatives/representatives.aspx?LegislativeTermId=88>

<sup>62</sup> Executive Order 19-20 (January 24, 2019), <https://files.floridados.gov/media/700564/executive-order-19-20-hd7-hd38-hd97-2019.pdf>

<sup>63</sup> *Representatives of the Florida House (2018 -2020)*, Florida House of Representatives webpage, (last visited 1/31/26), available at <https://flhouse.gov/Sections/Representatives/representatives.aspx?LegislativeTermId=88>

<sup>64</sup> Executive Order 19-20 (January 24, 2019), <https://files.floridados.gov/media/700564/executive-order-19-20-hd7-hd38-hd97-2019.pdf>

<sup>65</sup> *Representatives of the Florida House (2018 -2020)*, Florida House of Representatives webpage, (last visited 1/31/26), available at <https://flhouse.gov/Sections/Representatives/representatives.aspx?LegislativeTermId=88>

<sup>66</sup> Executive Order 19-20 (January 24, 2019), <https://files.floridados.gov/media/700564/executive-order-19-20-hd7-hd38-hd97-2019.pdf>

(District 97)	(effective January 11, 2019)			
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### ***2018 Special Elections***

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Senate (District 23)	Resignation (effective date November 6, 2018)	March 30, 2018 <sup>67</sup>	May 3, 2018 <sup>68</sup>	34 days
State Senate (District 25)	Resignation (effective November 6, 2018)	May 2, 2018 <sup>69</sup>	May 3, 2018 <sup>70</sup>	1 day.
State Representatives (District 39)	Resignation (effective November 24, 2017)	November 8, 2017 <sup>71</sup>	November 28, 2017 <sup>72</sup>	20 days
State Representative (District 114)	Resignation (effective November 1, 2017)	November 1, 2017 <sup>73</sup>	November 9, 2017 <sup>74</sup>	8 days
State Senate (District 31)	Resignation (effective October 27, 2017)	October 27, 2017 <sup>75</sup>	November 6, 2017 <sup>76</sup>	11 days

<sup>67</sup> Peter Schorsch, 'Resign to run' bill signed into law, Florida politics (March 31, 2018), available at <https://floridapolitics.com/archives/260196-resign-to-run-bill-signed-into-law/>

<sup>68</sup> Executive Order 18-127 (May 3, 2018), <https://files.floridados.gov/media/699481/executive-order-state-senate-23.pdf>

<sup>69</sup> Jim Rosica, *Joe Negron to leave Senate early*, Florida Politics (May 2, 2018), <https://floridapolitics.com/archives/262655-joe-negron-to-leave-senate-early/>

<sup>70</sup> Executive Order 18-126 (May 3, 2018), <https://files.floridados.gov/media/699478/executive-order-state-senate-25.pdf>

<sup>71</sup> Peter Schorsch, *Neil Combee praises Richard Corcoran , others in resignation letter*, Florida Politics (November 8, 2017), available at <https://floridapolitics.com/archives/249229-neil-combee-praises-richard-corcoran-others-resignation-letter/>

<sup>72</sup> Executive Order 17-305 (November 28, 2017), <https://files.floridados.gov/media/698610/hd39-executive-order-17-305.pdf>

<sup>73</sup> Peter Schorsch, *Daisy Baez resigns over residency case, but GOP supermajority not assured.*, Florida Politics (November 1, 2017), available at <https://floridapolitics.com/archives/248459-daisy-baez-resigns-residency/>

<sup>74</sup> Executive Order 17-296 (November 9, 2017), <https://files.floridados.gov/media/698539/executive-order-17-296.pdf>

<sup>75</sup> Peter Schorsch, *Jeff Clemens resigns from Florida Senate*, (October 27, 2017), available at <https://floridapolitics.com/archives/248122-jeff-clemens-resigns-senate/>

<sup>76</sup> Executive Order 17-288 (November 6, 2017), <https://files.floridados.gov/media/698525/executive-order-17-288.pdf>

## 2017 Special Elections

Office	Vacancy Type	Time of Vacancy Notice	Order for Special Election	Time between vacancy and order to hold special election
State Representative (District 72)	Resignation (effective September 1, 2017)	August 24, 2017 <sup>77</sup>	September 1, 2017 <sup>78</sup>	8 days
State Representative (District 58)	Resignation (effective August 15, 2017)	July 25, 2017 <sup>79</sup>	August 1, 2017 <sup>80</sup>	7 days
State Representative (District 44)	Resignation (effective May 26, 2017)	May 8, 2017 <sup>81</sup>	May 26, 2017 <sup>82</sup>	18 days
State Senate (District 40)	Resignation (effective April 21, 2017)	April 21, 2017 <sup>83</sup>	May 8, 2017 <sup>84</sup>	17 days
State Representative (District 116)	Resignation (effective September 26, 2017)	May 17, 2017 <sup>85</sup>	May 22, 2017 <sup>86</sup>	5 days

## Litigation

In recent years, litigation has arisen in several cases, alleging that the Governor had failed to fulfil his statutory duty to timely call and set special primary elections and special elections upon vacancy of qualifying offices, leaving the petitioners and constituents of the effected jurisdiction without representation and seeking through a writ of mandamus, a court order, requiring the Governor to fulfill his ministerial and nondiscretionary statutory duty to schedule such special elections.<sup>87</sup> These cases would later be dismissed before reaching the merits because the

<sup>77</sup> Staff Reports, *Alex Miller resigns from House; James Buchanan seeks to replace her*, Florida Politics (August 24, 2017), available at <https://floridapolitics.com/archives/243620-alex-miller-resigns/>

<sup>78</sup> Executive Order 17-234 (September 1, 2017), <https://files.floridados.gov/media/698234/executive-order-17-234.pdf>

<sup>79</sup> Staff Reports, *Dan Raulerson resigning from Florida House in August*, Florida Politics (July 25, 2017), available at <https://floridapolitics.com/archives/242016-report-dan-raulerson-resigning-florida-house-august/>

<sup>80</sup> Executive Order 17-210 (August 1, 2017), <https://files.floridados.gov/media/698151/executive-order-17-210.pdf>

<sup>81</sup> Scott Powers, *Eric Eismaugle makes House departure official*, Florida Politics (May 23, 2026), available at <https://floridapolitics.com/archives/238570-eric-eismaugle-makes-departure-house-representatives-official/>

<sup>82</sup> Executive Order 17-162 (May 26, 2017), <https://files.floridados.gov/media/697854/executive-order-17-162.pdf>

<sup>83</sup> Matt Dixon, *Artiles formally resigns from state Senate*, Politico (4/21/2017), available at <https://www.politico.com/states/florida/story/2017/04/21/artiles-formally-resigns-from-senate-111425>

<sup>84</sup> Executive Order 17-147 (May 8, 2017), <https://files.floridados.gov/media/697813/executive-order-17-147.pdf>

<sup>85</sup> Jenna Buzzacoo-Foerster, *Jose Felix Diaz to resign from House as part of SD 40 bid*, (May 22, 2017) available at <https://floridapolitics.com/archives/238548-jose-felix-diaz-resign-house-part-sd-40-bid/>

<sup>86</sup> Executive Order 17-155 (May 22, 2017), <https://files.floridados.gov/media/697846/executive-order-17-155.pdf>

<sup>87</sup> See *Dowling v. DeSantis*, No. 9:21-cv-80796 (S.D. Fla. Apr. 29, 2021), (In this case, Congressman Alcee Hastings died in April 2021, creating a vacancy which required the Governor to call a special election to fill the vacancy. Twenty-three days

Governor after the suits were filed called and scheduled the special primary election and special election at issue.<sup>88</sup>

### III. Effect of Proposed Changes:

#### ***Section One***

The bill amends Subsections (1) and (2) of section 100.111, Florida Statutes by:

- Revising the timeframe for any person seeking to qualify for election to a vacant office that has a remainder of term 28 months or more left on its term by:
  - Requiring that if a vacancy in such office occurs before the ninth day before the first day set by law for qualifying for election to such office at the general election, then such person is required to qualify within the time prescribed by law for qualifying for those other offices to be filed by election at that same general election.<sup>89</sup>
  - Requiring that if a vacancy in such office occurs before the primary election but on or after the ninth day before the first day set by law for qualifying, the Secretary of State must set dates for qualifying for the unexpired portion of the term of that office.
  - Requiring, rather than authorizing the Governor, if time does not permit for party nominations to be made in conjunction with the primary election, that the Governor **must** call a special primary election to select a party nominee for the unexpired portion of such term and, if necessary, a special election.
- Requiring the Governor to fix the dates of special primary elections and special elections within 14 days after the vacancy occurs.
- Requiring the Governor to consult with the Secretary of State and the applicable supervisor of elections before setting the special election dates.
- Requiring the Governor to schedule the earliest dates feasible to hold the special primary elections and special elections on specific certain days.

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after Congressman Hastings death, a would-be candidate filed suit, seeking to compel the Governor to call an election to fulfil his duty under Article I, Section 2 of the U.S. Constitution and Fla. Stat. s. 100.111(2). The case was ultimately dismissed when a week later the Governor called an special election for January 11, 2022. Thirty days passed from the death of Congressman Hastings, creating the vacancy of his office, and the Governor ordering a special election be held. The actual date set for the special election, January 11, 2022, was more than nine months after Congressman Hastings' death); **Compl., Staples v. DeSantis, No. 2021 CA 1781 (Fla. 2<sup>nd</sup> Jud. Cir. Oct. 15, 2021)** (In this case, in July 2021, three legislators submitted resignations to run in the congressional special election. After the Governor had not called for the special elections of the three vacant legislative seats, residents of these districts petitioned the court for mandamus relief. The case would be dismissed after the Governor called for the special elections to fill the vacant legislative seats in dispute. Here over 90 days had lapsed from the vacancies in office having occurred to the Governor calling for special elections). **Order to Show Cause, Zamora v. DeSantis, No. 2023 CA 1857 (Fla. 2<sup>nd</sup> Jud. Cir. Ct. July 17, 2023)** (Here, the petitioner, a district resident, filed suit to compel the Governor to call a special election to fill a vacancy of a State House seat. The mater was dismissed when the Governor ordered special elections after the suit was filed, 38 days after the vacancy in office occurred); **Compl., Lippe v. DeSantis, No. 2025 CA 1856 (Fla. 2nd Jud. Cir. Sept. 30, 2025)** (Here, a vacancy occurred in a state Senate office, Petitioner, an elector of that district, filled a writ of mandamus seeking the court to compel the Governor to order a special election to fill the vacancy, which had not occurred within the 45 days previous to filing suit. This suit was later dismissed when the Governor ordered the special election to fill the vacancy, 73 days later).

<sup>88</sup> See *Cort Lippe v. Ron Desantis Governor Of Flori*, 372025CA001856 (Westlaw).

<sup>89</sup> See Florida Division of Elections Webpage, *Election Dates*, (last updated August 22, 2025), <https://dos.fl.gov/elections-for-voters/election-dates/> (A primary election is held 11 weeks before the general election. The general election is held on the first Tuesday after the first Monday in November of ever even-numbered year. The Primary Election date for 2026 is August 18, 2026. The General Election date for 2026 is November 3, 2026).

- Revising and providing timeframes for special primary elections and special elections under certain circumstances:
  - Requiring that the fixed dates for the special primary election and special election must provide a minimum of 8 to 12 weeks between each election.
  - In cases where a vacancy occurs, involving a state Senator or state House member, less than 126 days before the first day of the Legislative Regular Session, requires the Governor, within 5 days after the vacancy occurs, to fix the dates for a special primary election and a special election to fill the vacancy. The dates set by the Governor must provide for at least 2 weeks between the special primary election and the special election and must ensure that both elections are held before the first day of the Regular Legislation Session to prevent a lapse of time in representation of constituents of that office.
  - Requiring that the special election must be held no later than 126 days after the vacancy occur, except, if a supervisor, where the special election will be held, certifies that holding the special election within the required time period would conflict with the scheduled elections and impose an undue hardship on the orderly administration of election, then the special election must be held no later than 175 days after the vacancy occurs.
  - Removing from current law, the Governor, Speaker of the House of Representatives, and President of the Senate, ability through agreement, to waive the minimum time frames proscribed, in cases where a vacancy occurs involving State Senators or House Members when the Legislature is in Regular Legislative Session.
  - Requiring the Governor, if possible, to fix dates for the special primary election and special election to coincide with scheduled elections.
  - Requiring a special election held to fill a vacancy caused by resignation submitted pursuant to section 99.012, Florida Statutes<sup>90</sup>, must be held no later than the election for which the resigning officer seeks to qualify.
- Authorizing qualified electors to file a petition with the circuit court seeking judicial determination of a special election date if the Governor does not comply with the deadlines for ordering a special election.
  - Authorizing the circuit court, upon a finding that the Governor has failed to comply with deadlines of the bill, to fix and declare the earliest feasible and lawful dates for the special primary election and special election, consistent with the requirements of chapter 100 and the Florida Election Code.
  - Requiring the Court to expedite consideration of any petition filed under the subsection to ensure the timely filling of the vacancy and to safeguard the right of representation for voters within the affected districts.
- Providing that certain persons are deemed elected under specified circumstances:
  - Providing that if only one candidate qualifies in a special election, that candidate is deemed elected on the last day of the qualifying period.
  - Providing that if the winner of a special primary election does not have opposition in the special election, he or she is deemed elected at the special primary election.
  - Providing in either of the above cases, the person elected takes office upon election or upon the office becoming vacant, whichever occurs later.

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<sup>90</sup> Referencing Florida's "Resign to Run" law.

### ***Section Two***

The bill amends subsection (1) of section 100.141, Florida Statutes by:

- Requiring, whenever a special election is required to fill any vacancy in office, the Governor:
  - To consult the Secretary of State and the supervisor of elections, of any affected county, before scheduling a special election.
  - After consultation with the Secretary of State and the supervisor of elections of any affected county, to issue an order declaring on what day the special primary election or special election will be held and deliver the order to the Department of State.
  - To issue the order within 14 days after the occurrence of the vacancy or, for vacancies arising due to a resignation pursuant to section. 99.012, Florida Statutes<sup>91</sup> within 14 days after the written resignation is submitted to the Governor, whichever is sooner.

### ***Section Three***

This act takes effect July 1, 2026.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

None.

### **B. Public Records/Open Meetings Issues:**

None.

### **C. Trust Funds Restrictions:**

None.

### **D. State Tax or Fee Increases:**

None.

### **E. Other Constitutional Issues:**

None.

## **V. Fiscal Impact Statement:**

### **A. Tax/Fee Issues:**

None.

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<sup>91</sup> Referencing Florida's "Resign to Run" law. As previously mentioned, under this law, an office holder in order to run for another office that's term overlaps with his or her current term of office, must submit an **irrevocable** resignation letter.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

There may be an indeterminate fiscal impact on the government in regard to training and coming into compliance with shorter time periods required for preparing and holding such special primary and special elections. Although, any fiscal impact, most likely will be negligent, due to the fact that such primary special elections and special elections are already required to be held by law and have previously been ordered, scheduled, and held in specific instances in the past under the proscribed timelines of the bill.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 100.111, 100.141.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

By Senator Polsky

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30 scheduled election; requiring that special elections  
31 to fill certain vacancies be held no later than the  
32 election for which a resigning officer seeks to  
33 qualify; providing that certain persons are deemed  
34 elected under specified circumstances; making  
35 technical changes; amending s. 100.141, F.S.;  
36 requiring the Governor to consult with certain  
37 supervisors of election, in addition to the Secretary  
38 of State, before issuing an order declaring the date  
39 of a special election; requiring that such order be  
40 issued within a specified timeframe after the  
41 occurrence of a vacancy; providing an effective date.

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

45 Section 1. Subsections (1) and (2) of section 100.111,  
46 Florida Statutes, are amended to read:

47 100.111 Filling vacancy.—

48 (1)(a) If any vacancy occurs in any office which is  
49 required to be filled pursuant to s. 1(f), Art. IV of the State  
50 Constitution and the remainder of the term of such office is 28  
51 months or longer, then at the next general election a person  
52 must ~~shall~~ be elected to fill the unexpired portion of such  
53 term, commencing on the first Tuesday after the first Monday  
54 following such general election.

55 (b) If such a vacancy occurs before prior to the ninth day  
56 before the first day set by law for qualifying for election to  
57 office at such general election, any person seeking nomination  
58 or election to the unexpired portion of the term must shall

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59 qualify within the time prescribed by law for qualifying for  
 60 other offices to be filled by election at such general election.

61 (c) If such a vacancy occurs before prior to the primary  
 62 election but on or after the ninth day before the first day set  
 63 by law for qualifying, the Secretary of State must shall set  
 64 dates for qualifying for the unexpired portion of the term of  
 65 such office. Any person seeking nomination or election to the  
 66 unexpired portion of the term must shall qualify within the time  
 67 set by the Secretary of State. If time does not permit party  
 68 nominations to be made in conjunction with the primary election,  
 69 the Governor must may call a special primary election to select  
 70 party nominees for the unexpired portion of such term and, if  
 71 necessary, a special election.

72 (2) Whenever there is a vacancy for which a special  
 73 election is required pursuant to s. 100.101, the Governor, after  
74 consultation with the Secretary of State, shall fix the dates of  
 75 a special primary election and a special election within 14 days  
76 after the vacancy occurs. Nominees of political parties shall be  
 77 chosen under the primary laws of this state in the special  
 78 primary election to become candidates in the special election.

79 (a) Before Prior to setting the special election dates, the  
 80 Governor shall consult with the Secretary of State and the  
81 supervisor of elections consider any upcoming elections in the  
82 jurisdiction where the special election will be held. The dates  
83 fixed by the Governor must shall be the earliest dates feasible,  
84 must be specific days certain, and may shall not be established  
85 by the happening of a condition or stated in the alternative.  
 The dates fixed must shall provide a minimum of 8 2 weeks  
87 between each election, but no more than 12 weeks. If a vacancy

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88 occurs in the office of state senator or member of the House of  
 89 Representatives less than 126 days before the first day of the  
 90 regular legislative session, the Governor must, within 5 days  
 91 after the occurrence of the vacancy, fix the dates of a special  
 92 primary election and a special election to fill the vacancy. The  
 93 dates set by the Governor must provide for at least 2 weeks  
 94 between the special primary election and the special election  
 95 and must ensure that both elections are held before the first  
 96 day of the regular legislative session to prevent a lapse in  
 97 representation.

98 1. If the Governor fails to issue an order setting the  
 99 dates of the special primary election and special election  
 100 within the days prescribed in this subsection, any qualified  
 101 elector residing within the affected district may file a  
 102 petition in the circuit court having jurisdiction seeking  
 103 judicial determination of such election dates.

104 2. Upon finding that the Governor has failed to comply with  
 105 this subsection, the circuit court shall have the authority to  
 106 fix and declare the earliest feasible and lawful dates for the  
 107 special primary election and special election, consistent with  
 108 the requirements of this chapter and the Florida Election Code.

109 3. The court shall expedite consideration of any petition  
 110 filed under this subsection to ensure the timely filling of the  
 111 vacancy and to safeguard the right of representation for voters  
 112 within the affected district.

113 (b) The special election must be held no later than 126  
 114 days after the vacancy occurs, except in the following cases:  
 115 1. If a supervisor where the special election will be held  
 116 certifies that holding the special election within the required

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117 time period would conflict with scheduled elections and impose  
 118 an undue hardship on the orderly administration of elections,  
 119 the special election must be held no later than 175 days after  
 120 the vacancy occurs.

121 2. In the event a vacancy occurs in the office of state  
 122 senator or member of the House of Representatives when the  
 123 legislature is in regular legislative session, the minimum times  
 124 prescribed by this subsection may be waived upon concurrence of  
 125 the Governor, the Speaker of the House of Representatives, and  
 126 the President of the Senate. If a vacancy occurs in the office  
 127 of state senator and no session of the Legislature is scheduled  
 128 to be held prior to the next general election, the Governor may  
 129 fix the dates for the special primary election and for the  
 130 special election to coincide with the dates of the primary  
 131 election and general election.

132 3. If a vacancy in office occurs in any district in the  
 133 state Senate or House of Representatives or in any congressional  
 134 district, and no session of the Legislature, or session of  
 135 Congress if the vacancy is in a congressional district, is  
 136 scheduled to be held during the unexpired portion of the term,  
 137 the Governor is not required to call a special election to fill  
 138 such vacancy.

139 (c) If possible, the Governor must fix dates to coincide  
 140 with scheduled elections where the special election will be  
 141 held. A special election held to fill a vacancy caused by a  
 142 resignation submitted pursuant to s. 99.012 must be held no  
 143 later than the election for which the resigning officer seeks to  
 144 qualify.

145 (d) (a) The dates for candidates to qualify in such special

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146 election or special primary election must ~~shall~~ be fixed by the  
 147 Department of State, and candidates must ~~shall~~ qualify no ~~not~~  
 148 later than noon of the last day so fixed. The dates fixed for  
 149 qualifying must ~~shall~~ allow a minimum of 14 days between the  
 150 last day of qualifying and the special primary election.

151 (e) (b) The filing of campaign expense statements by  
 152 candidates in such special elections or special primaries and by  
 153 committees making contributions or expenditures to influence the  
 154 results of such special primaries or special elections may ~~shall~~  
 155 be not be later than such dates as ~~shall~~ be fixed by the  
 156 Department of State, and in fixing such dates the Department of  
 157 State shall take into consideration and be governed by the  
 158 practical time limitations.

159 (f) (e) The dates for a candidate to qualify by the petition  
 160 process pursuant to s. 99.095 in such special primary or special  
 161 election shall be fixed by the Department of State. In fixing  
 162 such dates the Department of State shall take into consideration  
 163 and be governed by the practical time limitations. Any candidate  
 164 seeking to qualify by the petition process in a special primary  
 165 election must ~~shall~~ obtain 25 percent of the signatures required  
 166 by s. 99.095.

167 (g) (d) The qualifying fees and party assessments of such  
 168 candidates as may qualify must ~~shall~~ be the same as collected  
 169 for the same office at the last previous primary for that  
 170 office. The party assessment must ~~shall~~ be paid to the  
 171 appropriate executive committee of the political party to which  
 172 the candidate belongs.

173 (h) (e) Each county canvassing board shall make as speedy a  
 174 return of the result of such special primary elections and

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175 special elections as time will permit, and the Elections  
176 Canvassing Commission likewise shall make as speedy a canvass  
177 and declaration of the nominees as time will permit.

178 (i) If only one candidate qualifies in a special election,  
179 he or she is deemed elected on the last day of the qualifying  
180 period. If the winner of a special primary election does not  
181 have opposition in the special election, he or she is deemed  
182 elected at the special primary election. In either case, the  
183 person elected takes office upon election or upon the office  
184 becoming vacant, whichever occurs later.

185 Section 2. Subsection (1) of section 100.141, Florida  
186 Statutes, is amended to read:

187 100.141 Notice of special election to fill any vacancy in  
188 office.--

189 (1) Whenever a special election is required to fill any  
190 vacancy in office, the Governor, after consultation with the  
191 Secretary of State and the supervisor of elections of any  
192 affected county, shall issue an order declaring on what day the  
193 election shall be held and deliver the order to the Department  
194 of State. The Governor shall issue the order within 14 days  
195 after the occurrence of the vacancy or, for vacancies arising  
196 due to a resignation pursuant to s. 99.012, within 14 days after  
197 the written resignation is submitted to the Governor, whichever  
198 is sooner.

199 Section 3. This act shall take effect July 1, 2026.

**The Florida Senate**  
**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SB 748

INTRODUCER: Senator Bracy Davis

SUBJECT: Notice of Restoration of Voting Rights Information on Sentencing Scoresheets

DATE: February 3, 2026 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Vaughan	Stokes	CJ	<b>Favorable</b>
2. Roberts	Roberts	EE	<b>Pre-meeting</b>
3. _____	_____	RC	_____

## **I. Summary:**

SB 748 amends s. 921.0024, F.S., to require that sentencing scoresheets include a notice informing defendants about the impact of their sentence on voting rights.

Defendants must receive a copy of the scoresheet containing this notice before sentencing.

The bill takes effect July 1, 2026.

## **II. Present Situation:**

In November 2018, nearly 65% of Florida voters approved Amendment 4, a constitutional amendment that automatically restored voting rights to most Floridians with past convictions who had completed the terms of their sentence. In June 2019, Governor DeSantis signed SB 7066 into law, prohibiting such people from voting until they pay off certain legal financial obligations imposed by a court.<sup>1</sup>

In August 2019, the Governor sought an advisory opinion regarding the meaning of “upon completion of all terms of sentence” asking whether the phrase “all terms of sentence” encompasses legal financial obligations such as fines, restitution, court costs and fees. The Supreme Court of Florida issued an opinion that the phrase “all terms of sentence” has an ordinary meaning that the voters would have understood to refer not only to durational periods but also to all legal financial obligations imposed in conjunction with an adjudication of guilt.<sup>2</sup>

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<sup>1</sup> The Brennan Center for Justice, Voting Rights Restoration Efforts in Florida, updated Nov. 18, 2024, available at: <https://www.brennancenter.org/our-work/research-reports/voting-rights-restoration-efforts-florida> (last visited January 30, 2026).

<sup>2</sup> Advisory Opinion to the Governor re Implementation of Amendment 4, The Voting Restoration Amendment, 288 So. 3d 1070 (Fla. 2020).

A person has the option to petition a court to terminate, upon consent of the person or entity owed, a financial obligation or to convert such obligation to community service. If converted, the terms of the sentence are deemed complete when the person completes the community service.<sup>3</sup>

The State Constitution provides that no person convicted of a felony or adjudicated in this or any other state to be mentally incompetent, is qualified to vote or hold office until restoration of civil rights or removal of disability. Any disqualification from voting arising from a felony conviction must be terminated and voting rights must be restored upon completion of all terms of sentence including parole or probation. However, a person convicted of murder or a felony sexual offense is not qualified to vote until restoration of civil rights.<sup>4</sup>

The uniform statewide voter registration application<sup>5</sup> must contain a question as to whether the applicant has been convicted of a felony, and, if convicted, has had his or her civil rights restored. The convicted felon who has gained his or her rights back must not be made to divulge the existence of such a conviction when filling out an application. The affirmative statement required to be included in the application is: "I affirm I am not a convicted felon, or, if I am, my rights relating to voting have been restored."<sup>6</sup>

The Department of State (DOS) will apply the standards in s. 98.075(5), F.S.,<sup>7</sup> to determine whether a felon is eligible to register or vote. The Supervisors of Elections are responsible for removing the name of any registered voter from the statewide voter registration system.<sup>8</sup>

Beginning November 28, 2024, people with felony convictions who are unsure about their eligibility may request an advisory opinion from the Division of Elections (Division) in the DOS. The Division must respond within 90 days to indicate whether a person is eligible or ineligible to register and to vote. Individuals can submit a form as a .PDF attachment by email to dos.generalcounsel@dos.myflorida.com or by mail or in person. When issuing an advisory opinion, the Division will apply the standards in s. 98.075(5), F.S., to determine whether a felon is eligible to register or vote. Therefore, if the felon has provided the required information and if the Division finds no credible and reliable information to indicate the felon is ineligible to

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<sup>3</sup> Section 98.0751(2)(a)5 e., F.S.

<sup>4</sup> Section 4, Art. VI, the Florida Constitution.

<sup>5</sup> Section 97.052, F.S. provides the DOS with the authority to prescribe by rule a uniform state voter registration application for use in this state.

<sup>6</sup> Sections 97.052(2)(t), and 97.053(5)(a)6., F.S., further provide that this requirement is satisfied in the application with a mark in the checkbox affirming that the applicant has not been convicted of a felony or that, if convicted, has had his or her civil rights restored.

<sup>7</sup> Section 98.075, F.S. requires the DOS to ensure the maintenance of accurate and current voter registration records through the implementation of uniform, nondiscriminatory voter list maintenance in compliance with the Voting Rights Act of 1965, the National Voter Registration Act of 1993, and the Help America Vote Act of 2002. The department is required to adopt by rule uniform standards and procedures to interpret and administer this section. This section details the methodology for determining whether a voter registration applicant is ineligible to vote by identifying duplicate registrations; deceased persons; adjudications of mental incapacity; felony convictions; and other bases for ineligibility. Section 97.075(7), F.S., further provides the procedures for removal of the voter from the voter registration rolls by providing notice to the voter of his or her potential ineligibility and affording the voter the opportunity to respond. All determinations of eligibility must be based on a preponderance of the evidence.

<sup>8</sup> Section 98.035, F.S., provides for the implementation, operation, and maintenance of the statewide voter registration system, otherwise known as the Florida Voter Registration System (FVRS), by the Secretary of State as required by HAVA.

register or to vote, the Division will issue an opinion stating that the felon is eligible to register or to vote.<sup>9</sup>

Upon a felony conviction, the civil rights of such person must be suspended in Florida until such rights are restored by a full pardon,<sup>10</sup> conditional pardon,<sup>11</sup> or restoration of civil rights<sup>12</sup> granted pursuant to s. 8, Art. IV of the State Constitution and s. 98.0751, F.S.<sup>13</sup>

Any person who has been convicted of a felony may be entitled to the restoration of all the rights of citizenship if the person has:<sup>14</sup>

- Received a full pardon from the Board of Executive Clemency;
- Served the maximum term of the sentence imposed upon him or her; or
- Been granted his or her final release by the Florida Commission on Offender Review.

### **Sentence Scoresheets**

The Criminal Punishment Code (CPC)<sup>15</sup> requires the use of scoresheets to determine sentencing points for felony offenses. The scoresheet calculates points based on factors such as the primary offense, additional offenses, victim injury, prior record, and other enhancements. These points establish the lowest permissible sentence under the CPC. Currently, the Department of Corrections is responsible for preparing scoresheets, which are reviewed by the court before sentencing. The CPC and scoresheet process aim to ensure uniformity and proportionality in sentencing across the state.

Sentencing scoresheets do not currently include any notice regarding voting rights restoration.

### **III. Effect of Proposed Changes:**

SB 748 amends s. 921.0024, F.S., to require that sentencing scoresheets include a notice informing defendants about the impact of their sentence on voting rights by referencing the provisions of section 98.0751, F.S. (Restoration of voting rights; termination of ineligibility subsequent to a felony conviction).

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<sup>9</sup> Florida Department of State, Division of Elections, *Felon Voting Rights*, updated July 10, 2024, available at: <https://dos.fl.gov/elections/for-voters/voter-registration/felon-voting-rights/> (last visited January 30, 2026).

<sup>10</sup> A Full Pardon unconditionally releases a person from punishment and forgives guilt for any Florida convictions. It restores to an applicant all of the rights of citizenship possessed by the person before his or her conviction, including the right to own, possess, or use firearms. Florida Commission on Offender Review, *Types of Clemency*, available at: <https://www.fcor.state.fl.us/clemency> (last visited January 16, 2026).

<sup>11</sup> An example of a conditional pardon is a pardon without firearm authority which releases a person from punishment and forgives guilty. It entitles an applicant all of the rights of citizen enjoyed prior to a conviction except the specific authority to own, possess, or use firearms. *Id.*

<sup>12</sup> The restoration of civil rights restores to an applicant all of the rights of citizenship in the State of Florida enjoyed prior to the felony conviction, except the specific authority to own, possess, or use firearms. Such restoration shall not relieve an applicant from the registration and notification requirement or any other obligations and restrictions imposed by law upon sexual predators or sexual offenders. *Id.*

<sup>13</sup> Section 944.292, F.S.

<sup>14</sup> Section 940.05, F.S.

<sup>15</sup> Sections 921.002-921.0027, F.S. *See* chs. 97-194 and 98-204, L.O.F. The Code is effective for offenses committed on or after October 1, 1998.

The bill provides that defendants must receive a copy of the scoresheet containing this notice before sentencing.

The bill takes effect July 1, 2026.

**IV. Constitutional Issues:**

**A. Municipality/County Mandates Restrictions:**

The bill does not appear to require cities and counties to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

**B. Public Records/Open Meetings Issues:**

None.

**C. Trust Funds Restrictions:**

None.

**D. State Tax or Fee Increases:**

None.

**E. Other Constitutional Issues:**

None.

**V. Fiscal Impact Statement:**

**A. Tax/Fee Issues:**

None.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

None.

**VI. Technical Deficiencies:**

None.

**VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends the following section of the Florida Statutes: 921.0024

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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By Senator Bracy Davis

15-01216-26

2026748

1 A bill to be entitled  
 2 An act relating to notice of restoration of voting  
 3 rights information on sentencing scoresheets; amending  
 4 s. 921.0024, F.S.; specifying information to be  
 5 provided on sentencing scoresheets concerning  
 6 restoration of voting rights; requiring that a  
 7 scoresheet be provided to a defendant before a  
 8 sentence is imposed; providing an effective date.  
 9

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

11 Section 1. Paragraphs (c) and (d) are added to subsection  
 12 (1) of section 921.0024, Florida Statutes, to read:

13 921.0024 Criminal Punishment Code; worksheet computations;  
 14 scoresheets.—

15 (1)

16 (c) NOTICE CONCERNING VOTING RIGHTS:

17 Article VI, s. 4(a) and (b) of the Florida Constitution  
 18 provide the following concerning voting rights:

19 SECTION 4. Disqualifications.—

20 (a) No person convicted of a felony, or adjudicated in this  
 21 or any other state to be mentally incompetent, shall be  
 22 qualified to vote or hold office until restoration of civil  
 23 rights or removal of disability. Except as provided in  
 24 subsection (b) of this section, any disqualification from voting  
 25 arising from a felony conviction shall terminate and voting  
 26 rights shall be restored upon completion of all terms of  
 27 sentence including parole or probation.

28 (b) No person convicted of murder or a felony sexual

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30 offense shall be qualified to vote until restoration of civil  
 31 rights.

32  
 33 Section 98.0751 of the Florida Statutes provides the  
 34 following concerning restoration of voting rights:

35 98.0751 Restoration of voting rights; termination of  
 36 ineligibility subsequent to a felony conviction.—

37 (1) A person who has been disqualified from voting based on  
 38 a felony conviction for an offense other than murder or a felony  
 39 sexual offense must have such disqualification terminated and  
 40 his or her voting rights restored pursuant to s. 4, Art. VI of  
 41 the State Constitution upon the completion of all terms of his  
 42 or her sentence, including parole or probation. The voting  
 43 disqualification does not terminate unless a person's civil  
 44 rights are restored pursuant to s. 8, Art. IV of the State  
 45 Constitution if the disqualification arises from a felony  
 46 conviction of murder or a felony sexual offense, or if the  
 47 person has not completed all terms of sentence, as specified in  
 48 subsection (2).

49 (2) For purposes of this section, the term:

50 (a) "Completion of all terms of sentence" means any portion  
 51 of a sentence that is contained in the four corners of the  
 52 sentencing document, including, but not limited to:

53 1. Release from any term of imprisonment ordered by the  
 54 court as a part of the sentence;

55 2. Termination from any term of probation or community  
 56 control ordered by the court as a part of the sentence;

57 3. Fulfillment of any term ordered by the court as a part  
 58 of the sentence;

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59       4. Termination from any term of any supervision, which is  
 60       monitored by the Florida Commission on Offender Review,  
 61       including, but not limited to, parole; and  
 62       5.a. Full payment of restitution ordered to a victim by the  
 63       court as a part of the sentence. A victim includes, but is not  
 64       limited to, a person or persons, the estate or estates thereof,  
 65       an entity, the state, or the Federal Government.  
 66       b. Full payment of fines or fees ordered by the court as a  
 67       part of the sentence or that are ordered by the court as a  
 68       condition of any form of supervision, including, but not limited  
 69       to, probation, community control, or parole.  
 70       c. The financial obligations required under sub-  
 71       subparagraph a. or sub subparagraph b. include only the amount  
 72       specifically ordered by the court as part of the sentence and do  
 73       not include any fines, fees, or costs that accrue after the date  
 74       the obligation is ordered as a part of the sentence.  
 75       d. For the limited purpose of addressing a plea for relief  
 76       pursuant to sub subparagraph e. and notwithstanding any other  
 77       statute, rule, or provision of law, a court may not be  
 78       prohibited from modifying the financial obligations of an  
 79       original sentence required under sub subparagraph a. or sub-  
 80       subparagraph b. Such modification shall not infringe on a  
 81       defendant's or a victim's rights provided in the United States  
 82       Constitution or the State Constitution.  
 83       e. Financial obligations required under sub subparagraph a.  
 84       or sub subparagraph b. are considered completed in the following  
 85       manner or in any combination thereof:  
 86       (I) Actual payment of the obligation in full.  
 87       (II) Upon the payee's approval, either through appearance

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88       15-01216-26  
 89       in open court or through the production of a notarized consent  
 90       by the payee, the termination by the court of any financial  
 91       obligation to a payee, including, but not limited to, a victim,  
 92       or the court.  
 93       (III) Completion of all community service hours, if the  
 94       court, unless otherwise prohibited by law or the State  
 95       Constitution, converts the financial obligation to community  
 96       service.  
 97       A term required to be completed in accordance with this  
 98       paragraph shall be deemed completed if the court modifies the  
 99       original sentencing order to no longer require completion of  
 100       such term. The requirement to pay any financial obligation  
 101       specified in this paragraph is not deemed completed upon  
 102       conversion to a civil lien.  
 103       (b) "Felony sexual offense" means any of the following:  
 104       1. Any felony offense that serves as a predicate to  
 105       registration as a sexual offender in accordance with s.  
 106       943.0435;  
 107       2. Section 491.0112 [sexual misconduct by a  
 108       psychotherapist];  
 109       3. Section 784.049(3) (b) or (4) [sexual cyberharassment by  
 110       a person with a prior sexual cyberharassment conviction or  
 111       sexual cyberharassment when committed for the purpose of  
 112       pecuniary or any other financial gain];  
 113       4. Section 794.08 [female genital mutilation];  
 114       5. Section 796.08 [criminal transmission of HIV];  
 115       6. Section 800.101 [offenses against students by authority  
 116       figures];

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117     7. Section 826.04 [incest];  
 118     8. Section 847.012 [sale or distribution of material  
 119     harmful to minors or using minors in production];  
 120     9. Section 872.06(2) [abuse of a dead body];  
 121     10. Section 944.35(3)(b)2. [sexual abuse of a prisoner];  
 122     11. Section 951.221(1) [sexual misconduct between detention  
 123     facility employees and inmates]; or  
 124     12. Any similar offense committed in another jurisdiction  
 125     which would be an offense listed in this paragraph if it had  
 126     been committed in violation of the laws of this state.  
 127        (c) "Murder" means either of the following:  
 128        1. A violation of any of the following sections which  
 129     results in the actual killing of a human being:  
 130        a. Section 775.33(4) [terrorism resulting in death].  
 131        b. Section 782.04(1), (2), or (3) [murder].  
 132        c. Section 782.09 [killing of unborn child by injury to  
 133     mother].  
 134        2. Any similar offense committed in another jurisdiction  
 135     which would be an offense listed in this paragraph if it had  
 136     been committed in violation of the laws of this state.  
 137        (3) (a) The department shall obtain and review information  
 138     pursuant to s. 98.075(5) related to a person who registers to  
 139     vote and make an initial determination on whether such  
 140     information is credible and reliable regarding whether the  
 141     person is eligible pursuant to s. 4, Art. VI of the State  
 142     Constitution and this section. Upon making an initial  
 143     determination of the credibility and reliability of such  
 144     information, the department [of State] shall forward such  
 145     information to the supervisor of elections pursuant to s.

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146     98.075.  
 147        (b) A local supervisor of elections shall verify and make a  
 148     final determination pursuant to s. 98.075 regarding whether the  
 149     person who registers to vote is eligible pursuant to s. 4, Art.  
 150     VI of the State Constitution and this section.  
 151        (c) The supervisor of elections may request additional  
 152     assistance from the department [of State] in making the final  
 153     determination, if necessary.  
 154        (4) For the purpose of determining a voter registrant's  
 155     eligibility, the provisions of this section shall be strictly  
 156     construed. If a provision is susceptible to differing  
 157     interpretations, it shall be construed in favor of the  
 158     registrant.  
 159  
 160        (d) In order for a defendant to receive notice of the  
 161     impact of his or her sentence on voter eligibility, each  
 162     defendant must receive a copy of the scoresheet containing the  
 163     notice in paragraph (c) before a sentence is imposed.

164     Section 2. This act shall take effect July 1, 2026.

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The Florida Senate

## BILL ANALYSIS AND FISCAL IMPACT STATEMENT

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

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Prepared By: The Professional Staff of the Committee on Ethics and Elections

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BILL: CS/SB 1180

INTRODUCER: Community Affairs Committee and Senator Arrington

SUBJECT: Community Development Districts

DATE: February 3, 2026 REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Tolmich	Fleming	CA	Fav/CS
2. Biehl	Roberts	EE	Pre-meeting
3. _____	_____	FP	_____

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**Please see Section IX. for Additional Information:**

COMMITTEE SUBSTITUTE - Substantial Changes

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### I. Summary:

CS/SB 1180 revises regulations affecting community development districts (CDDs) by establishing a recall process for governing board members, clarifying local authority over synthetic turf, and redefining “compact, urban, mixed-use districts.”

The bill creates a recall election process for CDD governing board members that largely mirrors existing procedures for municipalities and charter counties. It sets requirements for initiating a recall petition, specifies ballot language, addresses filling vacancies created by a recall, and establishes penalties for offenses related to the petition process.

Additionally, the bill clarifies that the prohibition on local government regulation of synthetic turf does not limit a CDD’s ability to enforce deed restrictions. It also expands the types of developments that can qualify as a “compact, urban, mixed-use district”, promoting higher-density, mixed-use projects, including affordable housing, in targeted urban areas.

The bill takes effect July 1, 2026.

## II. Present Situation:

### Regulation of Synthetic Turf

Synthetic turf is a manufactured product that resembles natural grass and is used as a surface for landscaping and recreational areas.<sup>1</sup> In 2025, the Legislature adopted ch. 2025-140, Laws of Florida, which directed the Department of Environmental Protection (DEP) to adopt minimum standards for the installation of synthetic turf on single-family residential properties one acre or less in size.<sup>2</sup> Currently, a rule providing such standards has been proposed and is awaiting adoption.<sup>3</sup> Upon the adoption of such rule, a local government may not:

- Adopt or enforce any ordinance, resolution, order, rule, or policy that prohibits, or is enforced to prohibit, a property owner from installing synthetic turf that complies with DEP standards which apply to single-family residential property.
- Adopt or enforce any ordinance, resolution, order, rule, or policy that regulates synthetic turf which is inconsistent with adopted DEP standards which apply to single-family residential property.<sup>4</sup>

### Opportunity Zones

Opportunity Zones (OZ) are an economic development tool that allow people to invest in distressed areas in the U.S.<sup>5</sup> Opportunity Zones were created under the Tax Cuts and Jobs Act of 2017<sup>6</sup> (OZ-1.0) to spur economic growth and job creation in low-income communities while providing tax benefits to investors.<sup>7</sup> The One Big Beautiful Bill (2025) made the program a permanent part of the tax code and further refined the program (OZ-2.0)<sup>8</sup> Beginning in 2017, Governors nominated up to 25% of census tracts with median family incomes of less than 80% of their general area or a poverty rate of 20% or higher<sup>9</sup>. In Florida, a total of 427 Qualified Opportunity Zones were designated, with at least one located in every county in the state.<sup>10</sup> OZ-1.0 zones expire on December 31, 2028.<sup>11</sup> Starting July 1, 2026, new zones will be nominated by Governors and qualified by the U.S. Treasury by December 31, 2026, to take effect on January 1, 2027.<sup>12</sup>

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<sup>1</sup> Section 125.572(1), F.S.

<sup>2</sup> Section 125.572(2), F.S. *See* Fla. Admin. Register, *Notice of Proposed Rule ch. 62-308.100* (Synthetic Turf) (January 2026), available at: <https://floridadep.gov/wra/wra/documents/proposed-rule-synthetic-turf-standards> (last visited January 27, 2026).

<sup>3</sup> *See id.*

<sup>4</sup> Section 125.572(3), F.S.

<sup>5</sup> IRS, *Opportunity Zones*, available at: <https://www.irs.gov/credits-deductions/businesses/opportunity-zones> (last visited January 27, 2026).

<sup>6</sup> *See* Public Law No. 115-97, available at: <https://www.congress.gov/bill/115th-congress/house-bill/1/text> (last visited January 27, 2026).

<sup>7</sup> *Supra* note 3.

<sup>8</sup> FloridaCommerce, *Opportunity Zones Program*, available at: <https://floridajobs.org/business-growth-and-partnerships/for-businesses-and-entrepreneurs/business-resource/opportunity-zones-program> (last visited January 27, 2026).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

<sup>11</sup> *Id.*

<sup>12</sup> *Id.*

## Recall Elections

Recall elections allow citizens to remove and replace a public official before the official's term of office ends.<sup>13</sup> Typically, the recall process involves gathering a certain number of signatures on a petition within a specified amount of time.<sup>14</sup> Recall elections have historically been used most frequently at the local level.<sup>15</sup> Recall elections differ from impeachment in that impeachment typically requires a state legislature's lower chamber to bring specific charges and requires the upper chamber to act as the jury in an impeachment trial.<sup>16</sup>

The recall election process varies by state, however, the process generally follows the following steps:

- File an application to circulate a recall petition.
- Circulate a recall petition and gather a certain number of signatures within a specified period of time.
- Submit petitions to election officials for verification of signatures.
- If enough valid signatures are presented, hold a recall election.<sup>17</sup>

### ***Recall of Municipal and Charter County Officer Governing Body Members***

Current law provides for the recall of the members of the governing body of a municipality or charter county.<sup>18</sup> A member of such governing body may be subject to recall if a petition alleging the grounds for recall is signed by a sufficient number of voters in the county or municipality in which the member was elected.<sup>19</sup>

If a sufficient number of voters sign the petition, the allegations, as well as the member's response to those allegations, are presented to the public in a document entitled "Recall Petition and Defense."<sup>20</sup> If a sufficient number of voters sign the "Recall Petition and Defense," a recall election is held.<sup>21</sup>

## Special Districts

A "special district" is a unit of local government created for a particular purpose, with jurisdiction to operate within a limited geographic boundary.<sup>22</sup> Special districts are created by general law, special act, local ordinance, or rule of the Governor and Cabinet.<sup>23</sup> A special district has only those powers expressly provided by, or reasonably implied from, the authority provided in the district's charter. Special districts provide specific municipal services in addition to, or in

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<sup>13</sup> National Conference of State Legislatures, *Recall of State Officials*, available at: <https://www.ncsl.org/elections-and-campaigns/recall-of-state-officials> (last visited Jan. 26, 2026).

<sup>14</sup> *Id.*

<sup>15</sup> *Id.*

<sup>16</sup> *Id.*

<sup>17</sup> *Id.*

<sup>18</sup> Section 100.361, F.S.

<sup>19</sup> *Id.*

<sup>20</sup> *Id.*

<sup>21</sup> *Id.*

<sup>22</sup> See *Halifax Hospital Medical Center v. State of Fla.*, et al., 278 So. 3d 545, 547 (Fla. 2019).

<sup>23</sup> See ss. 189.02(1), 189.031(3), and. 190.005(1), F.S. See generally s. 189.012(6), F.S.

place of, those provided by a municipality or county.<sup>24</sup> Special districts are funded through the imposition of ad valorem taxes, fees, or charges on the users of those services as authorized by law.<sup>25</sup>

Special districts may be classified as dependent or independent based on their relationship with local general-purpose governments. A special district is classified as “dependent” if the governing body of a single county or municipality:

- Serves as governing body of the district;
- Appoints the governing body of the district;
- May remove members of the district’s governing body at-will during their unexpired terms; or
- Approves or can veto the budget of the district.<sup>26</sup>

A district is classified as “independent” if it does not meet any of the above criteria or is located in more than one county, unless the district lies entirely within the boundaries of single municipality.<sup>27</sup>

The Special District Accountability Program within the Department of Commerce is responsible for maintaining and electronically publishing the official list of all special districts.<sup>28</sup> This list includes all active special districts, as well as a separate list of those declared inactive.<sup>29</sup> According to the official list, as of January 20, 2026, the state had 2,087 special districts.<sup>30</sup> Special districts are governed generally by the Uniform Special District Accountability Act (USDAAA).<sup>31</sup> The USDAAA centralizes provisions governing special districts and applies to the formation,<sup>32</sup> governance,<sup>33</sup> administration,<sup>34</sup> supervision,<sup>35</sup> merger,<sup>36</sup> and dissolution<sup>37</sup> of special

<sup>24</sup> Intergovernmental Affairs Subcommittee, *The Local Government Formation Manual*, 56, available at <https://www.flhouse.gov/Sections/Documents/loaddoc.aspx?PublicationType=Committees&CommitteeId=3304&Session=2025&DocumentType=General+Publications&FileName=Local+Government+Formation+Manual+%5b2024-2026%5d.pdf> (last visited Jan. 26, 2026).

<sup>25</sup> The method of financing a district must be stated in its charter. Sections 189.02(4)(g) and 189.031(3), F.S. Independent special districts may be authorized to impose ad valorem taxes as well as non-ad valorem special assessments in the special acts comprising their charters. *See, e.g.*, ch. 2023-335, s. 6 of s. 1, Laws of Fla. (East River Ranch Stewardship District). *See also, e.g.*, ss. 190.021 (community development districts), 191.009 (independent fire control districts), 197.3631 (non-ad valorem assessments), 298.305 (water control districts), 388.221 (mosquito control), ch. 2004-397, s. 27 of s. 3, Laws of Fla. (South Broward Hospital District).

<sup>26</sup> Section 189.012(2), F.S.

<sup>27</sup> Section 189.012(3), F.S.

<sup>28</sup> Section 189.061, F.S.

<sup>29</sup> Sections 189.061, 189.062(6), F.S.

<sup>30</sup> Florida Department of Commerce, *Official List of Special Districts*, available at: <https://www.floridajobs.org/community-planning-and-development/special-districts/special-district-accountability-program/official-list-of-special-districts> (last visited Jan. 26, 2026).

<sup>31</sup> Section 189.01, F.S. *See additionally* ch. 190, F.S. (community development districts), ch. 191, F.S. (independent special fire control districts), ch. 298, F.S. (water control districts), ch. 388, F.S. (mosquito control districts), and ch. 582, F.S. (soil and water conservation districts).

<sup>32</sup> *See* sections 189.02 (creation of dependent special districts) and 189.031, F.S. (creation of independent special districts).

<sup>33</sup> *See* section 189.0311, F.S. (charter requirements for independent special districts).

<sup>34</sup> *See* section 189.019, F.S. (requiring codification of charters incorporating all special acts for the district).

<sup>35</sup> *See* section 189.0651, F.S. (oversight for special districts created by special act of the Legislature).

<sup>36</sup> Sections 189.071 and 189.074, F.S.

<sup>37</sup> Sections 189.071 and 189.072, F.S.

districts, unless otherwise expressly provided in law.<sup>38</sup> The USDA requires notice and publication of tentative budgets and final budgets.<sup>39</sup> Certain budget amendments are allowed up to 60 days following the end of the fiscal year.<sup>40</sup>

Special districts do not possess “home rule” powers and may impose only those taxes, assessments, or fees authorized by special or general law. The special act creating an independent special district may provide for funding from a variety of sources while prohibiting others. For example, ad valorem tax authority is not mandatory for a special district.<sup>41</sup>

### ***Community Development Districts***

Community development districts (CDDs) are a type of independent special district intended to provide urban community services in a cost-effective manner by managing and financing the delivery of basic services and capital infrastructure to developing communities without overburdening other governments and their taxpayers.<sup>42</sup> Districts consisting of 2,500 acres or more must be created by rule adopted by the Florida Cabinet acting as the Florida Land and Water Adjudicatory Commission,<sup>43</sup> whereas CDDs with less than 2,500 acres are created pursuant to county or municipal ordinance.<sup>44</sup> As of January 20, 2026, there are 1,076 active CDDs in Florida.<sup>45</sup>

CDDs are authorized to provide infrastructure relating to water management and control; water supply, sewer and wastewater management, reclamation and reuse; bridges or culverts; and roads and street lights.<sup>46</sup> With the consent of the applicable local purpose government, a CDD may also be authorized to provide infrastructure for parks and other outdoor recreational, cultural, and educational facilities; fire prevention and control; school buildings and related structures; security; mosquito control; and waste collection and disposal.<sup>47</sup> The board may enter into contracts, borrow money, issue bonds, levy ad valorem taxes (subject to voter approval at a referendum),<sup>48</sup> levy special assessments and non-ad valorem taxes, adopt administrative rules pursuant to ch. 120, F.S., and exercise the power of eminent domain.<sup>49</sup>

Each CDD is governed by a five-member board elected by the landowners of the district on a one-acre, one-vote basis.<sup>50</sup> Board members serve four-year terms, except some initial board members serve a two-year term for the purpose of creating staggered terms.<sup>51</sup> After the sixth year (for districts of up to 5,000 acres) or the tenth year (for districts exceeding 5,000 acres or for a compact, urban, mixed-use district) following the CDD’s creation, each member of the board is

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<sup>38</sup> See section 190.004, F.S. (Ch. 190, F.S. as “sole authorization” for creation of community development districts).

<sup>39</sup> Section 189.016(4), F.S.

<sup>40</sup> Section 189.016(6), F.S.

<sup>41</sup> See ch. 2006-354, Laws of Fla. (Argyle Fire District may impose special assessments, but has no ad valorem tax authority).

<sup>42</sup> Section 190.002(1)(a), F.S.

<sup>43</sup> Section 190.005(1), F.S.

<sup>44</sup> Section 190.005(2), F.S.

<sup>45</sup> *Supra* note 18.

<sup>46</sup> Section 190.012(1), F.S.

<sup>47</sup> Section 190.012(2), F.S.

<sup>48</sup> See section 190.021(1), F.S., and art. VII, s. 9, FLA CONST.

<sup>49</sup> Section 190.011, F.S.

<sup>50</sup> Section 190.006(2), F.S.

<sup>51</sup> Section 190.006(1), F.S.

subject to election by the electors of the district at the conclusion of their term. However, this transition does not occur if the district has fewer than 250 (for districts of up to 5,000 acres) or 500 (for districts exceeding 5,000 acres or for a compact, urban, mixed-use district) qualified electors.<sup>52</sup>

### ***Compact, Urban, Mixed-Use Districts***

A “compact, urban, mixed-use district” is a district located within a municipality and within a community redevelopment area, that consists of a maximum of 75 acres and has development entitlements of at least 400,000 square feet of retail development and 500 residential units.<sup>53</sup> Such districts are a specialized type of CDD that operate under the same laws as CDDs, except for certain provisions relating to the transition to the governing board members being elected by qualified electors of the district, rather than by the landowners. The goal of these districts is to provide a compact downtown, high intensity development, mixed uses, and arts and cultural facilities of varying intensities.<sup>54</sup> This pattern of development encourages walkable communities with access to transit and public services and spaces and creates environments where residents can live, work, and play.<sup>55</sup>

## **III. Effect of Proposed Changes:**

### **Synthetic Turf Regulation**

**Section 1** amends s. 125.572, F.S., to provide that the prohibition on local governments from regulating synthetic turf on single-family residential property that complies with the Department of Environmental Protection’s standards does not apply to the adoption or enforcement of any resolution, order, rule, or policy by a community development district (CDD) to enforce deed restrictions.

### **Compact, Urban, Mixed-Use CDDs**

**Section 2** amends s. 190.003, F.S., to update the definition of “compact, urban, mixed-use district” to mean a district consisting of a maximum of 75 acres which is located within a municipality, and within a qualified opportunity zone designated by the U.S. Department of the Treasury or a community redevelopment area<sup>56</sup> which district has development entitlements of:

- At least 400,000 square feet of retail development and 500 residential units; or

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<sup>52</sup> Section 190.006(3)(a)2.b., F.S.

<sup>53</sup> Section 190.003(7), F.S.

<sup>54</sup> See City of Marco Island, Ordinance 07-01, available at: <https://old.cityofmarcoisland.com/media/14561> (last visited January 29, 2026).

<sup>55</sup> University of Delaware, *Mixed-use development*, available at: <https://www.completecommunitiesde.org/mixed-use-development/> (last visited January 29, 2026).

<sup>56</sup> A “community redevelopment area” means a slum area, a blighted area, or an area in which there is a shortage of housing that is affordable to residents of low or moderate income, including the elderly, or a coastal and tourist area that is deteriorating and economically distressed due to outdated building density patterns, inadequate transportation and parking facilities, faulty lot layout or inadequate street layout, or a combination thereof which the governing body designates as appropriate for community redevelopment. Section 163.340(10), F.S.

- At least 250,000 square feet of commercial development and 500 residential units that are affordable<sup>57</sup> for very-low income, low-income, or moderate-income persons.<sup>58</sup>

### CDD Recall Election Process

**Section 3** creates s. 190.0071, F.S., to provide a recall election process to remove members of the governing bodies of CDDs. The bill applies to all CDDs and repeals all special law provisions that are contrary to the provisions of the bill.

The bill provides that any member elected to the governing body of a CDD may be removed from office by the electors of the CDD. If a member is elected at large in a district-wide election, then all electors of the CDD may sign the recall petition and vote in the recall election. If the member is from a single-member district, only the electors residing in that district may participate in the recall election.

The bill provides that the grounds for removal of a member of the governing body of a CDD is limited to:

- Malfeasance;
- Misfeasance;
- Neglect of duty;
- Drunkenness;
- Incompetence;
- Permanent inability to perform official duties; or
- Conviction of a felony involving moral turpitude.

The bill establishes requirements for the petition to initiate a recall election. The petition must contain the name of the person sought to be recalled and a statement of grounds for recall, which may not exceed 200 words. A separate recall petition must be prepared for each member sought to be recalled. The content of a petition may be provided by the proponent in alternative formats upon request. The petition must be signed by at least 10 percent of the total number of registered qualified electors of the CDD or a single-member district which the member represents. All signatures must be obtained within a period of 30 days. Only qualified electors of the CDD or single-member district the member represents are eligible to sign the petition and the signatures must contain specified information to verify the identity of the signatory.

The bill designates the circulators of the petition and those signing the recall petition as the recall committee. A specific person must be designated in the petition as the chair of the committee who acts on behalf of the committee.

All signed petition forms must be filed at the same time and within 35 days after the date on which the first signature is obtained on the petition. The chair of the committee must file the signed petition forms with the applicable clerk. After filing with the clerk, the petition and all

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<sup>57</sup> See s. 420.602(3), F.S.

<sup>58</sup> See ss. 420.004, 420.602, and 420.9071, F.S., for the definitions of very-low income, low-income, and moderate-income persons.

subsequent papers or forms required to be filed with the clerk must be made available in alternative formats by the clerk upon request.

The petition may not be amended after it is filed with the clerk. The clerk must then submit the petition to the supervisor of elections within 60 days after the petition forms are filed. The supervisor of elections (SOE) is responsible for verifying the signatures and determining whether the required number of valid signatures have been obtained. The committee seeking verification of the signatures must pay the SOE the actual cost of signature verification in advance. If the CDD lies in more than one county, the clerk must submit each petition form to the respective SOE with jurisdiction over the elector that signed the individual petition.

If the SOE determines that the petition does not contain the required number of verified and valid signatures, the clerk, upon receipt of such written determination, must certify such determination to the governing body of the CDD and file the petition without taking any further action. No additional names may be added to the petition, and the petition may not be used in any other proceeding.

If the SOE determines that the petition has the required number of signatures, the clerk must immediately serve the member sought to be recalled a certified copy of the petition. If the CDD lies in more than one county, the SOE of each county must confer as to whether the required numbers of verified and valid signatures have been submitted and the SOE of the county in which the clerk is located must make a determination whether the petition has the required number of verified and valid signatures.

The member may file a defensive statement with the clerk not to exceed 200 words within five days after receipt of the petition. Within five days after the date of receipt of the defensive statement or after the last date a defensive statement could have been filed, the clerk must prepare a document entitled "Recall Petition and Defense," which contains the recall petition and copies of the originally signed petitions defensive statement, if any. The clerk must prepare a number of copies of the Recall Petition and Defense equal to 30 percent of the registered electors eligible to vote in the recall election. Immediately after preparing and making sufficient copies of the Recall Petition and Defense, the clerk must deliver the copies to the chair of the committee.

Upon receipt of the Recall Petition and Defense from the clerk, the committee may circulate the petition to obtain the signatures of 15 percent of the electors. All signatures must be obtained and all signed petition forms must be filed with the clerk within 60 days after the delivery of the Recall Petition and Defense to the chair of the committee. Within 30 days after receipt of the signed Recall Petition and Defense, the SOE must determine the number of valid signatures and certify whether 15 percent of the qualified electors of the CDD have signed the petition. The persons or committee seeking verification must pay the actual cost of signature verification to the SOE. If the CDD lies in more than one county, the SOE of each county must confer as to whether the number of valid signatures required have been submitted and the SOE of the county in which the clerk is located must make a determination whether the petition has the required number of verified and valid signatures.

If the SOE determines that the required number of signatures has not been obtained, the clerk must certify such determination to the governing body and retain the petitions, which may not be

used again, and the proceedings must be terminated. If the required signatures are obtained, the clerk must immediately serve notice of such determination to the member sought to be recalled and deliver a certificate to the CDD's governing body stating the percentage of signatures obtained. If the CDD lies in more than one county, the SOEs of each county must confer as to whether the total number of required signatures has been obtained.

If the member resigns within five days of being notified, the governing body of the CDD must fill the vacancy according to applicable law. Such resignation of a member is irrevocable. If the member does not resign, the chief judge of the judicial circuit in which the CDD is located must set a day for holding a recall election for the removal of the member. The election must occur between 30 and 60 days after the five-day period the member has to resign and at the same time as any other general or special election held within that time. If no general or special election is already scheduled during that period, the judge must call a special recall election.

The bill provides the ballot language to be used in the recall election and provides procedures for filling the vacancies created by the recall election. If an election is held for the recall of members elected at-large, candidates to succeed such members for the unexpired terms must be voted on at the same election and must be elected in the same manner as provided by the applicable law for the election of candidates at general elections. Candidates may not be elected to succeed any particular member. If only one member is removed, the candidate who receives the highest number of votes shall be elected to fill the vacancy. If more than one member is removed, candidates equal in number to the number of members removed shall be elected to fill the vacancies. The candidates who receive the greatest number of votes shall be elected for the longest terms.

If an election is held for the recall of members elected only from districts, the candidates succeeding such members for the unexpired terms must be voted on at a special election called by the chief judge of the judicial circuit in which the districts are located between 30 and 60 days after the recall election. The qualifying period must be established by the chief judge of the judicial circuit after consultation with the clerk. Candidates must reside in the district represented by the recalled member and qualify for office in the manner required by law. Each candidate receiving the highest number of votes for each office in the recall election shall be elected to fill the unexpired term of the recalled member. This procedure also applies if an election is held for the recall of members of the governing body composed of both members elected at large and elected by representing a district. If only one member is voted to be removed from office by such recall election, the vacancy created by the recall must be filled by the governing body according to the applicable law for filing vacancies.

If all of the members of a CDD are subject to a recall petition and resign before the recall election, the recall election must be canceled and a special election must be called to fill the unexpired terms of the resigning members.

A member of a CDD must have served one-fourth of their term of office before a petition to recall the member may be filed. A person who is removed by a recall or resigns after a petition has been filed against him or her, is not eligible to be appointed to the CDD's governing body for two years after the date of the recall or resignation.

The clerk must preserve all papers comprising or connected with a petition for recall for a period of two years after they are filed.

The bill also provides penalties for offenses related to the petition process. A person commits a second-degree misdemeanor punishable by law<sup>59</sup> for the following offenses:

- Impersonating another.
- Forging any name or purposely writing their name or residence falsely in the signing of any petition for recall.
- Signing any paper with knowledge that he or she is not a qualified elector of the CDD.
- Employing or paying another to accept employment or payment for circulating or witnessing a recall petition.

**Section 4** amends s. 190.006, F.S., to specify that any board member elected to a CDD board of supervisors is subject to these recall procedures.

**Section 5** provides an effective date of July 1, 2026.

#### **IV. Constitutional Issues:**

##### **A. Municipality/County Mandates Restrictions:**

The bill does not appear to require counties and municipalities to expend funds or limit their authority to raise revenue or receive state-shared revenues as specified by Article VII, s. 18, of the State Constitution.

##### **B. Public Records/Open Meetings Issues:**

None.

##### **C. Trust Funds Restrictions:**

None.

##### **D. State Tax or Fee Increases:**

None.

##### **E. Other Constitutional Issues:**

None.

#### **V. Fiscal Impact Statement:**

##### **A. Tax/Fee Issues:**

None.

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<sup>59</sup> Sections 775.082 or 775.083, F.S. A second-degree misdemeanor is punishable by a term of imprisonment not exceeding 60 days and a fine of up to \$500.

**B. Private Sector Impact:**

None.

**C. Government Sector Impact:**

The bill may have an indeterminate negative fiscal impact on local governments to the extent recall petitions are filed and special elections are necessary to fill any vacancies on CDD governing boards.

**VI. Technical Deficiencies:****VII. Related Issues:**

None.

**VIII. Statutes Affected:**

This bill substantially amends sections 125.572, 190.003, and 190.006 of the Florida Statutes. This bill creates section 190.0071 of the Florida Statutes.

**IX. Additional Information:****A. Committee Substitute – Statement of Substantial Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

**CS by Community Affairs on January 27, 2026:**

Regarding CDD recall petitions, the committee substitute requires a recall petition to be filed with the applicable clerk instead of the Department of Commerce, and clarifies the role of the clerk and supervisor of elections when a CDD lies in multiple counties.

The committee substitute also:

- Adds a new provision specifically authorizing CDDs to adopt or enforce regulations for synthetic turf on single-family properties in order to enforce deed restrictions, which is otherwise prohibited by current law.
- Adds a new provision amending the definition of “compact, urban, mixed-use district,” in ch. 190, F.S.
- Changes the title of the bill from “an act relating to community development district recall elections” to “an act relating to community development districts.”

**B. Amendments:**

None.

**By** the Committee on Community Affairs; and Senator Arrington

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30 after it is filed; requiring the clerk to submit the  
31 forms to the supervisor of elections to promptly  
32 verify signatures and make a certain determination  
33 within a specified timeframe; requiring the committee  
34 to pay in advance for such verification; providing for  
35 the duties of supervisors in each county if the  
36 community development district lies in more than one  
37 county; requiring that specified papers and forms be  
38 available in alternative formats upon request;  
39 requiring the clerk to make a certain certification  
40 under specified circumstances; requiring the clerk to  
41 serve a certified copy of the petition upon the person  
42 sought to be recalled under a specified circumstance;  
43 authorizing such person to submit a certain response  
44 within a specified timeframe; requiring the clerk to  
45 prepare a specified document within a specified  
46 timeframe; specifying requirements for such document;  
47 requiring the clerk to deliver such document to the  
48 chair of the committee and take his or her receipt  
49 therefor; authorizing the committee to circulate the  
50 petition; requiring that all signatures be obtained  
51 and all forms filed with the clerk within a specified  
52 timeframe; requiring the supervisor to determine the  
53 number of valid signatures and certify that the  
54 requisite percentage of electors signed the petition;  
55 requiring that the supervisor be paid a specified sum  
56 for each name checked; providing for the duties of the  
57 supervisor of each county if the community development  
58 district lies in more than one county; requiring the

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59 clerk to certify specified determinations made and  
 60 provide a certain notice to the governing body of the  
 61 community development district; requiring that, under  
 62 a specified condition, recall proceedings be  
 63 terminated and petitions not be used again; providing  
 64 that a member designated in the petition may resign  
 65 and that such resignation is irrevocable; requiring  
 66 the governing body to fill certain vacancies according  
 67 to the applicable law; requiring the chief judge of  
 68 the judicial circuit to fix a day for holding the  
 69 recall election, which must be held within a  
 70 prescribed timeframe under specified conditions;  
 71 requiring that the ballots include specified  
 72 information; prescribing procedures for holding  
 73 special elections to fill vacancies created by the  
 74 recall petition; providing for the filling of a  
 75 vacancy created by a member resigning before the  
 76 recall election; prohibiting a member from being the  
 77 subject of a recall petition until the member has  
 78 served a specified portion of his or her term of  
 79 office; prohibiting a member removed by recall or  
 80 resignation from being eligible to be appointed to the  
 81 governing body for a specified timeframe after his or  
 82 her removal; requiring the clerk to preserve the  
 83 petitions and related papers for a specified  
 84 timeframe; prohibiting a person from impersonating  
 85 another, purposely writing his or her name or  
 86 residence falsely, or signing any paper with certain  
 87 knowledge; prohibiting a person from employing or

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88 paying another to accept payment for circulating or  
 89 witnessing petitions; providing criminal penalties;  
 90 providing legislative intent; providing applicability;  
 91 amending s. 190.006, F.S.; providing that certain  
 92 board members of community development districts are  
 93 subject to specified election recall provisions;  
 94 providing an effective date.

95  
 96 Be It Enacted by the Legislature of the State of Florida:

97  
 98 Section 1. Subsection (3) of section 125.572, Florida  
 99 Statutes, is amended to read:

100 125.572 Regulation of synthetic turf.—  
 101 (3) (a) Upon the Department of Environmental Protection  
 102 adopting rules pursuant to subsection (4), a local government  
 103 may not:  
 104 1.(a) Adopt or enforce any ordinance, resolution, order,  
 105 rule, or policy that prohibits, or is enforced to prohibit, a  
 106 property owner from installing synthetic turf that complies with  
 107 Department of Environmental Protection standards adopted  
 108 pursuant to this section which apply to single-family  
 109 residential property.

110 2.(b) Adopt or enforce any ordinance, resolution, order,  
 111 rule, or policy that regulates synthetic turf which is  
 112 inconsistent with the Department of Environmental Protection  
 113 standards adopted pursuant to this section which apply to  
 114 single-family residential property.

115 (b) This subsection does not apply to the adoption or  
 116 enforcement of any resolution, order, rule, or policy by a

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 117 ~~community development district to enforce deed restrictions.~~

118 Section 2. Subsection (7) of section 190.003, Florida  
 119 Statutes, is amended to read:  
 120 190.003 Definitions.—As used in this chapter, the term:  
 121 (7) "Compact, urban, mixed-use district" means a district  
 122 consisting of a maximum of 75 acres which is located within a  
 123 municipality, and within either a qualified opportunity zone  
 124 designated by the United States Department of the Treasury  
 125 pursuant to 26 U.S.C. s. 1400Z-1 or a community redevelopment  
 126 area created pursuant to s. 163.356, which district that  
 127 consists of a maximum of 75 acres, and has development  
 128 entitlements of:

129 (a) At least 400,000 square feet of retail development and  
 130 500 residential units; or  
 131 (b) At least 250,000 square feet of commercial development  
 132 and 500 residential rental units that are affordable for very-  
 133 low-income, low-income, or moderate-income persons, as defined  
 134 in s. 420.0004, s. 420.602, or s. 420.9071.

135 Section 3. Section 190.0071, Florida Statutes, is created  
 136 to read:

137 190.0071 Community development district recall.—  
 138 (1) DEFINITIONS.—As used in this section, the term:  
 139 (a) "Clerk," as the context requires, means:  
 140 1. If the community development district was established by  
 141 ordinance of a local general-purpose government pursuant to s.  
 142 190.005(2), the clerk of such local general-purpose government.  
 143 2. If the community development district was established by  
 144 rule of the Florida Land and Water Adjudicatory Commission  
 145 pursuant to s. 190.005(1), the clerk of the circuit court of the

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 146 ~~county that contains a majority of the qualified electors of the~~  
 147 ~~district.~~

148 (b) "District" means the area or region of a community  
 149 development district from which a member of the governing board  
 150 is elected by such area's or region's electors.

151 (2) APPLICATION.—Any member of the governing body of a  
 152 community development district who is elected to the governing  
 153 body by the qualified electors of the community development  
 154 district may be removed from office by the electors of the  
 155 community development district. If the member represents a  
 156 district and is elected only by electors residing in that  
 157 district, only electors residing in that district are eligible  
 158 to sign the petition to recall that member and are entitled to  
 159 vote in the recall election. If the member represents a district  
 160 and is elected at large by the electors of the community  
 161 development district, all electors of the community development  
 162 district are eligible to sign the petition to recall that member  
 163 and are entitled to vote in the recall election. Members may be  
 164 removed from office pursuant to the procedures provided in this  
 165 section.

166 (3) RECALL PETITION.—

167 (a) Petition content.—A petition must contain the name of  
 168 the person sought to be recalled and a statement of grounds for  
 169 recall. The statement of grounds may not exceed 200 words, and  
 170 the stated grounds are limited solely to those specified in  
 171 paragraph (d). If more than one member of the governing body is  
 172 sought to be recalled, regardless of whether such member is  
 173 elected by the electors of a district or by the electors of the  
 174 community development district at large, a separate recall

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175 petition must be prepared for each member sought to be recalled.  
 176 Upon request, the content of a petition may be, but is not  
 177 required to be, provided by the proponent in alternative  
 178 formats.

179 (b) Requisite signatures.—The petition must be signed by at  
 180 least 10 percent of the total number of registered electors of  
 181 the community development district or of a district thereof. All  
 182 signatures must be obtained as provided in paragraph (e) within  
 183 a period of 30 days, and all signed and dated petition forms  
 184 must be filed at the same time, no later than 35 days after the  
 185 date on which the first signature is obtained on the petition.

186 (c) Recall committee.—Electors of the community development  
 187 district making charges contained in the statement of grounds  
 188 for recall, as well as those signing the recall petition, must  
 189 be designated as the recall committee. A specific person must be  
 190 designated in the petition as chair of the committee, and this  
 191 person shall act on behalf of the committee. The recall  
 192 committee and the officer being recalled are subject to chapter  
 193 106.

194 (d) Grounds for recall.—The grounds for removal of elected  
 195 members of the governing body of a community development  
 196 district are, for the purposes of this act, limited to the  
 197 following and must be contained in the petition:

- 198 1. Malfeasance;
- 199 2. Misfeasance;
- 200 3. Neglect of duty;
- 201 4. Drunkenness;
- 202 5. Incompetence;
- 203 6. Permanent inability to perform official duties; or

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204 7. Conviction of a felony involving moral turpitude.  
 205 (e) Signature process.—Only electors of the district or the  
 206 community development district are eligible to sign the  
 207 petition. Each elector signing a petition shall sign and date  
 208 his or her name in ink or indelible pencil. Each petition must  
 209 contain appropriate lines for each elector's original signature;  
 210 printed name; street address; city; county; voter registration  
 211 number or date of birth; Florida driver license number, Florida  
 212 identification card number issued pursuant to s. 322.051, or the  
 213 last four digits of the elector's social security number; and  
 214 the date signed.

215 (f) Filing of signed petitions.—All signed petition forms  
 216 must be filed at the same time, no later than 35 days after the  
 217 date on which the first signature is obtained on the petition.  
 218 The person designated as chair of the committee shall file the  
 219 signed petition forms with the clerk. The petition may not be  
 220 amended after it is filed with the clerk.

221 (g) Verification of signatures.—  
 222 1. No more than 60 days after the date on which all  
 223 petition forms are filed, the clerk shall submit the petition  
 224 forms to the supervisor of elections, who shall promptly verify  
 225 the signatures in accordance with s. 99.097 and determine  
 226 whether the requisite number of valid signatures has been  
 227 obtained for the petition. The committee seeking verification of  
 228 the signatures must pay in advance to the supervisor of  
 229 elections the actual cost of signature verification. If the  
 230 community development district lies in more than one county, the  
 231 clerk shall submit each petition form to the respective  
 232 supervisor of elections with jurisdiction over the elector that

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233 signed the individual petition.

234 2. Upon filing with the clerk, the petition and all  
 235 subsequent papers or forms required or permitted to be filed  
 236 with the clerk in connection with this section must, upon  
 237 request, be made available in alternative formats by the clerk.

238 3. If the supervisor determines that the petition does not  
 239 contain the requisite number of verified and valid signatures,  
 240 the clerk, upon receipt of such written determination, must  
 241 certify such determination to the governing body of the  
 242 community development district and file the petition without  
 243 taking further action, and the matter ends. No additional names  
 244 may be added to the petition, and the petition may not be used  
 245 in any other proceeding.

246 4. If the supervisor of elections determines that the  
 247 petition has the requisite number of verified and valid  
 248 signatures, the procedures outlined in subsection (4) must be  
 249 followed. If the community development district lies in more  
 250 than one county, the supervisor of elections of each county  
 251 shall confer as to whether the requisite numbers of verified and  
 252 valid signatures have been submitted and the supervisor of  
 253 elections of the county in which the clerk is located shall make  
 254 a determination whether the petition has the requisite number of  
 255 verified and valid signatures.

256 (4) RECALL PETITION AND DEFENSE.—

257 (a) Notice.—Upon receipt of a written determination that  
 258 the requisite number of signatures has been obtained, the clerk  
 259 shall at once serve upon the member sought to be recalled a  
 260 certified copy of the petition. Within 5 days after service, the  
 261 member sought to be recalled may file with the clerk a defensive

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262 statement of not more than 200 words.

263 (b) Content and preparation.—Within 5 days after the date  
 264 of receipt of the defensive statement or after the last date a  
 265 defensive statement could have been filed, the clerk shall  
 266 prepare a document entitled "Recall Petition and Defense," which  
 267 consists of the recall petition, including copies of the  
 268 originally signed petitions and counterparts. The Recall  
 269 Petition and Defense must contain lines that conform to  
 270 paragraph (3)(e) and the defensive statement or, if no defensive  
 271 statement has been filed, a statement to that effect. The clerk  
 272 shall make copies of the Recall Petition and Defense which are  
 273 sufficient to carry the signatures of 30 percent of the  
 274 registered electors. Immediately after preparing and making  
 275 sufficient copies of the Recall Petition and Defense, the clerk  
 276 shall deliver the copies to the person designated as chair of  
 277 the committee and take his or her receipt therefor.

278 (c) Requisite signatures.—Upon receipt of the Recall  
 279 Petition and Defense, the committee may circulate the petition  
 280 to obtain the signatures of 15 percent of the electors. All  
 281 signatures must be obtained and all signed petition forms filed  
 282 with the clerk no later than 60 days after delivery of the  
 283 Recall Petition and Defense to the chair of the committee.

284 (d) Verification of signatures.—Within 30 days after  
 285 receipt of the signed Recall Petition and Defense, the  
 286 supervisor of elections shall determine the number of valid  
 287 signatures and certify whether 15 percent of the qualified  
 288 electors of the community development district have signed the  
 289 petition. The supervisor of elections must be paid by the  
 290 persons or committee seeking verification the actual cost of

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291 signature verification. If the community development district  
 292 lies in more than one county, the supervisor of elections of  
 293 each county shall confer as to whether the number of valid  
 294 signatures required have been submitted. The supervisor of  
 295 elections of the county in which the clerk is located shall make  
 296 a determination whether the petition has the requisite number of  
 297 verified and valid signatures.

298 (e) Reporting.—If the supervisor of elections determines  
 299 that the requisite number of signatures has not been obtained,  
 300 the clerk must certify such determination to the governing body  
 301 and retain the petitions. The proceedings must be terminated,  
 302 and the petitions may not be used again. If the supervisor of  
 303 elections determines that at least 15 percent of the qualified  
 304 electors signed the petition, the clerk must immediately serve  
 305 notice of that determination upon the member sought to be  
 306 recalled and deliver to the governing body a certificate as to  
 307 the percentage of qualified electors who signed. If the  
 308 community development district lies in more than one county, the  
 309 supervisor of elections of each county shall confer as to  
 310 whether the total number of requisite signatures has not been  
 311 obtained.

312 (5) RECALL ELECTION.—If the member designated in the  
 313 petition files his or her written resignation within 5 days  
 314 after the last-mentioned notice, the resignation is irrevocable.  
 315 The governing body shall then proceed to fill the vacancy  
 316 according to the applicable law. In the absence of a  
 317 resignation, the chief judge of the judicial circuit in which  
 318 the community development district is located shall fix a day  
 319 for holding a recall election for the removal of any member not

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320 resigning. Any such election must be held not less than 30 days  
 321 or more than 60 days after the expiration of the last-mentioned  
 322 5-day period and at the same time as any other general or  
 323 special election held within the period; but if no such election  
 324 is to be held within that period, the judge must call a special  
 325 recall election to be held within the period aforesaid.

326 (6) BALLOTS.—The ballots at the recall election must  
 327 conform to the following: With respect to each person whose  
 328 removal is sought, the question must be submitted: "Shall ....  
 329 be removed from the office of .... by recall?" Immediately  
 330 following each question there must be printed on the ballots the  
 331 two propositions in the following order:

332 "....(name of person).... should be removed from office."  
 333 "....(name of person).... should not be removed from office."

334 (7) FILLING OF VACANCIES; SPECIAL ELECTIONS.—  
 335 (a) If an election is held for the recall of members  
 336 elected only at large, candidates to succeed such members for  
 337 the unexpired terms must be voted on at the same election and  
 338 must be elected in the same manner as provided by the  
 339 appropriate law for the election of candidates at general  
 340 elections. Candidates may not be elected to succeed any  
 341 particular member. If only one member is removed, the candidate  
 342 receiving the highest number of votes must be declared elected  
 343 to fill the vacancy. If more than one member is removed,  
 344 candidates equal in number to the number of members removed must  
 345 be declared elected to fill the vacancies; and, among the  
 346 successful candidates, those receiving the greatest number of  
 347 votes must be declared elected for the longest terms. Cases of  
 348 ties, and all other matters not herein specially provided for,

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349 must be determined by the rules governing elections generally.

350 (b) If an election is held for the recall of members

351 elected only from districts, candidates to succeed such members

352 for the unexpired terms must be voted on at a special election

353 called by the chief judge of the judicial circuit in which the

354 districts are located not less than 30 days or more than 60 days

355 after the expiration of the recall election. The qualifying

356 period, for purposes of this section, must be established by the

357 chief judge of the judicial circuit after consultation with the

358 clerk. Any candidate seeking election to fill the unexpired term

359 of a recalled community development district member must reside

360 in the district represented by the recalled member and qualify

361 for office in the manner required by law. Each candidate

362 receiving the highest number of votes for each office in the

363 community development district recall election must be declared

364 elected to fill the unexpired term of the recalled member.

365 Candidates seeking election to fill a vacancy created by the

366 removal of a member are subject to chapter 106.

367 (c) If an election is held for the recall of members of the

368 governing body composed of both members elected at large and

369 elected by and representing a district, candidates to succeed

370 such members for the unexpired terms must be voted on at a

371 special election as provided in paragraph (b).

372 (d) In any recall election held pursuant to paragraph (b)

373 or paragraph (c), if only one member is voted to be removed from

374 office, the vacancy created by the recall must be filled by the

375 governing body according to the applicable law for filling

376 vacancies.

377 (8) EFFECT OF RESIGNATIONS.—If the member of the governing

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379 body being recalled resigns from office before the recall

380 election, the remaining members must fill the vacancy created

381 according to the applicable law for filling vacancies. If all of

382 the members of the governing body are sought to be recalled and

383 all of the members resign before the recall election, the recall

384 election must be canceled, and a special election must be called

385 to fill the unexpired terms of the resigning members. If all of

386 the members of the governing body are sought to be recalled and

387 any of the members resign before the recall election, the

388 proceedings for the recall of members not resigning and the

389 election of successors to fill the unexpired terms must continue

390 and have the same effect as though there had been no

391 resignation.

391 (9) WHEN PETITION MAY BE FILED.—A petition to recall any

392 member of the governing body of a community development district

393 may not be filed until the member has served one-fourth of his

394 or her term of office. A person who is removed by a recall, or

395 resigns after a petition has been filed against him or her, is

396 not eligible to be appointed to the governing body within a

397 period of 2 years after the date of such recall or resignation.

398 (10) RETENTION OF PETITION.—The clerk shall preserve all

399 papers comprising or connected with a petition for recall for a

400 period of 2 years after they are filed.

401 (11) OFFENSES RELATING TO PETITIONS.—A person may not

402 impersonate another, purposely write his or her name or

403 residence falsely in the signing of any petition for recall or

404 forge any name thereto, or sign any paper with knowledge that he

405 or she is not a qualified elector of the community development

406 district. A person may not employ or pay another to accept

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407 employment or payment for circulating or witnessing a recall  
408 petition. A person who violates this section commits a  
409 misdemeanor of the second degree, punishable as provided in s.  
410 775.082 or s. 775.083.

411 (12) INTENT.—It is the intent of the Legislature that the  
412 recall procedures provided in this section be uniform statewide.  
413 Therefore, all special law provisions that are contrary to the  
414 provisions of this section are hereby repealed to the extent of  
415 this conflict.

416 (13) APPLICABILITY.—The provisions of this section apply to  
417 all community development districts.

418 Section 4. Paragraph (e) is added to subsection (3) of  
419 section 190.006, Florida Statutes, to read:

420 190.006 Board of supervisors; members and meetings.—

421 (3)

422 (e) Any board member elected to the board of supervisors by  
423 the qualified electors of the district pursuant to this  
424 subsection is subject to the recall procedures provided for in  
425 s. 190.0071.

426 Section 5. This act shall take effect July 1, 2026.

The Florida Senate

**BILL ANALYSIS AND FISCAL IMPACT STATEMENT**

(This document is based on the provisions contained in the legislation as of the latest date listed below.)

Prepared By: The Professional Staff of the Committee on Ethics and Elections

BILL: SB 1334

INTRODUCER: Senator Grall

SUBJECT: Elections

DATE: February 3, 2026

REVISED: \_\_\_\_\_

ANALYST	STAFF DIRECTOR	REFERENCE	ACTION
1. Biehl	Roberts	EE	Pre-meeting
2.		ATD	
3.		RC	

## I. Summary:

SB 1334 makes various revisions to election laws, including:

- Revising voter registration processes to elicit additional citizenship information from voters, require documentation of citizenship status, and require the Department of Highway Safety and Motor Vehicles to verify a voter registration applicant's status as a U.S. citizen.
- Expanding voter list maintenance requirements to prescribe additional actions governmental entities must take to identify registered voters who may not be U.S. citizens, and to require supervisors of elections to conduct list removal proceedings for such persons.
- Revising definitions related to ballots and voting systems, authorizing the use of ballot-on-demand technology for production of early voting ballots, and limiting to persons with disabilities the ability to vote using a voter interface device.
- Replacing an existing machine recount or audit process with an independent, precertification vote validation process and conforming election reporting requirements.
- Revising the time at which the Elections Canvassing Commission shall meet.
- Prescribing a five-year statute of limitations for a prosecution for a felony violation of the Florida Election Code.

The bill also requires that:

- By July 1, 2027, a Florida driver license or Florida identification card issued to a U.S. citizen must include the person's legal citizenship status.
- The Department of Highway Safety and Motor Vehicles must, at no charge, issue a renewal or replacement Florida driver license or Florida identification card if a licensee or cardholder timely updates his or her legal status upon becoming a U.S. citizen.

The bill takes effect January 1, 2027.

## II. Present Situation:

### Department of State/Division of Elections

The Secretary of State,<sup>1</sup> Florida's Chief Elections Officer,<sup>2</sup> has the responsibility to:

- Obtain and maintain uniformity in the interpretation and implementation of the election laws.
- Provide uniform standards for the proper and equitable implementation of the registration laws.
- Actively seek out and collect the data and statistics necessary to knowledgeably scrutinize the effectiveness of election laws.
- Provide technical assistance to the supervisors of elections on voting systems and on voter education and election personnel training services.
- Provide voter education assistance to the public.
- Coordinate the state's responsibilities under the National Voter Registration Act of 1993 (NVRA).
- Provide training to all affected state agencies on necessary procedures for proper implementation of voter registration laws.
- Ensure that all registration applications and forms prescribed or approved by the Department of State (DOS) are in compliance with the Voting Rights Act of 1965 and the NVRA.
- Create and administer a statewide voter registration system as required by the Help America Vote Act of 2002.
- Maintain a voter fraud hotline and provide election fraud education to the public.
- Designate an office within the DOS, and coordinate with the United States Department of Defense, to provide information regarding and administer voting by armed services members.
- Bring and maintain such actions at law or in equity by mandamus or injunction to enforce the performance of any duties of a county supervisor of elections or any official performing duties with respect to chs. 97-102 and 105, F.S., or to enforce compliance with a DOS election-related rule.

The Department of State's Division of Elections (division)<sup>3</sup> provides administrative support to the Secretary of State to ensure that Florida has fair and accurate elections.<sup>4</sup> The division consists of three bureaus – the Bureau of Election Records, the Bureau of Voter Registration Services, and the Bureau of Voting Systems Certification. Through these bureaus and the Director's Office,<sup>5</sup> the division ensures compliance with the election laws, provides statewide coordination of election administration, and promotes public participation in the electoral process. The division also assists county supervisors of elections in their duties, including providing technical support.

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<sup>1</sup> Section 20.10(1), F.S. The head of the Department of State is the Secretary of State. The Secretary of State is appointed by the Governor, subject to confirmation by the Senate, and serves at the pleasure of the Governor.

<sup>2</sup> Section 97.012, F.S. *See also* s. 97.035, F.S.

<sup>3</sup> Section 20.10(2)(a), F.S.

<sup>4</sup> See Department of State, Division of Elections, "About Us," available at <https://dos.fl.gov/about-the-department/> (last visited February 2, 2026).

<sup>5</sup> *Id.* The mission of the Director's Office is to provide statewide coordination and direction for the interpretation and enforcement of election laws and to provide supervision to the division's bureaus.

## Additional Current Law

See "Effect of Proposed Changes."

### III. Effect of Proposed Changes:

#### **Voter Registration (Sections 2, 3, 4, 5, 6, and 7)**

##### ***Present Situation***

###### **Eligibility of an Applicant for Voter Registration**

A person may become registered to vote only if that person:

- Is at least 18 years of age.
- Is a citizen of the U.S.
- Is a legal resident of the State of Florida.
- Is a legal resident of the county in which that person seeks to be registered.
- Registers pursuant to the Florida Election Code.<sup>6</sup>

The following persons, who might be otherwise qualified, are not entitled to register or vote:

- A person who has been adjudicated mentally incapacitated with respect to voting in this or any other state and who has not had his or her right to vote restored.
- A person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored.<sup>7</sup>

###### **Uniform Statewide Voter Registration Application**

Current law requires Florida's voter registration application to elicit the following information from an applicant:

- Last, first, and middle name, including any suffix.
- Date of birth.
- Address of legal residence.
- Mailing address, if different.
- E-mail addresses and whether the applicant wishes to receive sample ballots by e-mail.
- County of legal residence.
- Race or ethnicity that best describes the applicant.
- State or country of birth.
- Sex.
- Party affiliation.
- Whether the applicant needs assistance in voting.
- An indication, if applicable, that the applicant has not been issued a Florida driver license, a Florida identification card, or a social security number.
- Telephone number (optional).<sup>8</sup>
- Signature of the applicant under penalty for false swearing.<sup>9</sup>

<sup>6</sup> Section 97.041(1)(a), F.S.

<sup>7</sup> Section 97.041(2), F.S.

<sup>8</sup> Section 97.052(2), F.S.

<sup>9</sup> See s. 104.011, F.S., for penalties for false swearing.

- Whether the applicant is a citizen of the United States by asking the question “Are you a citizen of the United States of America?” and providing boxes for the applicant to check whether the applicant is or is not a U.S. citizen.
- Whether the applicant has been convicted of a felony and, if so, has had his or her voting rights restored by including the statement “I affirm that I am not a convicted felon or, If I am, my right to vote has been restored,” and providing a box for the applicant to check to affirm the statement.
- Whether the applicant has been adjudicated mentally incapacitated with respect to voting or, if so adjudicated, has had his or her right to vote restored by including the statement “I affirm I have not been adjudicated mentally incapacitated with respect to voting, or, if I have my competency has been restored,” and providing a box for the applicant to check to affirm the statement.

#### Voter Oath

The voter application also must contain the following constitutionally required oath:<sup>10</sup>

I do solemnly swear (or affirm) that I will protect and defend the Constitution of the United States and the Constitution of the State of Florida, and that I am qualified to register as an elector under the Constitution and laws of the State of Florida.<sup>11</sup>

#### Acceptance of Voter Registration Application

A voter registration application is complete and becomes the official voter registration record of that applicant when all information necessary to establish the applicant’s eligibility<sup>12</sup> is received by a voter registration official and verified. If the applicant fails to complete his or her voter registration application prior to the date of book closing for an election, then such applicant is not be eligible to vote in that election.<sup>13</sup> All voter registration applications received by a voter registration official must be entered into the statewide voter registration system within 13 days after receipt.<sup>14</sup>

#### Statewide Voter Registration System and Online Voter Registration System

The Secretary of State, supported by the DOS, is responsible for implementing, operating, and maintaining a single, uniform, official, centralized, interactive, and computerized statewide voter registration system (known as the Florida Voter Registration System, or FVRS).<sup>15</sup> The FVRS serves as the official list of registered voters in the state and must:

- Contain the names and registration information of every legally registered voter in the state and assign each voter a unique identifier.

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<sup>10</sup> Section 97.052(3)(a), F.S.

<sup>11</sup> Article VI, s. 3, FLA. CONST.; *see also* s. 97.051, F.S.

<sup>12</sup> Section 97.053(5), F.S., provides that voter registration application is complete if it contains the following information of an applicant: name; address of legal residence; date of birth; affirmation of U.S. citizenship; current and valid Florida driver license, identification card, or last four digits of social security number; affirmation of no felony convictions or that voting rights have been restored; affirmation of not being adjudicated mentally incapacitated with respect to voting or that voting rights have been restored; and original signature or digital signature transmitted to DHSMV swearing under the penalty of false swearing.

<sup>13</sup> Section 97.053(2), F.S.

<sup>14</sup> Section 97.053(7), F.S.

<sup>15</sup> Section 98.035, F.S.

- Enable voter registration officials to provide, access, and update voter registration information.<sup>16</sup>

The Online Voter Registration System (OVRS) is the internet website supported by the DOS, where an applicant may submit a voter registration application, update his or her voting record, and submit information necessary to establish his or her eligibility to vote.<sup>17</sup> The OVRS has the capability to compare the Florida driver license number or Florida identification number submitted with information maintained by the Department of Highway Safety and Motor Vehicles (DHSMV) to confirm that the name and date of birth on the application are consistent with the records of the DHSMV.<sup>18</sup> If the applicant's name and date of birth are consistent with the records of the DHSMV, the OVRS transmits the applicant's registration application, along with the digital signature of the applicant on file with the DHSMV, to the supervisor.<sup>19</sup> If the applicant's name and date of birth cannot be verified by the records of the DHSMV, or if the applicant indicated that he or she has not been issued a Florida driver license or Florida identification card, the OVRS must populate the applicant's information into a printable voter registration application and direct the applicant to print, sign, and date the application and deliver the application to the supervisor for disposition.<sup>20</sup> Upon submission of a completed OVRS application, the website must generate an immediate electronic confirmation that the supervisor has received the application and provide instructions regarding the ability of a registrant to check the status of the application.<sup>21</sup>

#### National Voter Registration Act of 1993

Congress passed the National Voter Registration Act (NVRA) in 1993<sup>22</sup> "to establish procedures that will increase the number of eligible citizens who register to vote in elections for Federal office," while also ensuring "that accurate and current voter registration rolls are maintained."<sup>23</sup> The NVRA requires, among other things, that each a state allow a driver's license application, or a renewal application, submitted to a state motor vehicle authority to also serve as a voter registration application with respect to elections for Federal office, unless the applicant fails to sign the voter registration application.<sup>24</sup> A voter registration application submitted to a state motor vehicle authority by a person who has already registered to vote is considered as updating the person's voter registration.<sup>25</sup>

In addition to voter registration at the time of drivers' license applications, the NVRA requires states to provide two more forms of voter registration procedures for federal elections – federal mail-in voter registration applications and voter registration at public assistance agencies and other state-designated offices.<sup>26</sup>

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<sup>16</sup> *Id.*

<sup>17</sup> Section 97.0525(2), F.S.

<sup>18</sup> Section 97.0525(4)(a), F.S.

<sup>19</sup> Section 97.0525(4)(b), F.S.

<sup>20</sup> Section 97.0525(4)(c), F.S.

<sup>21</sup> Section 97.0525(5), F.S.

<sup>22</sup> National Voter Registration Act of 1993, P.L. 103-31.

<sup>23</sup> 52 U.S.C. § 20501.

<sup>24</sup> 52 U.S.C. § 20504(a)(1). This provision of the NVRA has given the act the colloquial designation by which the bill is most commonly known: the "Motor Voter" law.

<sup>25</sup> 52 U.S.C. §20504(a)(2).

<sup>26</sup> 52 U.S.C. §20505 and §20506.

### Duties of the Florida Department of Highway Safety and Motor Vehicles

The Florida Election Code<sup>27</sup> implements the NVRA by requiring the DHSMV<sup>28</sup> to provide an applicant “the opportunity to register to vote or to update a voter registration record” when he or she does any of the following actions:

- Applies for or renews a driver license.
- Applies for or renews an identification card (I.D. card).<sup>29</sup>
- Changes an address on an existing driver license or I.D. card.<sup>30</sup>

### *Effect of Proposed Changes*

#### Eligibility of an Applicant for Voter Registration

The bill provides that if the latest voter registration records show that an applicant was previously removed for ineligibility by reason of a felony conviction without voting rights restored, adjudication as mentally incapacitated with respect to voting without voting rights restored, death, or for not being a U.S. citizen, then the supervisor must verify applicant voting eligibility within 10 days of receiving such application. To determine and verify eligibility, the supervisor must review any government entity document or source. The supervisor must deny the voter registration application and notify the applicant if the supervisor determines that the applicant is ineligible.

#### Uniform Statewide Voter Registration Application

The bill adds “documentation required by the Election Assistance Commission or federal law” to the list of information the voter registration application must elicit.

#### Voter Oath

The bill adds to the oath language to which a voter registration applicant must subscribe, as follows: “I further do solemnly swear (or affirm) that I am a United States Citizen and that I have carefully reviewed the instructions for completing the Florida Voter Registration Application. I understand that if I have provided false information on this application, I could be subject to criminal penalties, fines, or imprisonment for perjury, and if not a United States citizen, deportation from the United States.”

The bill revises provisions governing acceptance of voter registration applications to:

- Provide that if an application is made to update the voter’s record with a change of address, name, or party affiliation, such change is retroactive to the date the application was initially received once the required sufficient evidence is verified.
- Require that immediately after registration or an update to a registration, the supervisor of elections (supervisor) must verify the voter’s legal status as a United States citizen using available state and federal governmental sources. If applicable, the supervisor must initiate voter list removal proceedings.

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<sup>27</sup> Chapters 97-106, F.S., are known as the Florida Election Code. Section 97.011, F.S.

<sup>28</sup> The DHSMV and certain county tax collectors have entered into statutorily authorized contracts, whereby tax collectors may deliver full or limited driver license services on behalf of the DHSMV. *See* s. 322.02, F.S.

<sup>29</sup> *See* s. 322.051, F.S.

<sup>30</sup> Section 97.057(1), F.S.

### Online Voter Registration System

The bill provides that if the applicant's legal status as a U.S. citizen is verified by DHMSV records (along with the existing requirement that the applicant's name and date of birth be consistent), the OVRS must transmit the application to the supervisor of elections. The applicant's legal status as a U.S. citizen must be recorded in the FVRS.

If the applicant indicates that he or she has not been issued a Florida driver license or identification card, or chooses to use the system to prepopulate an application to print, sign, and deliver to the supervisor, the OVRS must populate the applicant's information into a printable voter registration application and direct the applicant to print, sign, and date the application and deliver the application to the supervisor for disposition under list maintenance procedures.

### Acceptance of Voter Registration Applications

The bill provides that:

- If an application is made to update the voter's record with a change of address, name, or party affiliation, such change is retroactive to the date the application was initially received once the required sufficient evidence is verified.
- Immediately after registration or an update to a registration, the supervisor shall verify the voter's legal status as a U.S. citizen using available state and federal governmental sources and, if applicable, shall initiate list maintenance procedures.

### Department of Highway Safety and Vehicles Responsibilities

The bill adds a person's legal status as a U.S. citizen to the information the DHSMV is required to match with the DOS. It also requires the DOS to include in the FVRS the type of documentary proof that the licensee or cardholder provided as evidence as U.S. citizenship.

The bill expands the duty of the DHSMV to assist the DOS in identifying changes in residence address of persons who may be voters to also require them to assist in identifying changes in the Florida driver license or Florida identification card number of such persons.<sup>31</sup>

## **Voter List Maintenance (Sections 8, 9, and 10)**

### ***Present Situation***

Current law prescribes voter list maintenance activities to ensure accurate and current voter registration records.

Each supervisor must conduct a general voter address list maintenance program.<sup>32</sup> Each program must be conducted, at a minimum, once each year, and must be completed no later than 90 days prior to the start of any federal election,<sup>33</sup> as required by the National Voter Registration Act. Each supervisor must incorporate in the program at least one of the following options for identifying change-of-address information:

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<sup>31</sup> As of August 1, 2024, all Floridians being issued an original, renewal, or replacement driver license or identification card are assigned a new number complying with s. 322.14(1)(a), F.S.

<sup>32</sup> Section 98.065(1), F.S.

<sup>33</sup> Section 98.065(3), F.S.

- Information supplied by the U.S. Postal Service through its licensees to identify registered voters whose addresses might have changed.
- Information identified from returned nonforwardable return-if-undeliverable address confirmation requests sent to all registered voters in the county.<sup>34</sup>

In addition, the DOS must identify, using information from specified other governmental entities:<sup>35</sup>

- Duplicate registrations.
- Voters who are deceased.
- Voters who have been adjudicated mentally incapacitated with respect to voting and who have not had their voting rights restored.
- Voters who have been convicted of a felony and who have not had their voting rights restored.<sup>36</sup>

The DOS and supervisors also must act upon any information from a governmental entity that identifies a registered voter who may be ineligible due to age, citizenship, or address.<sup>37</sup>

Once a supervisor receives notice of a voter who is potentially ineligible due to mental incapacity, felony conviction, age, citizenship, or address, he or she must begin prescribed procedures for removal of such voter from the FVRS. The procedures require notice and specified information to be provided to the voter and for the voter to be given an opportunity to have a hearing and to provide proof of eligibility.<sup>38</sup>

There is currently no requirement regarding the sharing of information with the federal court system for the purpose of identifying potentially ineligible voters.<sup>39</sup>

### ***Effect of Proposed Changes***

The bill expands the categories of potentially ineligible voters the DOS must take affirmative action to identify to specifically include persons who may not be U.S. citizens. To do so, the DOS must use information from, but not limited to, the DHSMV, clerks of state and federal courts, and the U.S. Department of Homeland Security, as well as any other information received from governmental entities providing information under the existing requirements.

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<sup>34</sup> Section 98.065(2), F.S.

<sup>35</sup> Other governmental entities required to report specified information to the DOS or supervisors include the Department of Health, clerks of the circuit court, U.S. attorneys, the Department of Law Enforcement, the Florida Commission on Offender Review, the Department of Corrections, and the DHSMV(s. 98.093, F.S.).

<sup>36</sup> Section 98.075(2)-(5), F.S.

<sup>37</sup> Section 98.075(6), F.S.

<sup>38</sup> Section 98.075(7), F.S..

<sup>39</sup> Currently, federal courts use a state's voter registration lists to select prospective jurors. To be qualified for Federal Jury Service, an individual juror must be an 18-year-old citizen of the United States who has resided for one year within the judicial district; able to read, write, and understand the English language with a degree of proficiency to complete the juror qualification form; able to speak the English language; both mentally and physically capable of rendering satisfactory jury service; and not have a pending charge or state or federal conviction for a crime punishable by imprisonment for more than one year. *See* United States Courts, "Juror Selection Process," available at <https://www.uscourts.gov/court-programs/jury-service/juror-selection-process> (last visited February 2, 2026).

Upon receipt of such information, the DOS must make an initial determination as to whether the information is credible and reliable. The type of document provided or used to verify U.S. citizenship must be recorded in the FVRS. If the DOS determines that the information is credible and reliable, it must notify the relevant supervisor and provide a copy of the supporting documentation indicating potential ineligibility of the voter to be registered.

Upon receipt of the notice that the DOS has made a determination of initial credibility and reliability, the supervisor must adhere to the procedures prescribed in s. 98.075(7), F.S., before the removal of a registered voter's name from the FVRS.

The bill specifies that any of the following documents are acceptable as evidence of U.S. citizenship:

- A current and valid U.S. passport.
- A birth certificate from any state in the U.S.
- A Consular Report of Birth Abroad provided by the U.S. Department of State.
- A current and valid Florida driver license or Florida identification card issued by the DHSMV, if such license or card indicates U.S. citizenship.
- A naturalization certificate or certificate of citizenship issued by the U.S. Department of Homeland Security. Alternatively, a certificate number or an alien registration number may be provided to allow a state or local election official to verify U.S. citizenship.
- A current and valid photo identification issued by the federal government or the state which indicates U.S. citizenship.
- An order from a federal court granting U.S. citizenship.
- If the applicant's legal name is different from the name that appears on one of the documents specified above, official legal documentation providing proof of the legal name change.

The type of document provided or used to verify citizenship must be recorded in the statewide voter registration system.

The bill adds to the list of information that must be provided to voters for whom notice and removal procedures have begun, to include a list of the acceptable documents or evidence of U.S. citizenship.

The bill expands the information about potentially ineligible persons the DHSMV is required to report weekly to the DOS to also include:

- Information identifying those persons who during the preceding week presented evidence of U.S. citizenship upon being issued a new, renewed, or replacement Florida driver license or Florida identification card.
- Information identifying a change in residence address on the Florida driver license or Florida identification card of any person who declined to register or update his or her voter record.
- Information identifying new, renewed, or replacement Florida driver license or Florida identification card numbers issued to persons who declined to register or update their voter record.

The bill creates a new section of law requiring the division to provide lists of registered voters to federal courts for the purpose of selecting jurors on the condition that the jury coordinator

provides notice regarding ineligible or potentially ineligible voters. The bill requires the jury coordinator to prepare and provide to the division a list of each person disqualified or potentially disqualified as a prospective juror from jury service due to:

- Not having U.S. citizenship;
- Being convicted of a felony;
- Being deceased;
- Being a nonresident of Florida; or
- Being a nonresident of the county.

The list must include specified personal identifying information of each person identified. The division must provide the information to the supervisor in the county of residence for the disqualified juror. The supervisor must then initiate address list maintenance or eligibility maintenance procedures regarding the specified voter.

## **Ballots and Voting Systems (Sections 1, 11, and 13)**

### ***Present Situation***

#### **General Definitions**

Current law defines the following terms:

- “Ballot” or “official ballot,” when used in reference to:
  - “Electronic or electromechanical devices” means a ballot that is voted by the process of electronically designating, including by touchscreen, or marking with a marking device for tabulation by automatic tabulating equipment or data processing equipment.
  - “Marksense ballots” means that printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or a statement of proposed constitutional amendments or other questions or propositions submitted to the electorate at any election, on which sheet of paper an elector casts his or her vote.<sup>40</sup>
- “Voter interface device” means any device that communicates voting instructions and ballot information to a voter and allows the voter to select and vote for candidates and issues. A voter interface device may not be used to tabulate votes. Any vote tabulation must be based upon a subsequent scan of the marked marksense ballot or the voter-verifiable paper output after the voter interface device process has been completed.<sup>41</sup>
- “Voting system” means a method of casting and processing votes that functions wholly or partly by use of electromechanical or electronic apparatus or by use of marksense ballots and includes, but is not limited to, the procedures for casting and processing votes and the programs, operating manuals, supplies, printouts, and other software necessary for the system’s operation.<sup>42</sup>

#### **Use of Ballot-on-Demand**

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<sup>40</sup> Section 97.021(6), F.S.

<sup>41</sup> Section 97.021(43), F.S.

<sup>42</sup> Section 97.021(47), F.S.

Polling places and early voting sites may employ a ballot-on-demand production system to print individual marksense ballots, including provisional ballots, for eligible voters. Ballot-on-demand technology may be used to produce marksense vote-by-mail and election-day ballots.<sup>43</sup>

#### Voting Methods/Disability Voting

Current law specifies that for the purpose of designating ballot selections, all voting must be by marksense ballot, using a marking device or a voter interface device that produces a voter-verifiable paper output and meets the voter accessibility requirements for individuals with disabilities under state and federal law.<sup>44</sup>

#### ***Effect of Proposed Changes***

##### General Definitions

The bill redefines the term “ballot” or “official ballot” to mean a printed sheet of paper, containing contests including offices and candidates, constitutional amendments, and other public measures, upon which a voter's selections will be marked by using the pen or marker recommended by the voting system vendor. A ballot includes a voter-verifiable paper output upon which a voter's selections are marked by a voter interface device that meets voter accessibility requirements for individuals with disabilities.

The bill eliminates the terms “marksense ballots” and “electronic or electromechanical device.”

The bill revises the term “voting system” to mean a method of casting and processing votes that includes, but is not limited to:

- Equipment, hardware, firmware, and software.
- Ballots.
- Procedures for casting and processing votes.
- Programs, operating manuals, and supplies.
- Reports, printouts, and other documentation necessary for the system's operation.

##### Use of Ballot-on-Demand

The bill authorizes the use of ballot-on-demand technology for production of early voting ballots.

#### Voting Methods/Disability Voting

The bill revises allowable methods of designating ballot selections to:

- Require all voting to be by official ballot, using a pen or marker recommended by the voting system vendor.
- Specify that only persons with disabilities may vote using a voter interface device.

#### **Election Audits, Recounts, and Reports (Sections 16, 18, 19, 20, and 21)**

##### ***Present Situation***

##### County Canvassing Board

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<sup>43</sup> Section 101.151(1)(b), F.S.

<sup>44</sup> Section 101.56075, F.S.

The county canvassing board (board) is the body that tabulates and canvasses the vote for an election in that county. The board is composed of three members: the supervisor; a county court judge, who acts as chair; and the chair of the board of county commissioners.<sup>45</sup> The board is responsible for a number of activities in the conduct of elections and in results processing and reporting.<sup>46</sup>

#### Returns and Recounts

The board must submit its unofficial returns to the DOS for each federal, state, or multicounty office or ballot measure by the third day after a primary election or the fourth day after a general election.<sup>47</sup> If the unofficial returns reflect that a candidate for any office or measure was defeated or eliminated by one-half of a percent or less of the votes cast for those races, a machine recount is ordered.<sup>48</sup> During a machine recount all the ballots are retabulated through the supervisor's automatic tabulating equipment. A second set of unofficial returns is due to the DOS by the 5th day after a primary election or the ninth day after a general election. If the machine recount is completed by the time the second set of unofficial returns is due, then it is included in those returns.

If the second set of unofficial returns indicates that a candidate or measure was eliminated by one-quarter of a percent or less of the votes cast for those races, a manual recount of the overvotes<sup>49</sup> and undervotes<sup>50</sup> is ordered.<sup>51</sup> The manual recount must be made unless:

- The candidate or candidates defeated or eliminated from contention by one-quarter of one percent or fewer of the votes cast for such office request in writing that a recount not be made; or
- The number of overvotes and undervotes is fewer than the number of votes needed to change the outcome of the election.<sup>52</sup>

A manual recount consists of a recount, by a person, of marksense ballots or of digital images of those ballots.<sup>53</sup> The Secretary of State is responsible for ordering a machine and manual recounts for federal, state, and multicounty races. The board or local board responsible for certifying the election is responsible for ordering the recounts recount for all other races.

The final returns, which include the result of any recount, are due to the DOS by the 8<sup>th</sup> day following a primary election and the 13th day following a general election.<sup>54</sup>

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<sup>45</sup> Section 102.141(a), F.S.

<sup>46</sup> Florida Division of Elections, "Canvassing Board Membership and Activities," available at <https://soe.dos.state.fl.us/pdf/DE%20Guide%200020-Canvassing%20Board%20Membership%20and%20Activities%20FINAL%2020220830.pdf> (last visited February 2, 2026).

<sup>47</sup> Section 102.141(5) and (6), F.S.

<sup>48</sup> Section 102.141(7), F.S.

<sup>49</sup> An "overvote" means that the voter marks or designates more names than there are persons to be elected to an office or designates more than one answer to a ballot question, and the tabulator records no vote for the office or question (s. 97.021(26), F.S.).

<sup>50</sup> An "undervote" means that the voter does not properly designate any choice for an office or ballot question, and the tabulator records no vote for the office or question (s. 97.021(41), F.S.).

<sup>51</sup> Section 102.166, F.S.

<sup>52</sup> *Id.*

<sup>53</sup> *Id.*

<sup>54</sup> S. 102.112, F.S.

### Voting System Audit

Immediately following the certification of each election, the board must conduct a manual audit or an automated, independent audit of the voting systems used in randomly selected precincts.<sup>55</sup> A manual audit consists of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet must include election-day, vote-by-mail, early voting, provisional, and overseas ballots, in at least one percent but no more than two percent of the precincts chosen at random by the board.<sup>56</sup> The board must post a notice of the audit, including the date, time, and place, in four conspicuous places in the county and on the supervisor's website.<sup>57</sup> The audit must be completed and the results made public no later than the seventh day following certification of the election by the board or the local board responsible for certifying the election.<sup>58</sup>

### Elections Canvassing Commission

The Elections Canvassing Commission is composed of the Governor and two members of the Cabinet selected by the Governor. Current law prescribes that the commission meets at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment.<sup>59</sup>

### Election Reports

By December 15 of each general election year, each supervisor must report to the DOS the total number of overvotes and undervotes in specified races,<sup>60</sup> and each board or the board responsible for certifying the election must provide a report with the results of the recount audit to the DOS.<sup>61</sup> These reports accompany a general election report that is submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15 of each year following a general election.<sup>62</sup>

In addition, each supervisor must file a Conduct of Election Report with the DOS no later than 20 business days after the Elections Canvassing Commission certifies the election.<sup>63</sup> The report must include specified information related to election definition errors, ballot printing errors, staffing shortages or procedural violations, equipment issues, and any other issues or problems associated with the conduct of elections.<sup>64</sup>

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<sup>55</sup> S. 101.591(1), F.S.

<sup>56</sup> S. 101.591(2), F.S.

<sup>57</sup> S. 101.591(3), F.S.

<sup>58</sup> S. 101.591(4), F.S.

<sup>59</sup> Section 102.111, F.S.

<sup>60</sup> Section 101.595, F.S.

<sup>61</sup> S. 101.591, F.S.

<sup>62</sup> S. 101.595, F.S.

<sup>63</sup> S. 102.141(10), F.S.

<sup>64</sup> *Id.*

### Vote Validation

Current law does not require the use of an independent, pre-certification vote validation process. Some supervisors, however, use such a process as an optional, additional check of election results.<sup>65</sup>

### *Effect of Proposed Changes*

#### Vote Validation

The bill replaces the post-election machine recount or machine recount audit process with an automated independent, pre-certification vote validation process. The division must adopt rules for approval of a system to conduct such process which require that the system, at a minimum, be:

- Completely independent of the primary voting system.
- Fast enough to produce final vote validation results before certification of each election.
- Capable of demonstrating that the ballots of record have been accurately adjudicated by the system in agreement with the vote tabulation system and capable of allowing the board to manually adjudicate ballots needing review. A board is not precluded from reviewing a digital image of a ballot corresponding to a physical paper ballot in conducting its review.

The bill provides that after unofficial election results are reported and before the certification of each election, each board or local board responsible for certifying the election must conduct an automated independent vote validation process in all precincts. The vote validation process verifies that the votes processed through the vote tabulation system for a candidate for any office or a measure appearing on a ballot do not have a discrepancy of one-half of one percent or less. Additionally, the vote validation process verifies that no changes in the outcome of the contest occurred. If the comparison of the results of the vote tabulation and the automated independent vote validation procedure reflects a difference of more than one-half of one percent of the results, then the proper county election official under the oversight of the board must conduct a system validation review using the images in the automated independent vote validation system of the ballots in disagreement.

The Secretary of State is responsible for ordering such system validation reviews in federal, state, or multicounty races. The board or the local board responsible for certifying the election is responsible for ordering a system validation review in all other races. The bill provides that the system review must include, but need not be limited to, a review of any clear overvotes or undervotes that appear in the automated independent vote validation system to adjudicate the voter intent of such differences before certification of the county's official results.

The bill requires the canvassing board to publish notice of the public system validation review on the county website, on the supervisor's website, or once in one or more newspapers of general circulation in the county. Each political party may designate one person with expertise in the computer field who must be allowed in the central counting room when all tests are being

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<sup>65</sup> In addition to approval of voting systems, the division uses authority provided under ss. 101.591 and 102.166, F.S., to review, test, and approve non-voting systems such as the independent audit systems and automatic tabulating equipment for purposes of a recount. See Department of State, Division of Elections, "Non-Voting System Technologies," available at <https://dos.fl.gov/elections/voting-systems/non-voting-system-technologies/> (last visited February 2, 2026). ClearBallot's ClearAudit system is currently the only system approved for an automated independent audit (*id.*).

conducted and when the official votes are being counted. The designee may not interfere with the normal operation of the canvassing board.

If the canvassing board is unable to complete the system validation review by the deadline, the vote validation report submitted by the canvassing board must be identical to the initial unofficial returns and the submission must also include a detailed explanation of the reason it was unable to timely complete the system validation review. The board must complete the system validation review, along with any manual review and certify official election returns.

#### Elections Canvassing Commission

The bill revises to 9 a.m. the time at which the commission shall meet, except for days the Legislature convenes for organization session,<sup>66</sup> in which case the meeting time will remain at 8 a.m.

#### Election Reports

The bill revises requirements for the audit report each board must submit to the DOS by December 15 of each general election, and for the general election report the DOS must submit to the Governor, Senate President, and House Speaker by February 15 of each year following a general election, to conform to the move to the pre-certification vote validation process.

The bill expands required content of the Conduct of Elections Report to also include issues encountered with any state approved election system, including, but not limited to, vote tabulation systems and automated independent vote validation systems.

### **Time Limitations for Prosecutions of Election Violations (Section 22)**

#### *Present Situation*

Current law provides time limitations for commencement of prosecution of criminal offenses, including the following time limitations for felonies:

- For a capital felony, a life felony, or a felony that result in a death – prosecution may be commenced at any time.
- For a first-degree felony – prosecution must be commenced within 4 years after the felony is committed.
- For any other felony – prosecution must be commenced within 3 years after the felony is committed.<sup>67</sup>

#### *Effect of Proposed Changes*

The bill creates a new section of law in ch. 104, F.S.,<sup>68</sup> providing that a prosecution for a felony violation under the Florida Election Code must be commenced within 5 years after the date the violation is committed.

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<sup>66</sup> Art. III, s. 3(a) of the FLA. CONST. provides that on the 14th day following each general election, the Legislature shall convene for the exclusive purpose of organization and selection of officers.

<sup>67</sup> Section 775.15, F.S.

<sup>68</sup> Chapter 104, F.S., specifies criminal penalties for numerous violations of the Election Code.

## Driver Licenses (Section 23)

### ***Present Situation***

Current law does not require driver licenses or identification cards to include the legal status of the licensee or card-holder on the physical copy of such identifications. However, current law requires that a driver update his or her driver license within 30 days of becoming a U.S. citizen and provides that a person who is an unauthorized alien or undocumented immigrant cannot be issued a driver license or identification card. As such, applicants of driver licenses and identification cards must provide sufficient REAL ID compliant documentation that supports their legal status.<sup>69</sup>

A renewal and replacement fee for an identification card is \$25.<sup>70</sup> A renewal driver license costs \$48<sup>71</sup> and a replacement driver license costs \$25.<sup>72</sup>

### ***Effect of Proposed Changes***

The bill creates a new section of law governing citizenship status designation on state-issued driver licenses and identification cards. The bill:

- Provides that by July 1, 2027, a Florida driver license or Florida identification card issued to a qualified applicant who is a U.S. citizen as last recorded in the system must include the applicant's legal citizenship status at the time of new issuance, renewal, or replacement.
- Requires the DHMSV to, at no charge, issue a renewal or replacement driver license or identification card if a licensee or cardholder timely updates his or her legal status upon becoming a U.S. citizen.

### **Conforming Changes and Reenactments (Sections 12, 14, 15, 17, and 24)**

The bill revises or reenacts other statutes to conform them to the substantive changes made to the definition of "ballot," to election audit processes, and to list maintenance program requirements.

### **Effective Date**

The bill takes effect January 1, 2027.

## **IV. Constitutional Issues:**

### **A. Municipality/County Mandates Restrictions:**

Not applicable. Bills that affect state or local elections are exempt from the requirements of Art. VII, s. 18 of the State Constitution.

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<sup>69</sup> Chapter 2025-1, L.O.F.

<sup>70</sup> Section 322.21(1) (f), F.S.

<sup>71</sup> Section 322.21(1)(c), F.S.

<sup>72</sup> Section 322.21(1)(e), F.S.

B. Public Records/Open Meetings Issues:

None.

C. Trust Funds Restrictions:

None.

D. State Tax or Fee Increases:

None.

E. Other Constitutional Issues:

The bill adds to the statutory content of the oath to which a voter registration applicant must subscribe. Because the oath is specified in the State Constitution, a constitutional amendment may be necessary.

**V. Fiscal Impact Statement:**

A. Tax/Fee Issues:

None.

B. Private Sector Impact:

None.

C. Government Sector Impact:

The bill will likely have an indeterminate fiscal impact on the DOS as it requires the DOS to revise voter registration requirements that may involve programming.

The bill will have an indeterminate impact on the DHSMV as it requires that department to, without charging applicants a fee for renewal, include on any new or renewal of a Florida driver license or identification card, the legal status of the applicant. A renewal and replacement identification card costs \$25 and a renewal driver license costs \$48. A replacement driver license costs \$25.

The bill will likely have an indeterminate fiscal impact on local governments for the provisions of the bill relating to the implementation of the bill's provisions concerning list maintenance, vote validation processes, and recount procedures.

**VI. Technical Deficiencies:**

None.

## VII. Related Issues:

The bill creates requirements relating to documentation of U.S. citizenship for registered voters and voter registration applicants. Requiring proof of U.S. citizenship as a condition of voter registration is the subject of political efforts at state and federal levels and of ongoing litigation.

One area of litigation turns on whether state laws requiring applicants to present documentary proof of citizenship as a condition for registering to vote in federal elections are preempted by Congress's power to regulate federal elections.<sup>73</sup> The National Voter Registration Act (NVRA) requires that states "accept and use" a uniform federal form to register voters for federal elections (Federal Form). That form requires an individual to attest under penalty of perjury that he or she is a citizen but does not require documentary proof. In 2013, the Supreme Court ruled on a challenge to an Arizona law requiring voter-registration officials to "reject" any application for registration, including a Federal Form,<sup>74</sup> that was not accompanied by concrete evidence of citizenship. The Court held that as applied to Federal Form applicants, Arizona's evidence-of-citizenship requirement was preempted by the NVRA's mandate that states "accept and use" the Federal Form.<sup>75</sup> After the ruling, Arizona began registering Federal Form registrants who do not supply documentary proof of citizenship as "federal-only" voters, who are eligible to vote only in federal races. However, reforms to Arizona voter-registration laws enacted in 2022 are now the subject of ongoing litigation; one such reform provides that voters who have not provided documentary proof of citizenship may not vote for president or by mail.<sup>76</sup> In addition, litigation challenging a New Hampshire law requiring new voter applicants to provide documentary proof of citizenship when registering to vote<sup>77</sup> is ongoing.<sup>78</sup>

Other litigation implicating the NVRA and the Federal Form stems from President Trump's 2025 executive order<sup>79</sup> that, in part, directed the federal Election Assistance Commission (EAC) to require documentary proof of U.S. citizenship in the Federal Form. The NVRA assigns to the EAC the responsibility for creating the Federal Form.<sup>80</sup> A federal district judge recently enjoined enforcement of that provision on the grounds that it is "inconsistent with the constitutional separation of powers."<sup>81</sup> Further litigation in the case is likely to occur.

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<sup>73</sup> The "Elections Clause" of the U.S. Constitution (art. I, s. 4) provides that: "The Times, Places, and Manner of holding Elections for Senators and Representatives, shall be prescribed in each State by the Legislature thereof; but the Congress may at any time by Law make or alter such Regulations, except to the Places of choosing Senators."

<sup>74</sup> Ariz. Rev. Stat. §16-166(F).

<sup>75</sup> *Arizona v. Inter Tribal Council of Arizona, Inc.*, 570 U.S. 1 (2013).

<sup>76</sup> *Republican National Committee, et al. v. Mi Familia Vota, et al.*, Emergency Application for Stay, available at [https://www.supremecourt.gov/DocketPDF/24/24A164/322042/20240808153155295\\_Emerg.%20App.%20for%20Stay.pdf](https://www.supremecourt.gov/DocketPDF/24/24A164/322042/20240808153155295_Emerg.%20App.%20for%20Stay.pdf) (last visited February 2, 2026).

<sup>77</sup> N.H. Rev. Stat. §654:7; §654:12.

<sup>78</sup> *New Hampshire Youth Movement v. Scanlan and Coalition for Open Democracy v. Scanlan*, U.S District Court for the District of New Hampshire (2024-ongoing).

<sup>79</sup> "Preserving and Protecting the Integrity of American Elections," available at <https://www.whitehouse.gov/presidential-actions/2025/03/preserving-and-protecting-the-integrity-of-american-elections/> (last visited February 2, 2026).

<sup>80</sup> 52 U.S.C. §20508(a)(2).

<sup>81</sup> Consolidated cases *League of United Latin American Citizens, et al. v. Executive Office of the President, et al.; Democratic National Committee, et al., v. Donald J. Trump; and League of Women Voters Education Fund, et al., v. Donald J. Trump*; Memorandum Opinion, issued January 30, 2026, available at <https://www.democracydocket.com/wp-content/uploads/2025/03/236-2026-01-30-Memorandum-opinion.pdf> (last visited February 2, 2026).

**VIII. Statutes Affected:**

This bill substantially amends the following sections of the Florida Statutes: 97.021, 97.051, 97.052, 97.0525, 97.053, 97.057, 98.045, 98.075, 98.093, 101.151, 101.5606, 101.56075, 101.5608, 101.5612, 101.591, 101.5911, 101.595, 102.111, 102.141, and 102.166.

This bill creates the following sections of the Florida Statutes: 98.094, 104.51, and 322.034.

**IX. Additional Information:****A. Committee Substitute – Statement of Changes:**

(Summarizing differences between the Committee Substitute and the prior version of the bill.)

None.

**B. Amendments:**

None.

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This Senate Bill Analysis does not reflect the intent or official position of the bill's introducer or the Florida Senate.

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LEGISLATIVE ACTION

Senate

House

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The Committee on Ethics and Elections (Grall) recommended the following:

1                   **Senate Amendment (with title amendment)**

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3                   Delete everything after the enacting clause  
4 and insert:

5                   Section 1. Subsections (6), (43), and (47) of section  
6 97.021, Florida Statutes, are amended to read:

7                   97.021 Definitions.—For the purposes of this code, except  
8 where the context clearly indicates otherwise, the term:

9                   (6) "Ballot" or "official ballot" means a printed sheet of  
10 paper containing contests, including offices and candidates,



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11 constitutional amendments, and other public measures, upon which  
12 a voter's selections will be marked by using a pen compatible  
13 with or recommended for use with the voting system, for  
14 tabulation by automatic tabulating equipment or data processing  
15 equipment that is part of the voting system. The term includes a  
16 voter-verifiable paper output upon which a voter's selections  
17 are marked by a voter interface device that meets voter  
18 accessibility requirements for individuals with disabilities  
19 under s. 301 of the federal Help America Vote Act of 2002 and s.  
20 101.56062 when used in reference to:

21 (a) "Electronic or electromechanical devices" means a  
22 ballot that is voted by the process of electronically  
23 designating, including by touchscreen, or marking with a marking  
24 device for tabulation by automatic tabulating equipment or data  
25 processing equipment.

26 (b) "Marksense ballots" means that printed sheet of paper,  
27 used in conjunction with an electronic or electromechanical vote  
28 tabulation voting system, containing the names of candidates, or  
29 a statement of proposed constitutional amendments or other  
30 questions or propositions submitted to the electorate at any  
31 election, on which sheet of paper an elector casts his or her  
32 vote.

33 (43) "Voter interface device" means any device that  
34 communicates voting instructions and ballot information to a  
35 voter and allows the voter to select and vote for candidates and  
36 issues. A voter interface device may not be used to tabulate  
37 votes. Any vote tabulation must be based upon a subsequent scan  
38 of the marked marksense ballot or the voter-verifiable paper  
39 output after the voter interface device process has been



40 completed.

41 (47) "Voting system" means a method of casting and  
42 processing votes which ~~that~~ functions wholly or partly by use of  
43 ~~electromechanical or electronic apparatus or by use of marksense~~  
44 ~~ballots~~ and includes, but is not limited to, the equipment,  
45 hardware, firmware, and software; the ballots; the procedures  
46 for casting and processing votes; and the programs, operating  
47 manuals, and supplies; and the reports, printouts, and other  
48 documentation software necessary for the system's operation.

49 Section 2. Present paragraphs (q) through (u) of subsection  
50 (2) of section 97.052, Florida Statutes, are redesignated as  
51 paragraphs (r) through (v), respectively, and a new paragraph  
52 (q) is added to that subsection, to read:

53 97.052 Uniform statewide voter registration application.—

54 (2) The uniform statewide voter registration application  
55 must be designed to elicit the following information from the  
56 applicant:

57 (q) Acknowledgment, by providing a box for the applicant to  
58 check, that it is a third degree felony under state and federal  
59 law to falsely swear or affirm or otherwise submit false  
60 information on a voter registration application.

61 Section 3. Subsection (4) of section 97.0525, Florida  
62 Statutes, is amended to read:

63 97.0525 Online voter registration.—

64 (4) (a) The online voter registration system must ~~shall~~  
65 compare the Florida driver license number or Florida  
66 identification number submitted pursuant to s. 97.052(2)(n) with  
67 information maintained by the Department of Highway Safety and  
68 Motor Vehicles to confirm that the name and date of birth on the



69 application are consistent with the records of the Department of  
70 Highway Safety and Motor Vehicles.

71 (b) If the applicant's name and date of birth are  
72 consistent with the records of the Department of Highway Safety  
73 and Motor Vehicles and the records of the Department of Highway  
74 Safety and Motor Vehicles indicate that the applicant has  
75 provided documents acceptable as evidence of United States  
76 citizenship, the online voter registration system must shall  
77 transmit, using the statewide voter registration system  
78 maintained pursuant to s. 98.035, the applicant's registration  
79 application, along with the digital signature of the applicant  
80 on file with the Department of Highway Safety and Motor  
81 Vehicles, to the supervisor of elections. The applicant's  
82 digital signature satisfies the signature requirement of s.  
83 97.052(2)(r) s. 97.052(2)(q). The applicant's legal status as a  
84 United States citizen must be recorded in the statewide voter  
85 registration system.

86 (c) If the applicant's name and date of birth match the  
87 records of the Department of Highway Safety and Motor Vehicles,  
88 but the records of the Department of Highway Safety and Motor  
89 Vehicles indicate the applicant is not a United States citizen  
90 or has not provided documents acceptable as evidence of United  
91 States citizenship, the online voter registration system must  
92 notify the supervisor of elections that the applicant's legal  
93 status as a United States citizen could not be verified and  
94 transmit, using the statewide voter registration system  
95 maintained pursuant to s. 98.035, the applicant's registration  
96 application, along with the digital signature of the applicant  
97 on file with the Department of Highway Safety and Motor



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98 Vehicles, to the supervisor of elections. The applicant's  
99 digital signature satisfies the signature requirement of s.  
100 97.052(2)(r).

101 (d) If the applicant's name and date of birth cannot be  
102 verified by the records of the Department of Highway Safety and  
103 Motor Vehicles, or if the applicant indicated that he or she has  
104 not been issued a Florida driver license or Florida  
105 identification card, the online voter registration system must  
106 shall populate the applicant's information, except for the  
107 applicant's Florida driver license number, Florida  
108 identification card number, or social security number, into a  
109 printable voter registration application pursuant to s.  
110 97.052(2) which and direct the applicant may to print, complete,  
111 sign, and date, the application and deliver the application to  
112 the supervisor of elections for disposition pursuant to s.  
113 97.073.

114 (e) If the applicant indicates that he or she has not been  
115 issued a Florida driver license or identification card, or  
116 chooses to use the system to prepopulate an application to  
117 print, sign, date, and deliver to the supervisor, the online  
118 voter registration system must populate the applicant's  
119 information into a printable voter registration application  
120 pursuant to s. 97.052(2) and direct the applicant to print,  
121 sign, and date the application and deliver the application to  
122 the supervisor for disposition under s. 97.073.

123 Section 4. Subsections (2), (4), and (6) of section 97.053,  
124 Florida Statutes, are amended to read:

125 97.053 Acceptance of voter registration applications.—

126 (2) A voter registration application is complete and



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127 becomes the official voter registration record of that applicant  
128 when all information necessary to establish the applicant's  
129 eligibility pursuant to s. 97.041 is received by a voter  
130 registration official and verified pursuant to subsection (6).  
131 Except as provided in subsection (6), if the applicant fails to  
132 complete his or her voter registration application on or before  
133 prior to the date of book closing for an election, ~~then~~ such  
134 applicant is ~~shall~~ not be eligible to vote in that election.

135 (4) (a) The registration date for a valid initial voter  
136 registration application that has been mailed to a driver  
137 license office, a voter registration agency, an armed forces  
138 recruitment office, the division, or the office of any  
139 supervisor in the state and bears a clear postmark is the date  
140 of that postmark. If an initial voter registration application  
141 that has been mailed does not bear a postmark or if the postmark  
142 is unclear, the registration date is the date the application is  
143 received by any supervisor or the division, unless it is  
144 received within 5 days after the closing of the books for an  
145 election, excluding Saturdays, Sundays, and legal holidays, in  
146 which case the registration date is the book-closing date.

147 (b) The registration date for a valid application to update  
148 the voter's record with a change of address, name, or party  
149 affiliation is retroactive to the date the application was  
150 initially received once the required sufficient evidence is  
151 verified.

152 (6) (a) A voter registration application, including an  
153 application with a change in name, address, or party  
154 affiliation, may be accepted as valid only after the department  
155 has verified the authenticity or nonexistence of the Florida



156 driver license number, the Florida identification card number,  
157 or the last four digits of the social security number provided  
158 by the applicant. If a completed voter registration application  
159 has been received by the book-closing deadline but the Florida  
160 driver license number, the Florida identification card number,  
161 or the last four digits of the social security number provided  
162 by the applicant cannot be verified, or if the records of the  
163 Department of Highway Safety and Motor Vehicles indicate that  
164 the applicant is not a United States citizen or has not provided  
165 documents acceptable as evidence of United States citizenship,  
166 the applicant ~~must~~ shall be notified ~~and~~ that the number cannot  
167 ~~be verified and that the applicant~~ must provide evidence to the  
168 supervisor sufficient to verify the authenticity of the  
169 applicant's Florida driver license number, Florida  
170 identification card number, or last four digits of the social  
171 security number or, if applicable, must provide documents  
172 acceptable as evidence of United States citizenship. If the  
173 applicant provides the necessary evidence, the supervisor must  
174 shall place the applicant's name on the registration rolls as an  
175 active voter. If the applicant has not provided the necessary  
176 evidence or the number has not otherwise been verified prior to  
177 the applicant presenting himself or herself to vote, the  
178 applicant must shall be provided a provisional ballot. The  
179 provisional ballot must shall be counted only if the number is  
180 verified by the end of the canvassing period or if the applicant  
181 presents evidence to the supervisor of elections sufficient to  
182 verify the authenticity of the applicant's Florida driver  
183 license number, Florida identification card number, or last four  
184 digits of the social security number or, if applicable, presents



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185 documents acceptable as evidence of United States citizenship no  
186 later than 5 p.m. of the second day following the election.

187 (b) Upon receipt of a voter registration application,  
188 including an application with a change in name, address, or  
189 party affiliation, which indicates that the applicant has not  
190 been issued a current and valid Florida driver license, Florida  
191 identification card, or social security number, or if the  
192 records of the Department of Highway Safety and Motor Vehicles  
193 indicate that the applicant is not a United States citizen or  
194 has not provided documents acceptable as evidence of United  
195 States citizenship, the supervisor of elections shall verify the  
196 voter's legal status as a United States citizen using available  
197 state and federal governmental sources and, if applicable,  
198 initiate notice pursuant to s. 98.075(7).

199       Section 5. Subsections (11) and (13) of section 97.057,  
200 Florida Statutes, are amended to read:

201       97.057 Voter registration by the Department of Highway  
202 Safety and Motor Vehicles.—

203       (11) The Department of Highway Safety and Motor Vehicles  
204 shall enter into an agreement with the department to match  
205 information in the statewide voter registration system with  
206 information in the database of the Department of Highway Safety  
207 and Motor Vehicles to the extent required to verify the accuracy  
208 of the Florida driver license number, Florida identification  
209 number, or last four digits of the social security number and  
210 the legal status as a United States citizen, provided on  
211 applications for voter registration as required in s. 97.053.  
212 The department shall also include in the statewide voter  
213 registration system the type of documentary proof that the



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214 licensee or cardholder provided as evidence of United States  
215 citizenship.

216 (13) Notwithstanding declinations to register or to update  
217 a voter registration pursuant to paragraph (2) (b), the  
218 Department of Highway Safety and Motor Vehicles, in accordance  
219 with s. 98.093(8), shall must assist the Department of State in  
220 regularly identifying changes in residence address on the  
221 Florida driver license or Florida identification card or changes  
222 in the Florida driver license or Florida identification card  
223 number of such persons who may be voters of a voter. The  
224 Department of State must report each such change to the  
225 appropriate supervisor of elections who must change the voter's  
226 registration records in accordance with s. 98.065(4).

227 Section 6. Subsection (1) of section 98.045, Florida  
228 Statutes, is amended to read:

229 98.045 Administration of voter registration.—

230 (1) ELIGIBILITY OF APPLICANT.—

231 (a) The supervisor shall must ensure that any eligible  
232 applicant for voter registration is registered to vote and that  
233 each application for voter registration is processed in  
234 accordance with law. The supervisor shall determine whether a  
235 voter registration applicant is ineligible based on any of the  
236 following:

237 1.(a) The failure to complete a voter registration  
238 application as specified in s. 97.053.

239 2.(b) The applicant is deceased.

240 3.(c) The applicant has been convicted of a felony for  
241 which his or her voting rights have not been restored.

242 4.(d) The applicant has been adjudicated mentally



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243 incapacitated with respect to the right to vote and such right  
244 has not been restored.

245 5.(e) The applicant does not meet the age requirement  
246 pursuant to s. 97.041.

247 6.(f) The applicant is not a United States citizen.

248 7.(g) The applicant is a fictitious person.

249 8.(h) The applicant has provided an address of legal  
250 residence that is not his or her legal residence.

251 9.(i) The applicant has provided a Florida driver license  
252 number, Florida identification card number, or the last four  
253 digits of a social security number that is not verifiable by the  
254 department.

255 (b) If the latest voter registration records show that a  
256 new applicant was previously registered but subsequently removed  
257 for ineligibility pursuant to s. 98.075(7), the supervisor must  
258 verify the current eligibility of the applicant to register  
259 within 13 days after receipt of such records by reviewing the  
260 information provided by a governmental entity listed in s.  
261 98.075 or s. 98.093 to determine whether the applicant remains  
262 ineligible. If the supervisor determines that the applicant is  
263 ineligible, the supervisor must deny the application and notify  
264 the applicant pursuant to s. 97.073.

265 Section 7. Subsection (6) and paragraph (a) of subsection  
266 (7) of section 98.075, Florida Statutes, are amended to read:

267 98.075 Registration records maintenance activities;  
268 ineligibility determinations.—

269 (6) ELIGIBILITY.—

270 (a) *Citizenship.*—The department shall identify those  
271 registered voters who are potentially ineligible based on their



272 legal status regarding United States citizenship by comparing or  
273 receiving information from the Department of Highway Safety and  
274 Motor Vehicles, clerks of state and federal courts, and the  
275 United States Department of Homeland Security, as provided in s.  
276 98.093. The department shall review such information and make an  
277 initial determination as to whether the information is credible  
278 and reliable. If the department determines that the information  
279 is credible and reliable, the department must notify the  
280 supervisor and provide a copy of the supporting documentation  
281 indicating potential ineligibility of the voter to be  
282 registered. Upon receipt of the notice that the department has  
283 made a determination of initial credibility and reliability, the  
284 supervisor must adhere to the procedures set forth in subsection  
285 (7) before the removal of a registered voter's name from the  
286 statewide voter registration system.

287 (b) Other bases for ineligibility ~~OTHER BASES FOR~~  
288 ~~INELIGIBILITY.~~—Subsections (2)-(6) ~~(2)-(5)~~ do not limit or  
289 restrict the department or the supervisor in his or her duty to  
290 act upon direct receipt of, access to, or knowledge of  
291 information from any governmental entity that identifies a  
292 registered voter as potentially ineligible. If the department or  
293 supervisor receives information from any governmental entity  
294 other than those identified in subsections (2)-(6) ~~(2)-(5)~~ that  
295 a registered voter is ineligible because the voter is deceased,  
296 adjudicated a convicted felon without having had his or her  
297 voting rights restored, adjudicated mentally incapacitated  
298 without having had his or her voting rights restored, does not  
299 meet the age requirement pursuant to s. 97.041, is not a United  
300 States citizen, is a fictitious person, or has listed an address



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301 that is not his or her address of legal residence, the  
302 supervisor must adhere to the procedures set forth in subsection  
303 (7) before the removal of the name of a registered voter who is  
304 determined to be ineligible from the statewide voter  
305 registration system.

306 (7) PROCEDURES FOR REMOVAL.—

307 (a) If the supervisor receives notice or information  
308 pursuant to subsections (4)-(6), the supervisor of the county in  
309 which the voter is registered must:

310 1. Notify the registered voter of his or her potential  
311 ineligibility by mail within 7 days after receipt of notice or  
312 information. The notice must include:

313 a. A statement of the basis for the registered voter's  
314 potential ineligibility and a copy of any documentation upon  
315 which the potential ineligibility is based. Such documentation  
316 must include any conviction from another jurisdiction determined  
317 to be a similar offense to murder or a felony sexual offense, as  
318 those terms are defined in s. 98.0751.

319 b. A statement that failure to respond within 30 days after  
320 receipt of the notice may result in a determination of  
321 ineligibility and in removal of the registered voter's name from  
322 the statewide voter registration system.

323 c. A return form that requires the registered voter to  
324 admit or deny the accuracy of the information underlying the  
325 potential ineligibility for purposes of a final determination by  
326 the supervisor.

327 d. A statement that, if the voter is denying the accuracy  
328 of the information underlying the potential ineligibility, the  
329 voter has a right to request a hearing for the purpose of



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330 determining eligibility.

331 e. Instructions for the registered voter to contact the  
332 supervisor of elections of the county in which the voter is  
333 registered if assistance is needed in resolving the matter.

334 f. Instructions for seeking restoration of civil rights  
335 pursuant to s. 8, Art. IV of the State Constitution and  
336 information explaining voting rights restoration pursuant to s.  
337 4, Art. VI of the State Constitution following a felony  
338 conviction, if applicable.

339 g. A list of the following acceptable documents or evidence  
340 of United States citizenship which, if provided or used to  
341 verify the voter as a United States citizen, must be recorded in  
342 the statewide voter registration system:

343 (I) An original or certified copy of a United States birth  
344 certificate.

345 (II) A valid, unexpired United States passport.

346 (III) A naturalization certificate issued by the United  
347 States Department of Homeland Security.

348 (IV) A Consular Report of Birth Abroad provided by the  
349 United States Department of State.

350 (V) A current and valid Florida driver license or Florida  
351 identification card issued by the Department of Highway Safety  
352 and Motor Vehicles, if such driver license or identification  
353 card indicates United States citizenship.

354 (VI) A current and valid photo identification issued by the  
355 Federal Government or the state which indicates United States  
356 citizenship.

357 (VII) An order from a federal court granting United States  
358 citizenship.



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359        (VIII) If the applicant's legal name is different from the  
360 name that appears on one of the documents specified in this sub-  
361 subparagraph, official legal documentation providing proof of  
362 legal name change.

363        h. The following statement: "If you attempt to vote at an

364 early voting site or your normal election day polling place, you

365 will be required to vote a provisional ballot. If you vote by

366 mail, your ballot will be treated as a provisional ballot. In

367 either case, your ballot may not be counted until a final

368 determination of eligibility is made. If you wish for your

369 ballot to be counted, you must contact the supervisor of

370 elections office within 2 days after the election and present

371 evidence that you are eligible to vote."

372        2. If the mailed notice is returned as undeliverable, the

373 supervisor must, within 14 days after receiving the returned

374 notice, either publish notice once in a newspaper of general

375 circulation in the county in which the voter was last registered

376 or publish notice on the county's website as provided in s.

377 50.0311 or on the supervisor's website, as deemed appropriate by

378 the supervisor. The notice must contain the following:

379        a. The voter's name and address.

380        b. A statement that the voter is potentially ineligible to

381 be registered to vote.

382        c. A statement that failure to respond within 30 days after

383 the notice is published may result in a determination of

384 ineligibility by the supervisor and removal of the registered

385 voter's name from the statewide voter registration system.

386        d. An instruction for the voter to contact the supervisor

387 no later than 30 days after the date of the published notice to



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388 receive information regarding the basis for the potential  
389 ineligibility and the procedure to resolve the matter.

390 e. An instruction to the voter that, if further assistance  
391 is needed, the voter should contact the supervisor of elections  
392 of the county in which the voter is registered.

393 f. A statement that, if the voter denies the accuracy of  
394 the information underlying the potential ineligibility, the  
395 voter has a right to request a hearing for the purpose of  
396 determining eligibility.

397 g. The following statement: "If you attempt to vote at an  
398 early voting site or your normal election day polling place, you  
399 will be required to vote a provisional ballot. If you vote by  
400 mail, your ballot will be treated as a provisional ballot. In  
401 either case, your ballot may not be counted until a final  
402 determination of eligibility is made. If you wish for your  
403 ballot to be counted, you must contact the supervisor of  
404 elections office within 2 days after the election and present  
405 evidence that you are eligible to vote."

406 3. If a registered voter fails to respond to a notice  
407 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
408 must make a final determination of the voter's eligibility  
409 within 7 days after expiration of the voter's timeframe to  
410 respond. If the supervisor determines that the voter is  
411 ineligible, the supervisor must remove the name of the  
412 registered voter from the statewide voter registration system  
413 within 7 days. The supervisor shall notify the registered voter  
414 of the supervisor's determination and action.

415 4. If a registered voter responds to the notice pursuant to  
416 subparagraph 1. or subparagraph 2. and admits the accuracy of



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417 the information underlying the potential ineligibility, the  
418 supervisor must, as soon as practicable, make a final  
419 determination of ineligibility and remove the voter's name from  
420 the statewide voter registration system. The supervisor shall  
421 notify the registered voter of the supervisor's determination  
422 and action.

423 5. If a registered voter responds to the notice issued  
424 pursuant to subparagraph 1. or subparagraph 2. and denies the  
425 accuracy of the information underlying the potential  
426 ineligibility but does not request a hearing, the supervisor  
427 must review the evidence and make a determination of eligibility  
428 no later than 30 days after receiving the response from the  
429 voter. If the supervisor determines that the registered voter is  
430 ineligible, the supervisor must remove the voter's name from the  
431 statewide voter registration system upon such determination and  
432 notify the registered voter of the supervisor's determination  
433 and action and that the removed voter has a right to appeal a  
434 determination of ineligibility pursuant to s. 98.0755. If such  
435 registered voter requests a hearing, the supervisor must send  
436 notice to the registered voter to attend a hearing at a time and  
437 place specified in the notice. The supervisor shall schedule and  
438 issue notice for the hearing within 7 days after receiving the  
439 voter's request for a hearing and shall hold the hearing no  
440 later than 30 days after issuing the notice of the hearing. A  
441 voter may request an extension upon showing good cause by  
442 submitting an affidavit to the supervisor as to why he or she is  
443 unable to attend the scheduled hearing. Upon hearing all  
444 evidence presented at the hearing, the supervisor shall make a  
445 determination of eligibility within 7 days. If the supervisor



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446 determines that the registered voter is ineligible, the  
447 supervisor must remove the voter's name from the statewide voter  
448 registration system and notify the registered voter of the  
449 supervisor's determination and action and that the removed voter  
450 has a right to appeal a determination of ineligibility pursuant  
451 to s. 98.0755.

452       Section 8. Present subsection (9) of section 98.093,  
453 Florida Statutes, is redesignated as subsection (10), a new  
454 subsection (9) is added to that section, and subsection (8) of  
455 that section is amended, to read:

456       98.093 Duty of officials to furnish information relating to  
457 deceased persons, persons adjudicated mentally incapacitated,  
458 persons convicted of a felony, and persons who are not United  
459 States citizens.—

460       (8) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—The  
461 Department of Highway Safety and Motor Vehicles shall furnish  
462 weekly to the department the following information:

463       (a) Information identifying those persons whose names have  
464 been removed from the Florida driver license or Florida  
465 identification card database during the preceding week because  
466 they have been licensed or been issued an identification card in  
467 another state. The information must contain the person's name,  
468 last known Florida address, date of birth, sex, last four digits  
469 of his or her social security number, and Florida driver license  
470 number or Florida identification card number and, if available,  
471 the address and the state in which the person is now licensed.

472       (b) Information identifying those persons who during the  
473 preceding week presented evidence of non-United States  
474 citizenship upon being issued a new or renewed Florida driver



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475 license or Florida identification card. The information must  
476 contain the person's name; address; date of birth; last four  
477 digits of the social security number, if applicable; Florida  
478 driver license number or Florida identification card number, as  
479 available; and alien registration number or other legal status  
480 identifier.

481 (c) Information identifying those persons who during the  
482 preceding week presented documents acceptable as evidence of  
483 United States citizenship upon being issued a new, renewed, or  
484 replacement Florida driver license or Florida identification  
485 card. The information must contain the person's name; address;  
486 date of birth; last four digits of the social security number,  
487 if applicable; Florida driver license number or Florida  
488 identification card number, as available; the type of  
489 documentary proof provided in support of citizenship; and, if  
490 applicable, the alien registration number or other legal status  
491 identifier. Any of the following documents are acceptable as  
492 evidence of United States citizenship:

493 1. An original or certified copy of a United States birth  
494 certificate.

495 2. A valid, unexpired United States passport.

496 3. A naturalization certificate issued by the United States  
497 Department of Homeland Security.

498 4. A Consular Report of Birth Abroad provided by the United  
499 States Department of State.

500 5. A current and valid Florida driver license or Florida  
501 identification card issued by the Department of Highway Safety  
502 and Motor Vehicles, if such driver license or identification  
503 card indicates United States citizenship.



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504        6. A current and valid photo identification issued by the  
505        Federal Government or the state which indicates United States  
506        citizenship.

507        7. An order from a federal court granting United States  
508        citizenship.

509        8. If the applicant's legal name is different from the name  
510        that appears on one of the documents specified in this  
511        paragraph, official legal documentation providing for proof of  
512        legal name change.

513        (d) Information identifying a change in residence address  
514        on the Florida driver license or Florida identification card of  
515        any person who declined pursuant to s. 97.057(2) to register or  
516        update his or her voter record. The information must contain the  
517        person's name; date of birth; sex; last four digits of the  
518        social security number, if available; and Florida driver license  
519        or Florida identification card number, as available, in order to  
520        identify a voter's registration record. The Department of State  
521        must report each such change in residence address to the  
522        appropriate supervisor, who must change the voter's registration  
523        records in accordance with s. 98.065(4).

524        (e) Information identifying new, renewed, or replacement  
525        Florida driver license or Florida identification card numbers  
526        issued to persons who declined pursuant to s. 97.057(2) to  
527        register or update their voter record. The information must  
528        contain the person's name; date of birth; last four digits of  
529        the social security number, if available; and the prior, if  
530        applicable, and current Florida driver license or Florida  
531        identification card number in order to identify a voter's  
532        registration record. Within 7 days, the Department of State



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533 shall report such information to the appropriate supervisor, who  
534 must update the voter registration records.

535 (f) Information identifying those persons for which it has  
536 received official information during the preceding week that the  
537 person is deceased. The information must contain the name,  
538 address, date of birth, last four digits of the social security  
539 number, Florida driver license number or Florida identification  
540 card number, and date of death of each such person.

541 (9) FEDERAL COURTS.—Upon receipt of information from a jury  
542 coordinator that a person was disqualified or potentially  
543 disqualified as a prospective juror from jury service due to not  
544 having United States citizenship, being convicted of a felony,  
545 being deceased, being a nonresident of this state, or being a  
546 nonresident of the county, the department shall use such  
547 information to identify registered voters or applicants for  
548 voter registration who may be potentially ineligible based on  
549 information provided in accordance with s. 98.075.

550 Section 9. Present subsections (5) through (8) of section  
551 99.012, Florida Statutes, are redesignated as subsections (7)  
552 through (10), respectively, and new subsections (5) and (6) are  
553 added to that section, to read:

554 99.012 Restrictions on individuals qualifying for public  
555 office.—

556 (5) A person may not qualify for nomination as a candidate  
557 of a political party if he or she has not been a registered  
558 member of that party for the 365-day period preceding the  
559 beginning of qualifying; or as a candidate with no party  
560 affiliation if he or she has not been registered without party  
561 affiliation, or has been a registered member of any political



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562 party, for the 365-day period preceding the beginning of  
563 qualifying.

564 (6) A person may not qualify as a candidate for public  
565 office, whether federal, state, district, county, or municipal,  
566 if he or she has legally changed his or her name through a  
567 petition pursuant to s. 68.07 during the 365-day period  
568 preceding the beginning of qualifying. This subsection does not  
569 apply to any change of name in proceedings for dissolution of  
570 marriage or adoption of children or based on a change of name  
571 conducted with a marriage certificate.

572 Section 10. Paragraphs (b) and (c) of subsection (1) of  
573 section 99.021, Florida Statutes, are amended to read:

574 99.021 Form of candidate oath.—

575 (1)

576 (b) In addition, any person seeking to qualify for  
577 nomination as a candidate of any political party shall, at the  
578 time of subscribing to the oath or affirmation, state in  
579 writing:

580 1. The party of which the person is a member.

581 2. That the person has been a registered member of the  
582 political party for which he or she is seeking nomination as a  
583 candidate for at least 365 consecutive days preceding before the  
584 beginning of qualifying before preceding the general election  
585 for which the person seeks to qualify.

586 3. That the person has paid the assessment levied against  
587 him or her, if any, as a candidate for said office by the  
588 executive committee of the party of which he or she is a member.

589 (c) In addition, any person seeking to qualify for office  
590 as a candidate with no party affiliation shall, at the time of



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591 subscribing to the oath or affirmation, state in writing that he  
592 or she is registered without any party affiliation and that he  
593 or she has not been a registered member of any political party  
594 for at least 365 consecutive days preceding before the beginning  
595 of qualifying before preceding the general election for which  
596 the person seeks to qualify.

597 Section 11. Subsection (1) of section 101.151, Florida  
598 Statutes, is amended to read:

599 101.151 Specifications for ballots.—

600 (1) (a) ~~Marksense~~ Ballots must ~~shall~~ be printed on paper of  
601 such thickness that the printing cannot be distinguished from  
602 the back and must ~~shall~~ meet the specifications of the voting  
603 system that will be used to tabulate the ballots.

604 (b) Polling places and early voting sites may employ a  
605 ballot-on-demand production system to print individual ~~Marksense~~  
606 ballots, including provisional ballots, for eligible electors.  
607 Ballot-on-demand technology may be used to produce ~~Marksense~~  
608 vote-by-mail, early voting, and election-day ballots.

609 Section 12. Subsection (4) of section 101.5606, Florida  
610 Statutes, is amended to read:

611 101.5606 Requirements for approval of systems.—No  
612 electronic or electromechanical voting system shall be approved  
613 by the Department of State unless it is so constructed that:

614 (4) ~~For systems using marksense ballots,~~ It accepts a  
615 rejected ballot pursuant to subsection (3) if a voter chooses to  
616 cast the ballot, but records no vote for any office that has  
617 been overvoted or undervoted.

618 Section 13. Section 101.56075, Florida Statutes, is amended  
619 to read:



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620        101.56075 Voting methods.—For the purpose of designating  
621 ballot selections, all voting must be by official marksense  
622 ballot, using a pen compatible with or recommended for use with  
623 the voting system, unless a voter requests to vote using marking  
624 device or a voter interface device that produces a voter-  
625 verifiable paper output and meets the voter accessibility  
626 requirements for individuals with disabilities under s. 301 of  
627 the federal Help America Vote Act of 2002 and s. 101.56062.

628        Section 14. Section 101.5608, Florida Statutes, is amended  
629 to read:

630        101.5608 Voting at the polls by electronic or  
631 electromechanical method; procedures.—

632        (1) Each voter elector desiring to vote must shall be  
633 identified to the clerk or inspector of the election as a duly  
634 qualified voter elector of such election and must shall sign his  
635 or her name on the precinct register or other form or device  
636 provided by the supervisor. The inspector shall compare the  
637 signature with the signature on the identification provided by  
638 the voter elector. If the inspector is reasonably sure that the  
639 person is entitled to vote, the inspector must shall provide the  
640 person with a ballot.

641        (2) When an electronic or electromechanical voting system  
642 uses utilizes a ballot card or marksense ballot, the following  
643 procedures must shall be followed:

644        (a) After receiving a ballot from an inspector, the voter  
645 elector shall, without leaving the polling place, retire to a  
646 booth or compartment and mark the ballot. After marking his or  
647 her ballot, the voter must elector shall place the ballot in a  
648 secrecy envelope so that the ballot will be deposited in the



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649 tabulator without exposing the voter's choices.

650 (b) Any voter who spoils his or her ballot or makes an  
651 error may return the ballot to the election official and secure  
652 another ballot, except that in no case shall a voter be  
653 furnished more than three ballots. If the vote tabulation device  
654 has rejected a ballot, the ballot must shall be considered  
655 spoiled and a new ballot must shall be provided to the voter  
656 unless the voter chooses to cast the rejected ballot. The  
657 election official, without examining the original ballot, shall  
658 state the possible reasons for the rejection and shall provide  
659 instruction to the voter pursuant to s. 101.5611. A spoiled  
660 ballot must shall be preserved, without examination, in an  
661 envelope provided for that purpose. ~~The stub shall be removed~~  
~~from the ballot and placed in an envelope.~~

663 (c) The supervisor of elections shall prepare for each  
664 polling place at least one ballot box to contain the ballots of  
665 a particular precinct, and each ballot box must shall be plainly  
666 marked with the name of the precinct for which it is intended.

667 (3) The Department of State shall promulgate rules  
668 regarding voting procedures to be used when an electronic or  
669 electromechanical voting system is of a type which does not use  
670 utilize a ballot card ~~or marksense~~ ballot.

671 (4) In any election in which a write-in candidate has  
672 qualified for office, the supervisor of elections shall provide  
673 for write-in voting pursuant to rules adopted by the Division of  
674 Elections.

675 Section 15. Subsection (5) of section 101.5612, Florida  
676 Statutes, is amended to read:

677 101.5612 Testing of tabulating equipment.—



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678       (5) Any tests involving ~~marksense~~ ballots pursuant to this  
679 section must ~~shall~~ employ test ballots created by the supervisor  
680 of elections using actual ballots that have been printed for the  
681 election. If ballot-on-demand ballots will be used in the  
682 election, the supervisor must ~~shall~~ also create test ballots  
683 using the ballot-on-demand technology that will be used to  
684 produce ballots in the election, using the same paper stock as  
685 will be used for ballots in the election.

686       Section 16. Subsection (2) of section 102.111, Florida  
687 Statutes, is amended to read:

688       102.111 Elections Canvassing Commission.—

689       (2) The Elections Canvassing Commission shall meet ~~at 8~~  
690 ~~a.m.~~ on the 9th day after a primary election and ~~at 8 a.m.~~ on  
691 the 14th day after a general election to certify the returns of  
692 the election for each federal, state, and multicounty office and  
693 for each constitutional amendment. The meeting must be at 9  
694 a.m., except for days the Legislature convenes for organization  
695 session pursuant to s. 3(a), Art. III of the State Constitution,  
696 on which days the meeting must be at 8 a.m. If a member of a  
697 county canvassing board that was constituted pursuant to s.  
698 102.141 determines, within 5 days after the certification by the  
699 Elections Canvassing Commission, that a typographical error  
700 occurred in the official returns of the county, the correction  
701 of which could result in a change in the outcome of an election,  
702 the county canvassing board must certify corrected returns to  
703 the Department of State within 24 hours, and the Elections  
704 Canvassing Commission must correct and recertify the election  
705 returns as soon as practicable.

706       Section 17. Subsections (3) through (7) of section 102.141,



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707 Florida Statutes, are amended to read:

708 102.141 County canvassing board; duties.—

709 (3) The canvass, except the canvass of absent voters'  
710 electors' returns and the canvass of provisional ballots, must  
711 shall be made from the returns and certificates of the  
712 inspectors as signed and filed by them with the supervisor, and  
713 the county canvassing board may shall not change the number of  
714 votes cast for a candidate, nominee, constitutional amendment,  
715 or other measure submitted to the electorate of the county,  
716 respectively, in any polling place, as shown by the returns. All  
717 returns must shall be made to the board on or before 2 a.m. of  
718 the day following any primary, general, or other election. If  
719 the returns from any precinct are missing, if there are any  
720 omissions on the returns from any precinct, or if there is an  
721 obvious error on any such returns, the canvassing board must  
722 shall order a retabulation of the returns from such precinct.  
723 Before canvassing such returns, the canvassing board shall  
724 examine the tabulation of the ballots cast in such precinct and  
725 determine whether the returns correctly reflect the votes cast.  
726 If there is a discrepancy between the returns and the tabulation  
727 of the ballots cast, the tabulation of the ballots cast must  
728 shall be presumed correct and such votes must shall be canvassed  
729 accordingly.

730 (4) (a) The supervisor of elections shall upload into the  
731 county's election management system by 7 p.m. local time on the  
732 day before the election the results of all early voting and  
733 vote-by-mail ballots that have been canvassed and tabulated by  
734 the end of the early voting period. Pursuant to ss. 101.5614(8),  
735 101.657, and 101.68(2), the tabulation of votes cast or the



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736 results of such uploads may not be made public before the close  
737 of the polls on election day.

738 (b) The supervisor, on behalf of the canvassing board,  
739 shall report all early voting and all tabulated vote-by-mail  
740 results to the Department of State within 30 minutes after the  
741 polls close. Thereafter, the canvassing board shall report, with  
742 the exception of provisional ballot results, updated precinct  
743 election results by uploading such results to the department at  
744 least every 45 minutes until all results are completely  
745 reported. The supervisor of elections shall notify the  
746 department immediately of any circumstances that do not permit  
747 periodic updates as required. Results must shall be submitted in  
748 a format prescribed by the department.

749 (5) The canvassing board shall submit on forms or in  
750 formats provided by the division unofficial returns to the  
751 Department of State for each federal, statewide, state, or  
752 multicounty office or ballot measure no later than noon on the  
753 third day after any primary election and no later than noon on  
754 the fourth day after any general or other election. Such returns  
755 must shall include the canvass of all ballots, including write-  
756 in votes, as required by subsection (2).

757 (6) If the county canvassing board determines that the  
758 unofficial returns may contain a counting error in which the  
759 vote tabulation system failed to count votes that were properly  
760 marked in accordance with the instructions on the ballot, the  
761 county canvassing board must shall:

762 (a) Correct the error and retabulate the affected ballots  
763 with the vote tabulation system; or  
764 (b) Request that the Department of State verify the



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765 tabulation software. When the Department of State verifies such  
766 software, the department shall compare the software used to  
767 tabulate the votes with the software filed with the department  
768 pursuant to s. 101.5607 and check the election parameters.

769 (7) If the unofficial returns reflect that a candidate for  
770 any office was defeated or eliminated by one-half of a percent  
771 or less of the votes cast for such office, that a candidate for  
772 retention to a judicial office was retained or not retained by  
773 one-half of a percent or less of the votes cast on the question  
774 of retention, or that a measure appearing on the ballot was  
775 approved or rejected by one-half of a percent or less of the  
776 votes cast on such measure, a recount shall be ordered of the  
777 votes cast with respect to such office or measure. The Secretary  
778 of State is responsible for ordering recounts in races that are  
779 federal or, state races that are, and multicounty and any other  
780 multicounty races. The county canvassing board or the local  
781 board responsible for certifying the election is responsible for  
782 ordering recounts in all other races. A recount need not be  
783 ordered with respect to the returns for any office, however, if  
784 the candidate or candidates defeated or eliminated from  
785 contention for such office by one-half of a percent or less of  
786 the votes cast for such office request in writing that a recount  
787 not be made.

788 (a) Each canvassing board responsible for conducting a  
789 recount shall put each ~~marksense~~ ballot through automatic  
790 tabulating equipment and determine whether the returns correctly  
791 reflect the votes cast. If any ~~marksense~~ ballot is physically  
792 damaged so that it cannot be properly counted by the automatic  
793 tabulating equipment during the recount, a true duplicate shall



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794 be made of the damaged ballot pursuant to the procedures in s.  
795 101.5614(4). Immediately before the start of the recount, a test  
796 of the tabulating equipment shall be conducted as provided in s.  
797 101.5612. If the test indicates no error, the recount tabulation  
798 of the ballots cast shall be presumed correct and such votes  
799 shall be canvassed accordingly. If an error is detected, the  
800 cause therefor shall be ascertained and corrected and the  
801 recount repeated, as necessary. The canvassing board shall  
802 immediately report the error, along with the cause of the error  
803 and the corrective measures being taken, to the Department of  
804 State. No later than 11 days after the election, the canvassing  
805 board shall file a separate incident report with the Department  
806 of State, detailing the resolution of the matter and identifying  
807 any measures that will avoid a future recurrence of the error.  
808 If the automatic tabulating equipment used in a recount is not  
809 part of the voting system and the ballots have already been  
810 processed through such equipment, the canvassing board is not  
811 required to put each ballot through any automatic tabulating  
812 equipment again.

813 (b) Each canvassing board responsible for conducting a  
814 recount where touchscreen ballots were used shall examine the  
815 counters on the precinct tabulators to ensure that the total of  
816 the returns on the precinct tabulators equals the overall  
817 election return. If there is a discrepancy between the overall  
818 election return and the counters of the precinct tabulators, the  
819 counters of the precinct tabulators shall be presumed correct  
820 and such votes shall be canvassed accordingly.

821 (c) The canvassing board shall submit on forms or in  
822 formats provided by the division a second set of unofficial



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823 returns to the Department of State for each federal, statewide,  
824 state, or multicounty office or ballot measure. The returns  
825 shall be filed no later than 3 p.m. on the 5th day after any  
826 primary election and no later than 3 p.m. on the 9th day after  
827 any general election in which a recount was ordered by the  
828 Secretary of State. If the canvassing board is unable to  
829 complete the recount prescribed in this subsection by the  
830 deadline, the second set of unofficial returns submitted by the  
831 canvassing board shall be identical to the initial unofficial  
832 returns and the submission shall also include a detailed  
833 explanation of why it was unable to timely complete the recount.  
834 However, the canvassing board shall complete the recount  
835 prescribed in this subsection, along with any manual recount  
836 prescribed in s. 102.166, and certify election returns in  
837 accordance with the requirements of this chapter.

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

841 Section 18. Section 102.166, Florida Statutes, is amended  
842 to read:

843 102.166 Manual recounts of overvotes and undervotes.—  
844 (1) If the second set of unofficial returns pursuant to ss.  
845 101.591 and 102.141, ~~s. 102.141~~ indicates that a candidate for  
846 any office was defeated or eliminated by one-quarter of a  
847 percent or less of the votes cast for such office, that a  
848 candidate for retention to a judicial office was retained or not  
849 retained by one-quarter of a percent or less of the votes cast  
850 on the question of retention, or that a measure appearing on the  
851 ballot was approved or rejected by one-quarter of a percent or



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852 less of the votes cast on such measure, a manual recount of the  
853 overvotes and undervotes cast in the entire geographic  
854 jurisdiction of such office or ballot measure must ~~shall~~ be  
855 ordered unless:

856 (a) The candidate or candidates defeated or eliminated from  
857 contention by one-quarter of 1 percent or fewer of the votes  
858 cast for such office request in writing that a recount not be  
859 made; or

860 (b) The number of overvotes and undervotes is fewer than  
861 the number of votes needed to change the outcome of the  
862 election.

863  
864 The Secretary of State is responsible for ordering a manual  
865 recount for federal or, state races that are multiconty, and  
866 any other multiconty races. The county canvassing board or  
867 local board responsible for certifying the election is  
868 responsible for ordering a manual recount for all other races. A  
869 manual recount consists of a recount of ~~marksense~~ ballots or of  
870 digital images of those ballots by a person.

871 Section 19. Section 104.51, Florida Statutes, is created to  
872 read:

873 104.51 Time limitation; election fraud.—A prosecution for a  
874 felony violation under the Florida Election Code must be  
875 commenced within 5 years after the date the violation is  
876 committed.

877 Section 20. Section 322.034, Florida Statutes, is created  
878 to read:

879 322.034 Legal status designation on state-issued driver  
880 licenses and identification cards.—



881        (1) By July 1, 2027, a Florida driver license or Florida  
882 identification card issued to a qualified applicant who is a  
883 United States citizen as last recorded in the system must  
884 include his or her legal citizenship status at the time of new  
885 issuance, renewal, or replacement.

886        (2) Notwithstanding any other law, the department must, at  
887 no charge, issue a renewal or replacement driver license or  
888 identification card if a licensee or cardholder timely updates  
889 his or her legal status upon becoming a citizen of the United  
890 States as required in s. 322.19.

891        Section 21. Subsection (2) of section 121.121, Florida  
892 Statutes, is amended to read:

893        121.121 Authorized leaves of absence.—

894        (2) A member who is required to resign his or her office as  
895 a subordinate officer, deputy sheriff, or police officer because  
896 he or she is a candidate for a public office which is currently  
897 held by his or her superior officer who is also a candidate for  
898 reelection to the same office, in accordance with s. 99.012(7)  
899 ~~s. 99.012(5)~~, shall, upon return to covered employment, be  
900 eligible to purchase retirement credit for the period between  
901 his or her date of resignation and the beginning of the term of  
902 office for which he or she was a candidate as a leave of absence  
903 without pay, as provided in subsection (1).

904        Section 22. For the purpose of incorporating the amendment  
905 made by this act to section 98.075, Florida Statutes, in a  
906 reference thereto, subsection (6) of section 98.065, Florida  
907 Statutes, is reenacted to read:

908        98.065 Registration list maintenance programs.—

909        (6) The supervisor shall, at a minimum, conduct an annual



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910 review of voter registration records to identify registration  
911 records in which a voter is registered at an address that may  
912 not be an address of legal residence for the voter. For those  
913 registration records with such addresses that the supervisor has  
914 reasonable belief are not legal residential addresses, the  
915 supervisor shall initiate list maintenance activities pursuant  
916 to s. 98.075(6) and (7).

917 Section 23. This act shall take effect July 1, 2026

918 ===== T I T L E A M E N D M E N T =====  
919  
920 And the title is amended as follows:

921 Delete everything before the enacting clause  
922 and insert:

923 A bill to be entitled

924 An act relating to elections; amending s. 97.021,  
925 F.S.; revising definitions; amending s. 97.052, F.S.;  
926 revising the information the statewide voter  
927 registration application is designed to elicit from an  
928 applicant to include a certain acknowledgment;  
929 amending s. 97.0525, F.S.; requiring that the online  
930 voter registration system transmit specified  
931 information to the supervisor of elections under  
932 specified circumstances; requiring that the  
933 applicant's legal status as a United States citizen be  
934 recorded in the statewide voter registration system;  
935 requiring that if the records of the Department of  
936 Highway Safety and Motor Vehicles indicate that an  
937 applicant is not a United States citizen or has not  
938 submitted evidence of citizenship, the online voter



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939 registration system must notify the supervisor of the  
940 applicant's legal status and transmit the application  
941 to the supervisor; providing that an applicant's  
942 digital signature satisfies a certain requirement;  
943 providing that if an applicant's name and date of  
944 birth cannot be verified, the system must populate  
945 certain information into a printable version of the  
946 registration application; requiring the applicant to  
947 print, complete, sign, date, and deliver such  
948 application to the supervisor; requiring that the  
949 online voter registration system populate an  
950 applicant's information and direct the applicant to  
951 perform specified actions under specified conditions;  
952 conforming a cross-reference; amending s. 97.053,  
953 F.S.; providing that applications to update a voter's  
954 record are retroactive under a specified condition;  
955 requiring supervisors to verify a voter's legal status  
956 as a United States citizen using specified sources and  
957 initiate a certain notice if applicable; amending s.  
958 97.057, F.S.; requiring that an agreement between the  
959 Department of Highway Safety and Motor Vehicles and  
960 the Department of State match information regarding  
961 the legal status as a United States citizen of  
962 applicants applying to vote; requiring the Department  
963 of State to include specified information in the  
964 statewide voter registration system; requiring the  
965 Department of Highway Safety and Motor Vehicles to  
966 assist the Department of State in identifying certain  
967 changes in information for persons who may be voters;



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968 deleting a provision requiring the Department of State  
969 to report certain changes to supervisors; amending s.  
970 98.045, F.S.; requiring supervisors to verify the  
971 current eligibility of certain applicants within a  
972 specified timeframe by reviewing specified information  
973 provided by governmental entities to make a  
974 determination under specified conditions; requiring  
975 the supervisor to deny the application and notify the  
976 applicant if a certain determination is made; amending  
977 s. 98.075, F.S.; requiring the Department of State to  
978 identify certain voters by comparing or receiving  
979 information from specified sources; requiring the  
980 Department of State to review such information and  
981 make an initial determination; requiring the  
982 department to notify the supervisor if certain  
983 information is credible and reliable and provide a  
984 copy of specified documentation to the supervisor;  
985 requiring the supervisor to adhere to specified  
986 procedures to remove the voter's name from the  
987 statewide voter registration system; specifying  
988 acceptable documents or evidence of United States  
989 citizenship which must be recorded in the statewide  
990 voter registration system; amending s. 98.093, F.S.;  
991 revising the information that the Department of  
992 Highway Safety and Motor Vehicles is required to  
993 furnish weekly to the Department of State; specifying  
994 documents acceptable as evidence of United States  
995 citizenship; requiring the Department of State to  
996 report certain information to supervisors within a



997        specified timeframe and for supervisors to update the  
998        voter registration records; requiring that the  
999        Department of State use certain information from  
1000        federal jury coordinators to identify voters and  
1001        applicants who are potentially ineligible; amending s.  
1002        99.012, F.S.; prohibiting a person from qualifying for  
1003        nomination as a candidate of a political party if the  
1004        person has not been a registered member of such party  
1005        for a specified timeframe; prohibiting a person from  
1006        qualifying for specified public office if the person  
1007        has changed his or her name within a specified  
1008        timeframe; providing applicability; amending s.  
1009        99.021, F.S.; revising the form of candidate oath to  
1010        conform to changes made by the act; amending ss.  
1011        101.151 and 101.5606, F.S.; conforming provisions to  
1012        changes made by the act; amending s. 101.56075, F.S.;  
1013        requiring that all voting be done by official ballot  
1014        using certain pens; providing an exception; amending  
1015        s. 101.5608, F.S.; deleting the requirement that the  
1016        stub be removed from the ballot and placed in an  
1017        envelope; conforming provisions to changes made by the  
1018        act; amending s. 101.5612, F.S.; conforming provisions  
1019        to changes made by the act; amending s. 102.111, F.S.;  
1020        revising the meeting times of the Elections Canvassing  
1021        Commission to certify elections returns; amending s.  
1022        102.141, F.S.; requiring that supervisors upload  
1023        certain results by a specified local time; requiring  
1024        the supervisors, on behalf of the canvassing boards,  
1025        to report all early voting and all tabulated vote-by-



1026 mail ballots to the department; requiring canvassing  
1027 boards to periodically report updated precinct  
1028 election results by uploading the results to the  
1029 department; conforming provisions to changes made by  
1030 the act; amending s. 102.166, F.S.; conforming  
1031 provisions to changes made by the act; creating s.  
1032 104.51, F.S.; requiring that certain prosecutions be  
1033 commenced within a specified timeframe after a  
1034 specified violation is committed; creating s. 322.034,  
1035 F.S.; requiring, by a specified date, that Florida  
1036 driver licenses and Florida identification cards  
1037 issued to qualified applicants include the legal  
1038 citizenship status of the applicant on the license or  
1039 card; requiring the Department of Highway Safety and  
1040 Motor Vehicles to issue, at no charge, Florida driver  
1041 licenses and Florida identification cards to certain  
1042 licensees and cardholders; amending s. 121.121, F.S.;  
1043 conforming a cross-reference; reenacting s. 98.065(6),  
1044 F.S., relating to registration list maintenance  
1045 programs, to incorporate the amendment made to s.  
1046 98.075, F.S., in a reference thereto; providing an  
1047 effective date.

By Senator Grall

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30 specified actions under specified conditions; amending  
31 s. 97.053, F.S.; providing that applications to update  
32 a voter's record are retroactive under a specified  
33 condition; requiring supervisors to verify a voter's  
34 legal status as a United States citizen using  
35 specified sources and initiate a certain notice if  
36 applicable; amending s. 97.057, F.S.; requiring that  
37 an agreement between the Department of Highway Safety  
38 and Motor Vehicles and the Department of State match  
39 information regarding the legal status as a United  
40 States citizen of applicants applying to vote;  
41 requiring the Department of State to include specified  
42 information in the statewide voter registration  
43 system; requiring the Department of Highway Safety and  
44 Motor Vehicles to assist the Department of State in  
45 identifying certain changes in information for persons  
46 who may be voters; deleting a provision requiring the  
47 Department of State to report certain changes to  
48 supervisors of elections; amending s. 98.045, F.S.;  
49 requiring supervisors to verify the current  
50 eligibility of certain applicants within a specified  
51 timeframe by reviewing specified documents or sources  
52 to make a determination under specified conditions;  
53 requiring supervisors to deny the application and  
54 notify the applicant if a certain determination is  
55 made; amending s. 98.075, F.S.; requiring the  
56 Department of State to identify certain voters by  
57 comparing or receiving information from specified  
58 sources; requiring the Department of State to review

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59 such information and make an initial determination;  
 60 requiring that the type of document provided or used  
 61 to verify United States citizenship be recorded;  
 62 requiring the Department of State to notify the  
 63 supervisor and provide a copy of certain documentation  
 64 if a certain determination is made; requiring  
 65 supervisors to follow certain procedures before the  
 66 removal of a name from the statewide voter  
 67 registration system; specifying documents that are  
 68 acceptable as evidence of United States citizenship;  
 69 requiring that the type of document provided or used  
 70 be recorded in the statewide voter registration  
 71 system; revising the information contained in the  
 72 notice provided to potentially ineligible voters;  
 73 amending s. 98.093, F.S.; revising the information  
 74 that the Department of Highway Safety and Motor  
 75 Vehicles is required to furnish weekly to the  
 76 Department of State; creating s. 98.094, F.S.;  
 77 requiring the Division of Elections to provide certain  
 78 lists to federal courts for a specified purpose;  
 79 requiring jury coordinators to prepare or cause to be  
 80 prepared a certain list; requiring that the list be  
 81 prepared and sent to the division periodically;  
 82 providing that such list may be provided by certain  
 83 means; requiring jury coordinators to provide the  
 84 division with specified information about each  
 85 disqualifed juror; requiring the division to provide  
 86 such information to the supervisors to initiate  
 87 certain maintenance activities; amending s. 101.151,

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88 F.S.; authorizing polling places and early voting  
 89 sites to use ballot-on-demand technology to produce  
 90 early voting ballots; conforming provisions to changes  
 91 made by the act; amending s. 101.5606, F.S.;  
 92 conforming provisions to changes made by the act;  
 93 amending s. 101.56075, F.S.; requiring that all voting  
 94 be done by official ballot using certain pens or  
 95 markers; authorizing persons with disabilities to vote  
 96 using a certain voter interface device; amending ss.  
 97 101.5608 and 101.5612, F.S.; conforming provisions to  
 98 changes made by the act; amending s. 101.591, F.S.;  
 99 requiring the county canvassing board or specified  
 100 local board to conduct an automated independent vote  
 101 validation of the voting systems used in all  
 102 precincts; deleting provisions related to manual  
 103 audits; specifying requirements for the automated  
 104 independent vote validation process; requiring the  
 105 division to adopt certain rules; requiring the  
 106 canvassing board to publish a certain notice on  
 107 specified websites or in certain newspapers; requiring  
 108 that the automated independent vote validation process  
 109 be open to the public; requiring that such process be  
 110 completed before the certification of the election by  
 111 the county canvassing board; requiring the county  
 112 canvassing board or the board responsible for  
 113 certifying the election to provide a certain report to  
 114 the Department of State; requiring that each county's  
 115 report be consolidated into one report and included  
 116 with a specified report; revising requirements for

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117 such report; requiring the department to consolidate  
118 county results and include such results in a post-  
119 general election report to the Governor and the  
120 Legislature by a specified date; amending s. 101.5911,  
121 F.S.; revising rulemaking authority for the department  
122 to implement the automated independent vote validation  
123 process; amending s. 101.595, F.S.; conforming  
124 provisions to changes made by the act; amending s.  
125 102.111, F.S.; revising the meeting times of the  
126 Elections Canvassing Commission to certify elections  
127 returns; amending s. 102.141, F.S.; requiring that  
128 supervisors upload certain results by a specified  
129 local time; requiring the supervisors, on behalf of  
130 the canvassing boards, to report all early voting and  
131 all tabulated vote-by-mail ballots to the department;  
132 requiring canvassing boards to periodically report  
133 updated precinct election results by uploading the  
134 results to the department; requiring counties to  
135 conduct an automated independent vote validation  
136 process for specified purposes; requiring that such  
137 process be completed within a specified timeframe;  
138 requiring the county canvassing board to take certain  
139 actions under certain circumstances; requiring the  
140 proper county election official to conduct a system  
141 validation review using certain images under a  
142 specified condition; providing the scope of the  
143 review; deleting provisions providing procedures for  
144 county canvassing boards to conduct a certain recount;  
145 requiring the canvassing board to publish notice of

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146 such review on specified websites or in specified  
147 newspapers; providing that such review is open to the  
148 public; requiring the canvassing board to submit on  
149 certain forms the vote validation for specified  
150 contests; providing procedures in the event the  
151 canvassing board is unable to complete such review in  
152 the required timeframe; requiring the department to  
153 adopt certain rules; revising the contents of a report  
154 on the conduct of the election filed by supervisors  
155 with the division after the Elections Canvassing  
156 Commission certifies an election; conforming  
157 provisions to changes made by the act; amending s.  
158 102.166, F.S.; providing that specified indications or  
159 confirmations require a manual review of overvotes and  
160 undervotes; providing that the Secretary of State is  
161 responsible for ordering such reviews for specified  
162 races; requiring that such reviews be open to the  
163 public; authorizing each political party to designate  
164 a specified person to be allowed in the room where  
165 such review is conducted; prohibiting such designee  
166 from interfering with the normal operation of the  
167 canvassing board; requiring the department to adopt  
168 certain rules; conforming provisions to changes made  
169 by the act; creating s. 104.51, F.S.; requiring that  
170 certain prosecutions be commenced within a specified  
171 timeframe after a specified violation is committed;  
172 creating s. 322.034, F.S.; requiring, by a specified  
173 date, that driver licenses and Florida identification  
174 cards issued to qualified applicants include the legal

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175 citizenship status of the applicant on the license or  
 176 card; requiring the Department of Highway Safety and  
 177 Motor Vehicles to issue, at no charge, driver licenses  
 178 and Florida identification cards to certain licensees  
 179 and cardholders; reenacting s. 98.065(6), F.S.,  
 180 relating to registration list maintenance programs, to  
 181 incorporate the amendment made to s. 98.075, F.S., in  
 182 a reference thereto; providing an effective date.

183  
 184 Be It Enacted by the Legislature of the State of Florida:

185  
 186 Section 1. Subsections (6), (43), and (47) of section  
 187 97.021, Florida Statutes, are amended to read:

188 97.021 Definitions.—For the purposes of this code, except  
 189 where the context clearly indicates otherwise, the term:  
 190 (6) "Ballot" or "official ballot" means a printed sheet of  
 191 paper containing contests, including offices and candidates,  
 192 constitutional amendments, and other public measures, upon which  
 193 a voter's selections will be marked by using the pen or marker  
 194 recommended by the voting system vendor. The term includes a  
 195 voter-verifiable paper output upon which a voter's selections  
 196 are marked by a voter interface device that meets voter  
 197 accessibility requirements for individuals with disabilities  
 198 under s. 301 of the federal Help America Vote Act of 2002 and s.  
 199 101.56062 when used in reference to

200 (a) "Electronic or electromechanical devices" means a  
 201 ballot that is voted by the process of electronically  
 202 designating, including by touchscreen, or marking with a marking  
 203 device for tabulation by automatic tabulating equipment or data

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204 processing equipment.

205 (b) "Marksense ballots" means that printed sheet of paper,  
 206 used in conjunction with an electronic or electromechanical vote  
 207 tabulation voting system, containing the names of candidates, or  
 208 a statement of proposed constitutional amendments or other  
 209 questions or propositions submitted to the electorate at any  
 210 election, on which sheet of paper an elector casts his or her  
 211 vote.

212 (43) "Voter interface device" means any device that  
 213 communicates voting instructions and ballot information to a  
 214 voter and allows the voter to select and vote for candidates and  
 215 issues. A voter interface device may not be used to tabulate  
 216 votes. Any vote tabulation must be based upon a subsequent scan  
 217 of the marked marksense ballot or the voter-verifiable paper  
 218 output after the voter interface device process has been  
 219 completed.

220 (47) "Voting system" means a method of casting and  
 221 processing votes which that functions wholly or partly by use of  
 222 electromechanical or electronic apparatus or by use of marksense  
 223 ballots and includes, but is not limited to, the equipment,  
 224 hardware, firmware, and software; the ballots; the procedures  
 225 for casting and processing votes; and the programs, operating  
 226 manuals, and supplies; and the reports, printouts, and other  
 227 documentation software necessary for the system's operation.

228 Section 2. Section 97.051, Florida Statutes, is amended to  
 229 read:

230 97.051 Oath upon registering.—A person registering to vote  
 231 must subscribe to the following oath: "I do solemnly swear (or  
 232 affirm) that I will protect and defend the Constitution of the

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United States and the Constitution of the State of Florida, that I am qualified to register as an elector under the Constitution and laws of the State of Florida, and that all information provided in this application is true. I further do solemnly swear (or affirm) that I am a United States citizen and that I have carefully reviewed the instructions for completing the Florida Voter Registration Application. I understand that if I have provided false information on this application, I could be subject to criminal penalties, fines, or imprisonment for perjury, and, if not a United States citizen, deportation from the United States.

Section 3. Paragraph (v) is added to subsection (2) of section 97.052, Florida Statutes, to read:

97.052 Uniform statewide voter registration application.—

(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

(v) Documentation required by the Election Assistance Commission or federal law.

Section 4. Subsection (4) of section 97.0525, Florida Statutes, is amended to read:

97.0525 Online voter registration.—

(4)(a) The online voter registration system must shall compare the Florida driver license number or Florida identification number submitted pursuant to s. 97.052(2)(n) with information maintained by the Department of Highway Safety and Motor Vehicles to confirm that the name and date of birth on the application are consistent with the records of the Department of Highway Safety and Motor Vehicles.

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(b) If the applicant's name and date of birth are consistent with the records of the Department of Highway Safety and Motor Vehicles and the applicant's legal status as a United States citizen is verified by the records of the Department of Highway Safety and Motor Vehicles, the online voter registration system must shall transmit, using the statewide voter registration system maintained pursuant to s. 98.035, the applicant's registration application, along with the digital signature of the applicant on file with the Department of Highway Safety and Motor Vehicles, to the supervisor of elections. The applicant's digital signature satisfies the signature requirement of s. 97.052(2)(q). The applicant's legal status as a United States citizen must be recorded in the statewide voter registration system.

(c) If the applicant's name and date of birth cannot be verified by the records of the Department of Highway Safety and Motor Vehicles, or if the applicant indicated that he or she has not been issued a Florida driver license or Florida identification card, the online voter registration system must shall populate the applicant's information, except for the applicant's personal identifying number, into a printable voter registration application pursuant to s. 97.052(2) which and direct the applicant may to print, complete, sign, and date, the application and deliver the application to the supervisor of elections for disposition pursuant to s. 97.073.

(d) If the applicant's legal status as a United States citizen cannot be verified by the records of the Department of Highway Safety and Motor Vehicles, the online voter registration system must notify the supervisor of elections that the

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291 applicant's legal status as a United States citizen could not be  
 292 verified and transmit, using the statewide voter registration  
 293 system maintained pursuant to s. 98.035, the applicant's  
 294 registration application, along with the digital signature of  
 295 the applicant on file with the Department of Highway Safety and  
 296 Motor Vehicles, to the supervisor of elections. The applicant's  
 297 digital signature satisfies the signature requirement of s.  
 298 97.052(2)(g).

299 (e) If the applicant indicates that he or she has not been  
 300 issued a Florida driver license or identification card, or  
 301 chooses to use the system to prepopulate an application to  
 302 print, sign, and deliver to the supervisor, the online voter  
 303 registration system must populate the applicant's information  
 304 into a printable voter registration application pursuant to s.  
 305 97.052(2) and direct the applicant to print, sign, and date the  
 306 application and deliver the application to the supervisor for  
 307 disposition under s. 97.073.

308 Section 5. Subsections (2) and (6) of section 97.053,  
 309 Florida Statutes, are amended to read:

310 97.053 Acceptance of voter registration applications.—  
 311 (2) A voter registration application is complete and  
 312 becomes the official voter registration record of that applicant  
 313 when all information necessary to establish the applicant's  
 314 eligibility pursuant to s. 97.041 is received by a voter  
 315 registration official and verified pursuant to subsection (6).  
 316 Except as provided in subsection (6), if the applicant fails to  
 317 complete his or her voter registration application on or before  
 318 prior to the date of book closing for an election, then such  
 319 applicant is shall not be eligible to vote in that election.

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320 (6)(a) A voter registration application, including an  
 321 application with a change in name, address, or party  
 322 affiliation, may be accepted as valid only after the department  
 323 has verified the authenticity or nonexistence of the Florida  
 324 driver license number, the Florida identification card number,  
 325 or the last four digits of the social security number provided  
 326 by the applicant. If a completed voter registration application  
 327 has been received by the book-closing deadline but the Florida  
 328 driver license number, the Florida identification card number,  
 329 or the last four digits of the social security number provided  
 330 by the applicant cannot be verified, the applicant must shall be  
 331 notified that the number cannot be verified and that the  
 332 applicant must provide evidence to the supervisor sufficient to  
 333 verify the authenticity of the applicant's Florida driver  
 334 license number, Florida identification card number, or last four  
 335 digits of the social security number. If the applicant provides  
 336 the necessary evidence, the supervisor must shall place the  
 337 applicant's name on the registration rolls as an active voter.  
 338 If the applicant has not provided the necessary evidence or the  
 339 number has not otherwise been verified prior to the applicant  
 340 presenting himself or herself to vote, the applicant must shall  
 341 be provided a provisional ballot. The provisional ballot must  
 342 shall be counted only if the number is verified by the end of  
 343 the canvassing period or if the applicant presents evidence to  
 344 the supervisor of elections sufficient to verify the  
 345 authenticity of the applicant's Florida driver license number,  
 346 Florida identification card number, or last four digits of the  
 347 social security number no later than 5 p.m. of the second day  
 348 following the election.

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349       (b) If the application is made to update the voter's record  
 350 with a change of address, name, or party affiliation, such  
 351 change is retroactive to the date the application was initially  
 352 received once the required sufficient evidence is verified.

353       (c) Immediately after registration or an update to a  
 354 registration, the supervisor of elections shall verify the  
 355 voter's legal status as a United States citizen using available  
 356 state and federal governmental sources and, if applicable,  
 357 initiate notice pursuant to s. 98.075(7).

358       Section 6. Subsections (11) and (13) of section 97.057,  
 359 Florida Statutes, are amended to read:

360       97.057 Voter registration by the Department of Highway  
 361 Safety and Motor Vehicles.-

362       (11) The Department of Highway Safety and Motor Vehicles  
 363 shall enter into an agreement with the department to match  
 364 information in the statewide voter registration system with  
 365 information in the database of the Department of Highway Safety  
 366 and Motor Vehicles to the extent required to verify the accuracy  
 367 of the Florida driver license number, Florida identification  
 368 number, or last four digits of the social security number and  
 369 the legal status as a United States citizen, provided on  
 370 applications for voter registration as required in s. 97.053.  
 371 The department shall also include in the statewide voter  
 372 registration system the type of documentary proof that the  
 373 licensee or cardholder provided as evidence of United States  
 374 citizenship.

375       (13) Notwithstanding declinations to register or to update  
 376 a voter registration pursuant to paragraph (2)(b), the  
 377 Department of Highway Safety and Motor Vehicles, in accordance

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378 with s. 98.093(8), shall ~~must~~ assist the Department of State in  
 379 ~~regularly~~ identifying changes in residence address on the  
 380 Florida driver license or Florida identification card or changes  
 381 in the Florida driver license or Florida identification card  
 382 number of such persons who may be voters of a voter. The  
 383 ~~Department of State must report each such change to the~~  
 384 ~~appropriate supervisor of elections who must change the voter's~~  
 385 ~~registration records in accordance with s. 98.065(4)~~.

386       Section 7. Subsection (1) of section 98.045, Florida  
 387 Statutes, is amended to read:

388       98.045 Administration of voter registration.-

389       (1) ELIGIBILITY OF APPLICANT.-

390       (a) The supervisor ~~shall~~ ~~must~~ ensure that any eligible  
 391 applicant for voter registration is registered to vote and that  
 392 each application for voter registration is processed in  
 393 accordance with law. The supervisor shall determine whether a  
 394 voter registration applicant is ineligible based on any of the  
 395 following:

396       1.~~(a)~~ The failure to complete a voter registration  
 397 application as specified in s. 97.053.

398       2.~~(b)~~ The applicant is deceased.

399       3.~~(c)~~ The applicant has been convicted of a felony for  
 400 which his or her voting rights have not been restored.

401       4.~~(d)~~ The applicant has been adjudicated mentally  
 402 incapacitated with respect to the right to vote and such right  
 403 has not been restored.

404       5.~~(e)~~ The applicant does not meet the age requirement  
 405 pursuant to s. 97.041.

406       6.~~(f)~~ The applicant is not a United States citizen.

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407        7.~~(g)~~ The applicant is a fictitious person.  
 408        8.~~(h)~~ The applicant has provided an address of legal  
 409        residence that is not his or her legal residence.  
 410        9.~~(i)~~ The applicant has provided a Florida driver license  
 411        number, Florida identification card number, or the last four  
 412        digits of a social security number that is not verifiable by the  
 413        department.  
 414        (b) If the latest voter registration records show that a  
 415        new applicant was previously registered but subsequently removed  
 416        for ineligibility pursuant to s. 98.075(7), the supervisor must  
 417        verify the current eligibility of the applicant to register  
 418        within 10 days after receipt of such records by reviewing any  
 419        document provided by a governmental entity or other source to  
 420        determine whether the applicant remains ineligible. If the  
 421        supervisor determines that the applicant is ineligible, the  
 422        supervisor must deny the application and notify the applicant  
 423        pursuant to s. 97.073.  
 424        Section 8. Subsection (6) and paragraph (a) of subsection  
 425        (7) of section 98.075, Florida Statutes, are amended to read:  
 426        98.075 Registration records maintenance activities;  
 427        ineligibility determinations.—  
 428        (6) ELIGIBILITY.—  
 429        (a) Citizenship.—The department shall identify those  
 430        registered voters who are potentially ineligible for noncitizen  
 431        status by comparing or receiving information from, but not  
 432        limited to, the Department of Highway Safety and Motor Vehicles,  
 433        clerks of state and federal courts, and the United States  
 434        Department of Homeland Security, including as may be provided in  
 435        s. 98.093. The department shall review such information and make

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436        an initial determination as to whether the information is  
 437        credible and reliable. The type of document provided or used to  
 438        verify United States citizenship must be recorded in the  
 439        statewide voter registration system. If the department  
 440        determines that the information is credible and reliable, the  
 441        department must notify the supervisor and provide a copy of the  
 442        supporting documentation indicating potential ineligibility of  
 443        the voter to be registered. Upon receipt of the notice that the  
 444        department has made a determination of initial credibility and  
 445        reliability, the supervisor must adhere to the procedures set  
 446        forth in subsection (7) before the removal of a registered  
 447        voter's name from the statewide voter registration system.  
 448        (b) Acceptable documents.—Any of the following documents  
 449        are acceptable as evidence of United States citizenship:  
 450        1. A current and valid United States passport.  
 451        2. A birth certificate from any state in the United States.  
 452        3. A Consular Report of Birth Abroad provided by the United  
 453        States Department of State.  
 454        4. A current and valid Florida driver license or Florida  
 455        identification card issued by the Department of Highway Safety  
 456        and Motor Vehicles, if such driver license or identification  
 457        card indicates United States citizenship.  
 458        5. A naturalization certificate or certificate of  
 459        citizenship issued by the United States Department of Homeland  
 460        Security. Alternatively, a certificate number or an alien  
 461        registration number may be provided to allow a state or local  
 462        election official to verify United States citizenship.  
 463        6. A current and valid photo identification issued by the  
 464        Federal Government or the state which indicates United States

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465 citizenship.

466 7. An order from a federal court granting United States

467 citizenship.

468 8. If the applicant's legal name is different from the name

469 that appears on one of the documents specified in this

470 subparagraph, official legal documentation providing proof of

471 legal name change.

472

473 The type of document provided or used to verify citizenship must

474 be recorded in the statewide voter registration system.

475 (c) Other bases for ineligibility.—~~OTHER BASES FOR~~

476 ~~INELIGIBILITY.~~ Subsections (2)-(5) do not limit or restrict the

477 department or the supervisor in his or her duty to act upon

478 direct receipt of, access to, or knowledge of information from

479 any governmental entity that identifies a registered voter as

480 potentially ineligible. If the department or supervisor receives

481 information from any governmental entity other than those

482 identified in subsections (2)-(5) that a registered voter is

483 ineligible because the voter is deceased, adjudicated a

484 convicted felon without having had his or her voting rights

485 restored, adjudicated mentally incapacitated without having had

486 his or her voting rights restored, does not meet the age

487 requirement pursuant to s. 97.041, is not a United States

488 citizen, is a fictitious person, or has listed an address that

489 is not his or her address of legal residence, the supervisor

490 must adhere to the procedures set forth in subsection (7) before

491 the removal of the name of a registered voter who is determined

492 to be ineligible from the statewide voter registration system.

493 (7) PROCEDURES FOR REMOVAL.—

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494 (a) If the supervisor receives notice or information

495 pursuant to subsections (4)-(6), the supervisor of the county in

496 which the voter is registered must:

497 1. Notify the registered voter of his or her potential

498 ineligibility by mail within 7 days after receipt of notice or

499 information. The notice must include:

500 a. A statement of the basis for the registered voter's

501 potential ineligibility and a copy of any documentation upon

502 which the potential ineligibility is based. Such documentation

503 must include any conviction from another jurisdiction determined

504 to be a similar offense to murder or a felony sexual offense, as

505 those terms are defined in s. 98.0751.

506 b. A statement that failure to respond within 30 days after

507 receipt of the notice may result in a determination of

508 ineligibility and in removal of the registered voter's name from

509 the statewide voter registration system.

510 c. A return form that requires the registered voter to

511 admit or deny the accuracy of the information underlying the

512 potential ineligibility for purposes of a final determination by

513 the supervisor.

514 d. A statement that, if the voter is denying the accuracy

515 of the information underlying the potential ineligibility, the

516 voter has a right to request a hearing for the purpose of

517 determining eligibility.

518 e. Instructions for the registered voter to contact the

519 supervisor of elections of the county in which the voter is

520 registered if assistance is needed in resolving the matter.

521 f. Instructions for seeking restoration of civil rights

522 pursuant to s. 8, Art. IV of the State Constitution and

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523 information explaining voting rights restoration pursuant to s.  
 524 4, Art. VI of the State Constitution following a felony  
 525 conviction, if applicable.

526 g. A list of acceptable documents or evidence of United  
 527 States citizenship which, if provided or used to verify the  
 528 voter as a United States citizen, must be recorded in the  
 529 statewide voter registration system:

530 (I) A current and valid United States passport.

531 (II) A birth certificate from any state in the United  
 532 States.

533 (III) A Consular Report of Birth Abroad provided by the  
 534 United States Department of State.

535 (IV) A current and valid Florida driver license or Florida  
 536 identification card issued by the Department of Highway Safety  
 537 and Motor Vehicles, if such driver license or identification  
 538 card indicates United States citizenship.

539 (V) A naturalization certificate or a certificate of  
 540 citizenship issued by the United States Department of Homeland  
 541 Security. Alternatively, a certificate number or an alien  
 542 registration number may be provided to allow a state or local  
 543 election official to verify United States citizenship.

544 (VI) A current and valid photo identification issued by the  
 545 Federal Government or the state which indicates United States  
 546 citizenship.

547 (VII) An order from a federal court granting United States  
 548 citizenship.

549 (VIII) If the applicant's legal name is different from the  
 550 name that appears on one of the documents specified in this sub-  
 551 paragraph, official legal documentation providing proof of

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552 legal name change.

553 h. The following statement: "If you attempt to vote at an  
 554 early voting site or your normal election day polling place, you  
 555 will be required to vote a provisional ballot. If you vote by  
 556 mail, your ballot will be treated as a provisional ballot. In  
 557 either case, your ballot may not be counted until a final  
 558 determination of eligibility is made. If you wish for your  
 559 ballot to be counted, you must contact the supervisor of  
 560 elections office within 2 days after the election and present  
 561 evidence that you are eligible to vote."

562 2. If the mailed notice is returned as undeliverable, the  
 563 supervisor must, within 14 days after receiving the returned  
 564 notice, either publish notice once in a newspaper of general  
 565 circulation in the county in which the voter was last registered  
 566 or publish notice on the county's website as provided in s.  
 567 50.0311 or on the supervisor's website, as deemed appropriate by  
 568 the supervisor. The notice must contain the following:

569 a. The voter's name and address.

570 b. A statement that the voter is potentially ineligible to  
 571 be registered to vote.

572 c. A statement that failure to respond within 30 days after  
 573 the notice is published may result in a determination of  
 574 ineligibility by the supervisor and removal of the registered  
 575 voter's name from the statewide voter registration system.

576 d. An instruction for the voter to contact the supervisor  
 577 no later than 30 days after the date of the published notice to  
 578 receive information regarding the basis for the potential  
 579 ineligibility and the procedure to resolve the matter.

580 e. An instruction to the voter that, if further assistance

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581 is needed, the voter should contact the supervisor of elections  
 582 of the county in which the voter is registered.

583 f. A statement that, if the voter denies the accuracy of  
 584 the information underlying the potential ineligibility, the  
 585 voter has a right to request a hearing for the purpose of  
 586 determining eligibility.

587 g. The following statement: "If you attempt to vote at an  
 588 early voting site or your normal election day polling place, you  
 589 will be required to vote a provisional ballot. If you vote by  
 590 mail, your ballot will be treated as a provisional ballot. In  
 591 either case, your ballot may not be counted until a final  
 592 determination of eligibility is made. If you wish for your  
 593 ballot to be counted, you must contact the supervisor of  
 594 elections office within 2 days after the election and present  
 595 evidence that you are eligible to vote."

596 3. If a registered voter fails to respond to a notice  
 597 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
 598 must make a final determination of the voter's eligibility  
 599 within 7 days after expiration of the voter's timeframe to  
 600 respond. If the supervisor determines that the voter is  
 601 ineligible, the supervisor must remove the name of the  
 602 registered voter from the statewide voter registration system  
 603 within 7 days. The supervisor shall notify the registered voter  
 604 of the supervisor's determination and action.

605 4. If a registered voter responds to the notice pursuant to  
 606 subparagraph 1. or subparagraph 2. and admits the accuracy of  
 607 the information underlying the potential ineligibility, the  
 608 supervisor must, as soon as practicable, make a final  
 609 determination of ineligibility and remove the voter's name from

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610 the statewide voter registration system. The supervisor shall  
 611 notify the registered voter of the supervisor's determination  
 612 and action.

613 5. If a registered voter responds to the notice issued  
 614 pursuant to subparagraph 1. or subparagraph 2. and denies the  
 615 accuracy of the information underlying the potential  
 616 ineligibility but does not request a hearing, the supervisor  
 617 must review the evidence and make a determination of eligibility  
 618 no later than 30 days after receiving the response from the  
 619 voter. If the supervisor determines that the registered voter is  
 620 ineligible, the supervisor must remove the voter's name from the  
 621 statewide voter registration system upon such determination and  
 622 notify the registered voter of the supervisor's determination  
 623 and action and that the removed voter has a right to appeal a  
 624 determination of ineligibility pursuant to s. 98.0755. If such  
 625 registered voter requests a hearing, the supervisor must send  
 626 notice to the registered voter to attend a hearing at a time and  
 627 place specified in the notice. The supervisor shall schedule and  
 628 issue notice for the hearing within 7 days after receiving the  
 629 voter's request for a hearing and shall hold the hearing no  
 630 later than 30 days after issuing the notice of the hearing. A  
 631 voter may request an extension upon showing good cause by  
 632 submitting an affidavit to the supervisor as to why he or she is  
 633 unable to attend the scheduled hearing. Upon hearing all  
 634 evidence presented at the hearing, the supervisor shall make a  
 635 determination of eligibility within 7 days. If the supervisor  
 636 determines that the registered voter is ineligible, the  
 637 supervisor must remove the voter's name from the statewide voter  
 638 registration system and notify the registered voter of the

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 639 supervisor's determination and action and that the removed voter  
 640 has a right to appeal a determination of ineligibility pursuant  
 641 to s. 98.0755.

642 Section 9. Subsection (8) of section 98.093, Florida  
 643 Statutes, is amended to read:

644 98.093 Duty of officials to furnish information relating to  
 645 deceased persons, persons adjudicated mentally incapacitated,  
 646 persons convicted of a felony, and persons who are not United  
 647 States citizens.-

648 (8) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.-The  
 649 Department of Highway Safety and Motor Vehicles shall furnish  
 650 weekly to the department the following information:

651 (a) Information identifying those persons whose names have  
 652 been removed from the Florida driver license or Florida  
 653 identification card database during the preceding week because  
 654 they have been licensed or been issued an identification card in  
 655 another state. The information must contain the person's name,  
 656 last known Florida address, date of birth, sex, last four digits  
 657 of his or her social security number, and Florida driver license  
 658 number or Florida identification card number and, if available,  
 659 the address and the state in which the person is now licensed.

660 (b) Information identifying those persons who during the  
 661 preceding week presented evidence of non-United States  
 662 citizenship upon being issued a new or renewed Florida driver  
 663 license or Florida identification card. The information must  
 664 contain the person's name; address; date of birth; last four  
 665 digits of the social security number, if applicable; Florida  
 666 driver license number or Florida identification card number, as  
 667 available; and alien registration number or other legal status

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 668 identifier.

669 (c) Information identifying those persons who during the  
 670 preceding week presented evidence of United States citizenship  
 671 upon being issued a new, renewed, or replacement Florida driver  
 672 license or Florida identification card. The information must  
 673 contain the person's name; address; date of birth; last four  
 674 digits of the social security number, if applicable; Florida  
 675 driver license number or Florida identification card number, as  
 676 available; the type of documentary proof provided in support of  
 677 citizenship; and, if applicable, the alien registration number  
 678 or other legal status identifier.

679 (d) Information identifying a change in residence address  
 680 on the Florida driver license or Florida identification card of  
 681 any person who declined pursuant to s. 97.057(2) to register or  
 682 update his or her voter record. The information must contain the  
 683 person's name; date of birth; sex; last four digits of the  
 684 social security number, if available; and Florida driver license  
 685 or Florida identification card number, as available, in order to  
 686 identify a voter's registration record. The Department of State  
 687 must report each such change in residence address to the  
 688 appropriate supervisor, who must change the voter's registration  
 689 records in accordance with s. 98.065(4).

690 (e) Information identifying new, renewed, or replacement  
 691 Florida driver license or Florida identification card numbers  
 692 issued to persons who declined pursuant to s. 97.057(2) to  
 693 register or update their voter record. The information must  
 694 contain the person's name; date of birth; last four digits of  
 695 the social security number, if available; and the prior and  
 696 current Florida driver license or Florida identification card

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 697 number in order to identify a voter's registration record. The  
 698 Department of State shall report the prior and current numbers  
 699 to the appropriate supervisor, who must update the voter's  
 700 registration records and provide a notice of change to the  
 701 voter.

702 (f) Information identifying those persons for which it has  
 703 received official information during the preceding week that the  
 704 person is deceased. The information must contain the name,  
 705 address, date of birth, last four digits of the social security  
 706 number, Florida driver license number or Florida identification  
 707 card number, and date of death of each such person.

708 Section 10. Section 98.094, Florida Statutes, is created to  
 709 read:

710 98.094 Federal jury notice.—

711 (1) The division shall provide lists of registered voters  
 712 to federal courts for the purpose of selecting jurors on the  
 713 condition that the jury coordinator provides notice pursuant to  
 714 subsection (2) regarding ineligible or potentially ineligible  
 715 voters.

716 (2) The jury coordinator shall prepare or cause to be  
 717 prepared a list of each person disqualified or potentially  
 718 disqualified as a prospective juror from jury service due to not  
 719 having United States citizenship, being convicted of a felony,  
 720 being deceased, being a nonresident of this state, or being a  
 721 nonresident of the county. The list must be prepared and sent to  
 722 the division according to the jury summons cycle used by the  
 723 court clerk. This section does not prevent the list from being  
 724 sent more frequently. The list may be provided by mail or by e-  
 725 mail or other electronic means.

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 726 (3) The jury coordinator shall provide the division with  
 727 all of the following information about each disqualified juror:  
 728 (a) The full name of the disqualified juror.  
 729 (b) Current and prior addresses, if any.  
 730 (c) Telephone number, if available.  
 731 (d) Date of birth.  
 732 (e) The reason the prospective juror was disqualified.  
 733 (4) The division shall provide the information to the  
 734 respective supervisor in the county of residence for the  
 735 disqualified juror for the supervisor to initiate, as may be  
 736 applicable, registration list maintenance pursuant to s. 98.065  
 737 or eligibility maintenance pursuant to s. 98.075(7).

738 Section 11. Subsection (1) of section 101.151, Florida  
 739 Statutes, is amended to read:

740 101.151 Specifications for ballots.—

741 (1) (a) Marksense Ballots must shall be printed on paper of  
 742 such thickness that the printing cannot be distinguished from  
 743 the back and must shall meet the specifications of the voting  
 744 system that will be used to tabulate the ballots.

745 (b) Polling places and early voting sites may employ a  
 746 ballot-on-demand production system to print individual marksense  
 747 ballots, including provisional ballots, for eligible electors.  
 748 Ballot-on-demand technology may be used to produce marksense  
 749 vote-by-mail, early voting, and election-day ballots.

750 Section 12. Subsection (4) of section 101.5606, Florida  
 751 Statutes, is amended to read:

752 101.5606 Requirements for approval of systems.—No  
 753 electronic or electromechanical voting system shall be approved  
 754 by the Department of State unless it is so constructed that:

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755 (4) For systems using marksense ballots, It accepts a  
 756 rejected ballot pursuant to subsection (3) if a voter chooses to  
 757 cast the ballot, but records no vote for any office that has  
 758 been overvoted or undervoted.

759 Section 13. Section 101.56075, Florida Statutes, is amended  
 760 to read:

761 101.56075 Voting methods.—For the purpose of designating  
 762 ballot selections, all voting must be by official marksense  
 763 ballot, using a pen or marker recommended by the voting system  
 764 vendor. Persons with disabilities may vote using marking device  
 765 or a voter interface device that produces a voter-verifiable  
 766 paper output and meets the voter accessibility requirements for  
 767 individuals with disabilities under s. 301 of the federal Help  
 768 America Vote Act of 2002 and s. 101.56062.

769 Section 14. Section 101.5608, Florida Statutes, is amended  
 770 to read:

771 101.5608 Voting at the polls by electronic or  
 772 electromechanical method; procedures.—

773 (1) Each voter elector desiring to vote must shall be  
 774 identified to the clerk or inspector of the election as a duly  
 775 qualified voter elector of such election and must shall sign his  
 776 or her name on the precinct register or other form or device  
 777 provided by the supervisor. The inspector shall compare the  
 778 signature with the signature on the identification provided by  
 779 the voter elector. If the inspector is reasonably sure that the  
 780 person is entitled to vote, the inspector must shall provide the  
 781 person with a ballot.

782 (2) When an electronic or electromechanical voting system  
 783 uses utilizes a ballot card or marksense ballot, the following

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784 procedures must shall be followed:

785 (a) After receiving a ballot from an inspector, the voter  
 786 elector shall, without leaving the polling place, retire to a  
 787 booth or compartment and mark the ballot. After marking his or  
 788 her ballot, the voter must elector shall place the ballot in a  
 789 secrecy envelope so that the ballot will be deposited in the  
 790 tabulator without exposing the voter's choices.

791 (b) Any voter who spoils his or her ballot or makes an  
 792 error may return the ballot to the election official and secure  
 793 another ballot, except that in no case shall a voter be  
 794 furnished more than three ballots. If the vote tabulation device  
 795 has rejected a ballot, the ballot must shall be considered  
 796 spoiled and a new ballot must shall be provided to the voter  
 797 unless the voter chooses to cast the rejected ballot. The  
 798 election official, without examining the original ballot, shall  
 799 state the possible reasons for the rejection and shall provide  
 800 instruction to the voter pursuant to s. 101.5611. A spoiled  
 801 ballot must shall be preserved, without examination, in an  
 802 envelope provided for that purpose. The stub must shall be  
 803 removed from the ballot and placed in an envelope.

804 (c) The supervisor of elections shall prepare for each  
 805 polling place at least one ballot box to contain the ballots of  
 806 a particular precinct, and each ballot box must shall be plainly  
 807 marked with the name of the precinct for which it is intended.

808 (3) The Department of State shall promulgate rules  
 809 regarding voting procedures to be used when an electronic or  
 810 electromechanical voting system is of a type which does not use  
 811 utilize a ballot card or marksense ballot.

812 (4) In any election in which a write-in candidate has

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 813 qualified for office, the supervisor of elections shall provide  
 814 for write-in voting pursuant to rules adopted by the Division of  
 815 Elections.

816 Section 15. Subsection (5) of section 101.5612, Florida  
 817 Statutes, is amended to read:

818 101.5612 Testing of tabulating equipment.—

819 (5) Any tests involving ~~marksense~~ ballots pursuant to this  
 820 section must shall employ test ballots created by the supervisor  
 821 of elections using actual ballots that have been printed for the  
 822 election. If ballot-on-demand ballots will be used in the  
 823 election, the supervisor must shall also create test ballots  
 824 using the ballot-on-demand technology that will be used to  
 825 produce ballots in the election, using the same paper stock as  
 826 will be used for ballots in the election.

827 Section 16. Section 101.591, Florida Statutes, is amended  
 828 to read:

829 101.591 Voting system automated independent vote validation  
 830 process; system approval; procedures audit.—

831 (1) Before immediately following the certification of each  
 832 election, the county canvassing board or the local board  
 833 responsible for certifying the election shall conduct a manual  
 834 audit or an automated, independent vote validation audit of the  
 835 voting systems used in all randomly selected precincts.

836 (2) (a) A manual audit shall consist of a public manual  
 837 tally of the votes cast in one randomly selected race that  
 838 appears on the ballot. The tally sheet shall include election-  
 839 day, vote by mail, early voting, provisional, and overseas  
 840 ballots, in at least 1 percent but no more than 2 percent of the  
 841 precincts chosen at random by the county canvassing board or the

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 842 ~~local board responsible for certifying the election. If 1~~  
 843 ~~percent of the precincts is less than one entire precinct, the~~  
 844 ~~audit shall be conducted using at least one precinct chosen at~~  
 845 ~~random by the county canvassing board or the local board~~  
 846 ~~responsible for certifying the election. Such precincts shall be~~  
 847 ~~selected at a publicly noticed canvassing board meeting.~~

848 (b) An automated independent vote validation process must  
 849 audit shall consist of an a public automated verification of the  
 850 tally of the votes cast across every race that appears on the  
 851 ballot. The tally sheet must shall include all valid election  
 852 day, vote-by-mail, early voting, provisional, and overseas  
 853 ballots received by the start of the vote validation process in  
 854 all at least 20 percent of the precincts chosen at random by the  
 855 county canvassing board or the local board responsible for  
 856 certifying the election. Such precincts shall be selected at a  
 857 publicly noticed canvassing board meeting.

858 (b) (e) The division shall adopt rules for approval of an  
 859 automated independent vote validation audit system which provide  
 860 that the system, at a minimum, must be:

861 1. Completely independent of the primary voting system.  
 862 2. Fast enough to produce final vote validation audit  
 863 results within the timeframe prescribed in subsection (4).  
 864 3. Capable of demonstrating that the ballots of record have  
 865 been accurately adjudicated by the automated independent vote  
 866 validation audit system in agreement with the vote tabulation  
 867 system and capable of allowing the canvassing board to manually  
 868 adjudicate ballots needing review. A canvassing board is not  
 869 precluded from reviewing a digital image of a ballot  
 870 corresponding to a physical paper ballot in conducting its

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871 review.

872 (3) The canvassing board shall publish notice on the county  
 873 website as provided in s. 50.0311, on the supervisor of  
 874 elections' website, or once in one or more newspapers of general  
 875 circulation in the county post a notice of the automated  
 876 independent vote validation process audit, including the date,  
 877 time, and place, in four conspicuous places in the county and on  
 878 the home page of the county supervisor of elections website.  
 879 Such process must be open to the public.

880 (4) The automated independent vote validation process audit  
 881 must be completed and the results made public before the  
 882 certification of the election by each county canvassing board  
 883 and in accordance with s. 102.141 no later than 11:59 p.m. on  
 884 the 7th day following certification of the election by the  
 885 county canvassing board or the local board responsible for  
 886 certifying the election.

887 (5) By December 15 of each general election year, the  
 888 county canvassing board or the board responsible for certifying  
 889 the election shall provide a report with the results of the  
 890 automated independent vote validation process audit to the  
 891 Department of State in a standard format as prescribed by the  
 892 department pursuant to its rulemaking authority in s. 101.5911.  
 893 Each county's The report must be consolidated into one report  
 894 and included with the overvote and undervote report required  
 895 under s. 101.595(1). The report must, at a minimum, shall  
 896 contain all of, but is not limited to, the following items:

897 (a) The overall agreement accuracy of the automated  
 898 independent vote validation process audit.

899 (b) A description of any problems or differences

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900 discrepancies encountered.

901 (c) The likely cause of such problems or differences  
 902 discrepancies.

903 (d) Recommended corrective action with respect to avoiding  
 904 or mitigating such circumstances in future elections.

905 (6) The department shall consolidate the county automated  
 906 independent vote validation results and include the results as  
 907 part of a post-general election report required under ss.  
 908 101.595 and 102.141 to the Governor, the President of the  
 909 Senate, and the Speaker of the House of Representatives by  
 910 February 15 of each year following a general election ~~If a~~  
 911 ~~manual recount is undertaken pursuant to s. 102.166, the~~  
 912 ~~canvassing board is not required to perform the audit provided~~  
 913 ~~for in this section.~~

914 Section 17. Section 101.5911, Florida Statutes, is amended  
 915 to read:

916 101.5911 Rulemaking authority for automated independent  
 917 vote validation process voting system approval; audit  
 918 procedures. ~~Effective upon this act becoming a law, The~~  
 919 ~~department of State shall adopt rules to implement the~~  
 920 ~~provisions of s. 101.591, as amended by s. 8, chapter 2007-30,~~  
 921 ~~Laws of Florida, which provides for the testing and approval of~~  
 922 ~~an automated independent vote validation system, and prescribe~~  
 923 ~~detailed automated independent vote validation process audit~~  
 924 ~~procedures for each voting system, which must shall be uniform~~  
 925 ~~to the extent practicable, along with the standard form for~~  
 926 ~~automated independent vote validation process audit reports.~~

927 Section 18. Section 101.595, Florida Statutes, is amended  
 928 to read:

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929        101.595 Analysis of overvotes and undervotes and reports of  
 930        voting problems.-

931        (1) No later than December 15 of each general election  
 932        year, the supervisor of elections in each county shall report to  
 933        the Department of State the total number of overvotes and  
 934        undervotes in the "President and Vice President" or "Governor  
 935        and Lieutenant Governor" race that appears first on the ballot  
 936        or, if neither appears, the first race appearing on the ballot  
 937        pursuant to s. 101.151(2), along with the likely reasons for  
 938        such overvotes and undervotes and other information as may be  
 939        useful in evaluating the performance of the voting system and  
 940        identifying problems with ballot design and instructions which  
 941        may have contributed to voter confusion. ~~This report must be~~  
 942        ~~consolidated into one report with the audit report required~~  
 943        ~~under s. 101.591(5).~~

944        (2) The Department of State, upon receipt of such  
 945        information, shall prepare a public report on the performance of  
 946        each type of voting system. The report must contain, but is not  
 947        limited to, the following information:

948        (a) An identification of problems with the ballot design or  
 949        instructions which may have contributed to voter confusion;  
 950        (b) An identification of voting system design problems; and  
 951        (c) Recommendations for correcting any problems identified.

952        (3) The Department of State shall submit the overvote and  
 953        undervote analysis required in subsection (2) as part of the  
 954        post-general election report required under ss. 101.591 and  
 955        102.141 to the Governor, the President of the Senate, and the  
 956        Speaker of the House of Representatives by February 15 of each  
 957        year following a general election.

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958        Section 19. Subsection (2) of section 102.111, Florida  
 959        Statutes, is amended to read:

960        102.111 Elections Canvassing Commission.-  
 961        (2) The Elections Canvassing Commission shall meet ~~at 8~~  
 962        a.m. on the 9th day after a primary election and ~~at 8 a.m.~~ on  
 963        the 14th day after a general election to certify the returns of  
 964        the election for each federal, state, and multicounty office and  
 965        for each constitutional amendment. The meeting must be at 9  
 966        a.m., except for days the Legislature convenes for organization  
 967        session pursuant to s. 3(a), Art. III of the State Constitution,  
 968        on which days the meeting must be at 8 a.m. If a member of a  
 969        county canvassing board that was constituted pursuant to s.  
 970        102.141 determines, within 5 days after the certification by the  
 971        Elections Canvassing Commission, that a typographical error  
 972        occurred in the official returns of the county, the correction  
 973        of which could result in a change in the outcome of an election,  
 974        the county canvassing board must certify corrected returns to  
 975        the Department of State within 24 hours, and the Elections  
 976        Canvassing Commission must correct and recertify the election  
 977        returns as soon as practicable.

978        Section 20. Subsections (3) through (11) of section  
 979        102.141, Florida Statutes, are amended to read:

980        102.141 County canvassing board; duties.-  
 981        (3) The canvass, except the canvass of absent voters'  
 982        ~~electors'~~ returns and the canvass of provisional ballots, must  
 983        shall be made from the returns and certificates of the  
 984        inspectors as signed and filed by them with the supervisor, and  
 985        the county canvassing board may shall not change the number of  
 986        votes cast for a candidate, nominee, constitutional amendment,

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987 or other measure submitted to the electorate of the county,  
 988 respectively, in any polling place, as shown by the returns. All  
 989 returns must ~~shall~~ be made to the board on or before 2 a.m. of  
 990 the day following any primary, general, or other election. If  
 991 the returns from any precinct are missing, if there are any  
 992 omissions on the returns from any precinct, or if there is an  
 993 obvious error on any such returns, the canvassing board must  
 994 ~~shall~~ order a retabulation of the returns from such precinct.  
 995 Before canvassing such returns, the canvassing board shall  
 996 examine the tabulation of the ballots cast in such precinct and  
 997 determine whether the returns correctly reflect the votes cast.  
 998 If there is a discrepancy between the returns and the tabulation  
 999 of the ballots cast, the tabulation of the ballots cast must  
 1000 ~~shall~~ be presumed correct and such votes must ~~shall~~ be canvassed  
 1001 accordingly.

1002 (4) (a) The supervisor of elections shall upload into the  
 1003 county's election management system by 7 p.m. local time on the  
 1004 day before the election the results of all early voting and  
 1005 vote-by-mail ballots that have been canvassed and tabulated by  
 1006 the end of the early voting period. Pursuant to ss. 101.5614(8),  
 1007 101.657, and 101.68(2), the tabulation of votes cast or the  
 1008 results of such uploads may not be made public before the close  
 1009 of the polls on election day.

1010 (b) The supervisor, on behalf of the canvassing board,  
 1011 shall report all early voting and all tabulated vote-by-mail  
 1012 results to the Department of State within 30 minutes after the  
 1013 polls close. Thereafter, the canvassing board shall report, with  
 1014 the exception of provisional ballot results, updated precinct  
 1015 election results by uploading such results to the department at

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1016 least every 45 minutes until all results are completely  
 1017 reported. The supervisor of elections shall notify the  
 1018 department immediately of any circumstances that do not permit  
 1019 periodic updates as required. Results must ~~shall~~ be submitted in  
 1020 a format prescribed by the department.

1021 (5) (a) The canvassing board shall submit on forms or in  
 1022 formats provided by the division unofficial returns to the  
 1023 Department of State for each federal, statewide, state, or  
 1024 multicounty office or ballot measure no later than noon on the  
 1025 third day after any primary election and no later than noon on  
 1026 the fourth day after any general or other election. Such returns  
 1027 must ~~shall~~ include the canvass of all ballots, including write-  
 1028 in votes, as required by subsection (2).

1029 (b) After unofficial results are reported, each county  
 1030 shall conduct an automated independent vote validation process  
 1031 to confirm that the votes processed through the vote tabulation  
 1032 system for a candidate for any office, candidate for retention  
 1033 to a judicial office, or a measure appearing on the ballot do  
 1034 not:

1035 1. Have a discrepancy of more than one-half of a percent  
 1036 when compared to the results of the automated independent vote  
 1037 validation system; or

1038 2. Result in a change in the outcome of the contest.

1039  
 1040 The automated independent vote validation process must be  
 1041 completed by no later than noon on the 6th day after any primary  
 1042 election and no later than noon on the 7th day after any general  
 1043 or other election.

1044 (c) (6) If the county canvassing board determines, after the

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1045 county conducts the automated independent vote validation  
 1046 process in accordance with s. 101.591 and the comparison of the  
 1047 results of the vote tabulation and the automated independent  
 1048 vote validation, that the unofficial returns may contain a  
 1049 counting error in which the vote tabulation system or the  
 1050 automated independent vote validation system failed to count  
 1051 votes that were properly marked in accordance with the  
 1052 instructions on the ballot, the county canvassing board must  
 1053 shall:

1054 1.(a) Correct the error and retabulate the affected ballots  
 1055 with the vote tabulation system or the automated independent  
 1056 vote validation system; or

1057 2.(b) Request that the Department of State verify the  
 1058 tabulation software of the affected system. When the Department  
 1059 of State verifies such software, the department shall compare  
 1060 the software used to tabulate the votes with the software filed  
 1061 with the department pursuant to s. 101.5607 and check the  
 1062 election parameters.

1063 (6) (a) If the comparison of the results of the vote  
 1064 tabulation system and the automated independent vote validation  
 1065 system reflects a difference as described in paragraph (b), the  
 1066 proper county election official under the oversight of the  
 1067 county canvassing board must conduct a system validation review  
 1068 using the images in the automated independent vote validation  
 1069 system of the ballots in disagreement, which review must  
 1070 include, but need not be limited to, a review of any clear  
 1071 overvotes or undervotes that appear in the automated independent  
 1072 vote validation system to adjudicate the voter intent of such  
 1073 ballots before certification of the county's official results.

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1074 (7) If the unofficial returns reflect that a candidate for  
 1075 any office was defeated or eliminated by one-half of a percent  
 1076 or less of the votes cast for such office, that a candidate for  
 1077 retention to a judicial office was retained or not retained by  
 1078 one-half of a percent or less of the votes cast on the question  
 1079 of retention, or that a measure appearing on the ballot was  
 1080 approved or rejected by one-half of a percent or less of the  
 1081 votes cast on such measure, a system validation review must  
 1082 ~~recount~~ shall be ordered of the votes cast with respect to such  
 1083 office or measure. The Secretary of State is responsible for  
 1084 ordering such system validation reviews ~~recounts~~ in races that  
 1085 are federal or, state races that are, and multicounty and any  
 1086 other multicounty races. The county canvassing board or the  
 1087 local board responsible for certifying the election is  
 1088 responsible for ordering a system validation review under this  
 1089 subsection ~~recounts~~ in all other races. A system validation  
 1090 review ~~recount~~ need not be ordered with respect to the returns  
 1091 for any office, however, if the candidate or candidates defeated  
 1092 or eliminated from contention for such office by one-half of a  
 1093 percent or less of the votes cast for such office request in  
 1094 writing that a system validation review ~~recount~~ not be made.  
 1095 (a) Each canvassing board responsible for conducting a  
 1096 ~~recount~~ shall put each marksense ballot through automatic  
 1097 tabulating equipment and determine whether the returns correctly  
 1098 reflect the votes cast. If any marksense ballot is physically  
 1099 damaged so that it cannot be properly counted by the automatic  
 1100 tabulating equipment during the recount, a true duplicate shall  
 1101 be made of the damaged ballot pursuant to the procedures in s.  
 1102 101.5614(4). Immediately before the start of the recount, a test

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1103 of the tabulating equipment shall be conducted as provided in s.  
 1104 101.5612. If the test indicates no error, the recount tabulation  
 1105 of the ballots cast shall be presumed correct and such votes  
 1106 shall be canvassed accordingly. If an error is detected, the  
 1107 cause therefor shall be ascertained and corrected and the  
 1108 recount repeated, as necessary. The canvassing board shall  
 1109 immediately report the error, along with the cause of the error  
 1110 and the corrective measures being taken, to the Department of  
 1111 State. No later than 11 days after the election, the canvassing  
 1112 board shall file a separate incident report with the Department  
 1113 of State, detailing the resolution of the matter and identifying  
 1114 any measures that will avoid a future recurrence of the error.  
 1115 If the automatic tabulating equipment used in a recount is not  
 1116 part of the voting system and the ballots have already been  
 1117 processed through such equipment, the canvassing board is not  
 1118 required to put each ballot through any automatic tabulating  
 1119 equipment again.

1120 (b) Each canvassing board responsible for conducting a  
 1121 recount where touchscreen ballots were used shall examine the  
 1122 counters on the precinct tabulators to ensure that the total of  
 1123 the returns on the precinct tabulators equals the overall  
 1124 election return. If there is a discrepancy between the overall  
 1125 election return and the counters of the precinct tabulators, the  
 1126 counters of the precinct tabulators shall be presumed correct  
 1127 and such votes shall be canvassed accordingly.

1128 (c) The canvassing board shall submit on forms or in  
 1129 formats provided by the division a second set of unofficial  
 1130 returns to the Department of State for each federal, statewide,  
 1131 state, or multicounty office or ballot measure. The returns

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1132 shall be filed no later than 3 p.m. on the 5th day after any  
 1133 primary election and no later than 3 p.m. on the 9th day after  
 1134 any general election in which a recount was ordered by the  
 1135 Secretary of State. If the canvassing board is unable to  
 1136 complete the recount prescribed in this subsection by the  
 1137 deadline, the second set of unofficial returns submitted by the  
 1138 canvassing board shall be identical to the initial unofficial  
 1139 returns and the submission shall also include a detailed  
 1140 explanation of why it was unable to timely complete the recount.  
 1141 However, the canvassing board shall complete the recount  
 1142 prescribed in this subsection, along with any manual recount  
 1143 prescribed in s. 102.166, and certify election returns in  
 1144 accordance with the requirements of this chapter.

1145 (d) The Department of State shall adopt detailed rules  
 1146 prescribing additional recount procedures for each certified  
 1147 voting system, which shall be uniform to the extent practicable.

1148 (e) The canvassing board may employ such clerical help to  
 1149 assist with the work of the board as it deems necessary, with at  
 1150 least one member of the board present at all times, until the  
 1151 canvass of the returns is completed. The clerical help must  
 1152 shall be paid from the same fund as inspectors and other  
 1153 necessary election officials.

1154 (c) The canvassing board shall publish notice on the county  
 1155 website as provided in s. 50.0311, on the supervisor of  
 1156 elections' website, or once in one or more newspapers of general  
 1157 circulation in the county of the system validation review,  
 1158 including the date, time, and place of the review. Such review  
 1159 is open to the public.

1160 (d) The canvassing board shall submit on forms or in

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1161 formats provided by the division a vote validation for each  
 1162 federal, statewide, state, or multicounty office or ballot  
 1163 measure in accordance with paragraph (5)(b). If the canvassing  
 1164 board is unable to complete the system validation review by the  
 1165 deadline, the vote validation report submitted by the canvassing  
 1166 board must be identical to the initial unofficial returns and  
 1167 the submission must also include a detailed explanation of the  
 1168 reason the board was unable to timely complete the system  
 1169 validation review. However, the canvassing board shall complete  
 1170 the system validation review prescribed in this subsection,  
 1171 along with any system validation review prescribed, and certify  
 1172 official election returns, in accordance with the requirements  
 1173 of this chapter.

1174 (e) The department shall adopt detailed rules prescribing  
 1175 additional system validation review procedures for each  
 1176 certified voting system which must be uniform to the extent  
 1177 practicable.

1178 (7)(g) Each member, substitute member, and alternate member  
 1179 of the county canvassing board and all clerical help must wear  
 1180 identification badges during any period in which the county  
 1181 canvassing board is canvassing votes or engaging in other  
 1182 official duties. The identification badges should be worn in a  
 1183 conspicuous and unobstructed area, and include the name of the  
 1184 individual and his or her official position.

1185 (8)(a)-(10)(a) The supervisor shall file a report with the  
 1186 Division of Elections on the conduct of the election no later  
 1187 than 20 business days after the Elections Canvassing Commission  
 1188 certifies the election. The report must, at a minimum, describe  
 1189 all of the following:

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1190 1. All equipment or software malfunctions at the precinct  
 1191 level, at a counting location, or within computer and  
 1192 telecommunications networks supporting a county location, or  
 1193 issues encountered with any state-approved election system,  
 1194 including, but not limited to, vote tabulation systems and  
 1195 automated independent vote validation systems, and the steps  
 1196 that were taken to address the malfunctions.  
 1197 2. All election definition errors that were discovered  
 1198 after the logic and accuracy test, and the steps that were taken  
 1199 to address the errors.  
 1200 3. All ballot printing errors, vote-by-mail ballot mailing  
 1201 errors, or ballot supply problems, and the steps that were taken  
 1202 to address the errors or problems.  
 1203 4. All staffing shortages or procedural violations by  
 1204 employees or precinct workers which were addressed by the  
 1205 supervisor of elections or the county canvassing board during  
 1206 the conduct of the election, and the steps that were taken to  
 1207 correct such issues.  
 1208 5. All instances where needs for staffing or equipment were  
 1209 insufficient to meet the needs of the voters.  
 1210 6. Any additional information regarding material issues or  
 1211 problems associated with the conduct of the election.  
 1212 (b) If a supervisor discovers new or additional information  
 1213 on any of the items required to be included in the report  
 1214 pursuant to paragraph (a) after the report is filed, the  
 1215 supervisor must notify the division that new information has  
 1216 been discovered no later than the next business day after the  
 1217 discovery, and the supervisor must file an amended report signed  
 1218 by the supervisor of elections on the conduct of the election

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1219 within 10 days after the discovery.

1220 (c) Such reports must be maintained on file in the Division  
1221 of Elections and must be available for public inspection.

1222 (d) The division shall review the conduct of election  
1223 reports to determine what problems may be likely to occur in  
1224 other elections and disseminate such information, along with  
1225 possible solutions and training, to the supervisors of  
1226 elections.

1227 (e) For the general election, the department shall submit  
1228 the analysis of these reports for the post-general general  
1229 election report as part of the consolidated reports required  
1230 under ss. 101.591 and 101.595 to the Governor, the President of  
1231 the Senate, and the Speaker of the House of Representatives by  
1232 February 15 of each year following a general election.

1233 (11) ~~The supervisor shall file with the department a copy~~  
1234 ~~of or an export file from the results database of the county's~~  
1235 ~~voting system and other statistical information as may be~~  
1236 ~~required by the department, the Legislature, or the Election~~  
1237 ~~Assistance Commission. The department shall adopt rules~~  
1238 ~~establishing the required content and acceptable formats for the~~  
1239 ~~filings and time for filings.~~

1240 Section 21. Section 102.166, Florida Statutes, is amended  
1241 to read:

1242 102.166 Manual review ~~recounts~~ of overvotes and undervotes  
1243 in contests.—

1244 (1) If the vote tabulation system indicates, and the  
1245 automated independent vote validation process confirms, second  
1246 set of unofficial returns pursuant to ss. 101.591 and 102.141,  
1247 s. 102.141 indicates that a candidate for any office was

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1248 defeated or eliminated by one-quarter of a percent or less of  
1249 the votes cast for such office, that a candidate for retention  
1250 to a judicial office was retained or not retained by one-quarter  
1251 of a percent or less of the votes cast on the question of  
1252 retention, or that a measure appearing on the ballot was  
1253 approved or rejected by one-quarter of a percent or less of the  
1254 votes cast on such measure, a manual review ~~recount~~ of the  
1255 overvotes and undervotes cast in the entire geographic  
1256 jurisdiction of such office or ballot measure must ~~shall~~ be  
1257 ordered and conducted in a manner consistent with s. 102.141  
1258 unless:

1259 (a) The candidate or candidates defeated or eliminated from  
1260 contention by one-quarter of 1 percent or fewer of the votes  
1261 cast for such office request in writing that a manual review  
1262 ~~recount~~ not be made; or

1263 (b) The number of overvotes and undervotes is fewer than  
1264 the number of votes needed to change the outcome of the  
1265 election.

1266 The Secretary of State is responsible for ordering such manual  
1267 reviews in races that are a manual recount for federal or, state  
1268 races that are multicounty, and any other multicounty races. The  
1269 county canvassing board or local board responsible for  
1270 certifying the election is responsible for ordering a manual  
1271 review ~~recount~~ for all other races. A manual review ~~recount~~  
1272 consists of a review by a designee of the canvassing board  
1273 recount of paper marksense ballots or of digital images from an  
1274 independent vote validation system, if applicable of those  
1275 ballots by a person.

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1277 (2) Any hardware or software used to identify and sort  
 1278 overvotes and undervotes for a given race or ballot measure must  
 1279 be certified by the Department of State. Any such hardware or  
 1280 software must be capable of simultaneously identifying and  
 1281 sorting overvotes and undervotes in multiple races while  
 1282 simultaneously counting votes. Overvotes and undervotes must be  
 1283 identified and sorted while conducting the vote validation  
 1284 process recounting ballots pursuant to s. 102.141. Overvotes and  
 1285 undervotes must may be identified and sorted physically or  
 1286 digitally.

1287 (3) Any manual review ~~recount~~ shall be open to the  
 1288 public. Each political party may designate one person with  
expertise in the computer field who shall be allowed in the  
central counting room when the manual review is being conducted  
and when the official votes are being counted. The designee may  
not interfere with the normal operation of the canvassing board.

1289 (4)(a) A vote for a candidate or ballot measure shall be  
 1290 counted if there is a clear indication on the ballot that the  
 1291 voter has made a definite choice.

1292 (b) The Department of State shall adopt specific rules for  
 1293 the federal write-in absentee ballot and for each certified  
 1294 voting system prescribing what constitutes a "clear indication  
 1295 on the ballot that the voter has made a definite choice." The  
 1296 rules must shall be consistent, to the extent practicable, and  
 1297 may not:

1298 1. Authorize the use of any electronic or electromechanical  
 1299 reading device to review a hybrid voting system ballot that is  
 1300 produced using a voter interface device and that contains both  
 1301 machine-readable fields and machine-printed text of the contest

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1306 titles and voter selections, unless the printed text is  
 1307 illegible;

1308 2. Exclusively provide that the voter must properly mark or  
 1309 designate his or her choice on the ballot; or

1310 3. Contain a catch-all provision that fails to identify  
 1311 specific standards, such as "any other mark or indication  
 1312 clearly indicating that the voter has made a definite choice."

1313 (c) The rule for the federal write-in absentee ballot must  
 1314 address, at a minimum, the following issues:

1315 1. The appropriate lines or spaces for designating a  
 1316 candidate choice and, for state and local races, the office or  
 1317 ballot measure to be voted, including the proximity of each to  
 1318 the other and the effect of intervening blank lines.

1319 2. The sufficiency of designating a candidate's first or  
 1320 last name when no other candidate in the race has the same or a  
 1321 similar name.

1322 3. The sufficiency of designating a candidate's first or  
 1323 last name when an opposing candidate has the same or a similar  
 1324 name, notwithstanding generational suffixes and titles such as  
 1325 "Jr.," "Sr.," or "III." The rule should contemplate the  
 1326 sufficiency of additional first names and first initials, middle  
 1327 names and middle initials, generational suffixes and titles,  
 1328 nicknames, and, in general elections, the name or abbreviation  
 1329 of a political party.

1330 4. Candidate designations containing both a qualified  
 1331 candidate's name and a political party, including those in which  
 1332 the party designated is the candidate's party, is not the  
 1333 candidate's party, has an opposing candidate in the race, or  
 1334 does not have an opposing candidate in the race.

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1335        5. Situations where the abbreviation or name of a candidate  
 1336        is the same as the abbreviation or name of a political party to  
 1337        which the candidate does not belong, including those in which  
 1338        the party designated has another candidate in the race or does  
 1339        not have a candidate in the race.

1340        6. The use of marks, symbols, or language, such as arrows,  
 1341        quotation marks, or the word "same" or "ditto," to indicate that  
 1342        the same political party designation applies to all listed  
 1343        offices or the elector's approval or disapproval of all listed  
 1344        ballot measures.

1345        7. Situations in which an elector designates the name of a  
 1346        qualified candidate for an incorrect office.

1347        8. Situations in which an elector designates an otherwise  
 1348        correct office name that includes an incorrect district number.

1349        (5) Procedures for a manual review recount are as follows:

1350        (a) The county canvassing board shall appoint as many  
 1351        counting teams of at least two electors as is necessary to  
 1352        manually review recount the ballots. A counting team must have,  
 1353        when possible, members of at least two political parties. A  
 1354        candidate involved in the race may shall not be a member of the  
 1355        counting team.

1356        (b) Each duplicate ballot prepared pursuant to s.  
 1357        101.5614(4) must or s. 102.141(7) shall be compared with the  
 1358        original ballot to ensure the correctness of the duplicate.

1359        (c) If a counting team is unable to determine whether the  
 1360        ballot contains a clear indication that the voter has made a  
 1361        definite choice, the ballot must shall be presented to the  
 1362        county canvassing board for a determination.

1363        (d) The Department of State shall adopt detailed rules

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1364        prescribing additional review recount procedures for each  
 1365        certified voting system which must shall be uniform to the  
 1366        extent practicable. At a minimum, the rules must shall address,  
 1367        at a minimum, the following areas:

1368        1. Security of ballots during the manual review recount  
 1369        process;

1370        2. Time and place of manual reviews recounts;

1371        3. Public observance of manual reviews recounts;

1372        4. Objections to ballot determinations;

1373        5. Record of manual review recount proceedings;

1374        6. Procedures relating to candidate and petitioner  
 1375        representatives; and

1376        7. Procedures relating to the certification and the use of  
 1377        automatic tabulating equipment that is not part of a voting  
 1378        system.

1379        (6) Nothing in this section precludes a county canvassing  
 1380        board or local board involved in the manual review recount from  
 1381        comparing a digital image of a ballot to the corresponding  
 1382        physical paper ballot during a manual review recount.

1383        Section 22. Section 104.51, Florida Statutes, is created to  
 1384        read:

1385        104.51 Time limitation; election fraud.—A prosecution for a  
 1386        felony violation under the Florida Election Code must be  
 1387        commenced within 5 years after the date the violation is  
 1388        committed.

1389        Section 23. Section 322.034, Florida Statutes, is created  
 1390        to read:

1391        322.034 Legal status designation on state-issued driver  
 1392        licenses and identification cards.—

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1393 (1) By July 1, 2027, a Florida driver license or Florida  
1394 identification card issued to a qualified applicant who is a  
1395 United States citizen as last recorded in the system must  
1396 include his or her legal citizenship status at the time of new  
1397 issuance, renewal, or replacement.

(2) Notwithstanding any other law, the department must, at no charge, issue a renewal or replacement driver license or identification card if a licensee or cardholder timely updates his or her legal status upon becoming a citizen of the United States as required in s. 322.19.

1403       Section 24. For the purpose of incorporating the amendment  
1404 made by this act to section 98.075, Florida Statutes, in a  
1405 reference thereto, subsection (6) of section 98.065, Florida  
1406 Statutes, is reenacted to read:

1407 98.065 Registration list maintenance programs.-

1408 (6) The supervisor shall, at a minimum, conduct an annual  
1409 review of voter registration records to identify registration  
1410 records in which a voter is registered at an address that may  
1411 not be an address of legal residence for the voter. For those  
1412 registration records with such addresses that the supervisor has  
1413 reasonable belief are not legal residential addresses, the  
1414 supervisor shall initiate list maintenance activities pursuant  
1415 to s. 98.075(6) and (7).

1416 Section 25. This act shall take effect January 1, 2027.

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## Ethics and Elections

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**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Monreal, Ismare  
Term: 09/11/2025 – 05/31/2029  
City/County: Miami-Dade/Miami-Dade  
Office: Board of Trustees of Miami-Dade College, Member  
Authority: 1001.61(1) and (2), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 7/1/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report		X	
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Chief of Staff for the City of Hialeah

**Attendance:** Attended 43 of 43 meetings (100%) from April 28, 2022 through January 5, 2026.

**Compensation:** Reimbursed for expenses as provided in s. 112.061, F.S., including mileage to and from official board meetings.

**Requirements:** Florida College System institution boards of trustees shall be appointed by the Governor and comprised of:

Five members when a Florida College System institution district is confined to one school board district.

Seven members when a Florida College System institution district is confined to one school board district and the board of trustees so elect.

Not more than nine members when the district contains two or more school board districts.

**Additional Requirements:** Trustees shall be appointed for terms of four (4) years.

A member of a board of trustees must be a resident of the service delivery area of the college.

Miami Dade College serves Miami-Dade County.

It is the duty of the chair to notify the Governor, in writing, when a board member fails to attend three consecutive regular board meetings in any one fiscal year; absences may be grounds for removal.

Required to file Form 1 with the SOE's office.

**Notes:** Number 19 - Mrs. Monreal is currently the Chief of Staff for the City of Hialeah since 2021. Mrs. Monreal was a legislative analyst in the Florida House of Representatives 1996-2000.

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## Ethics and Elections

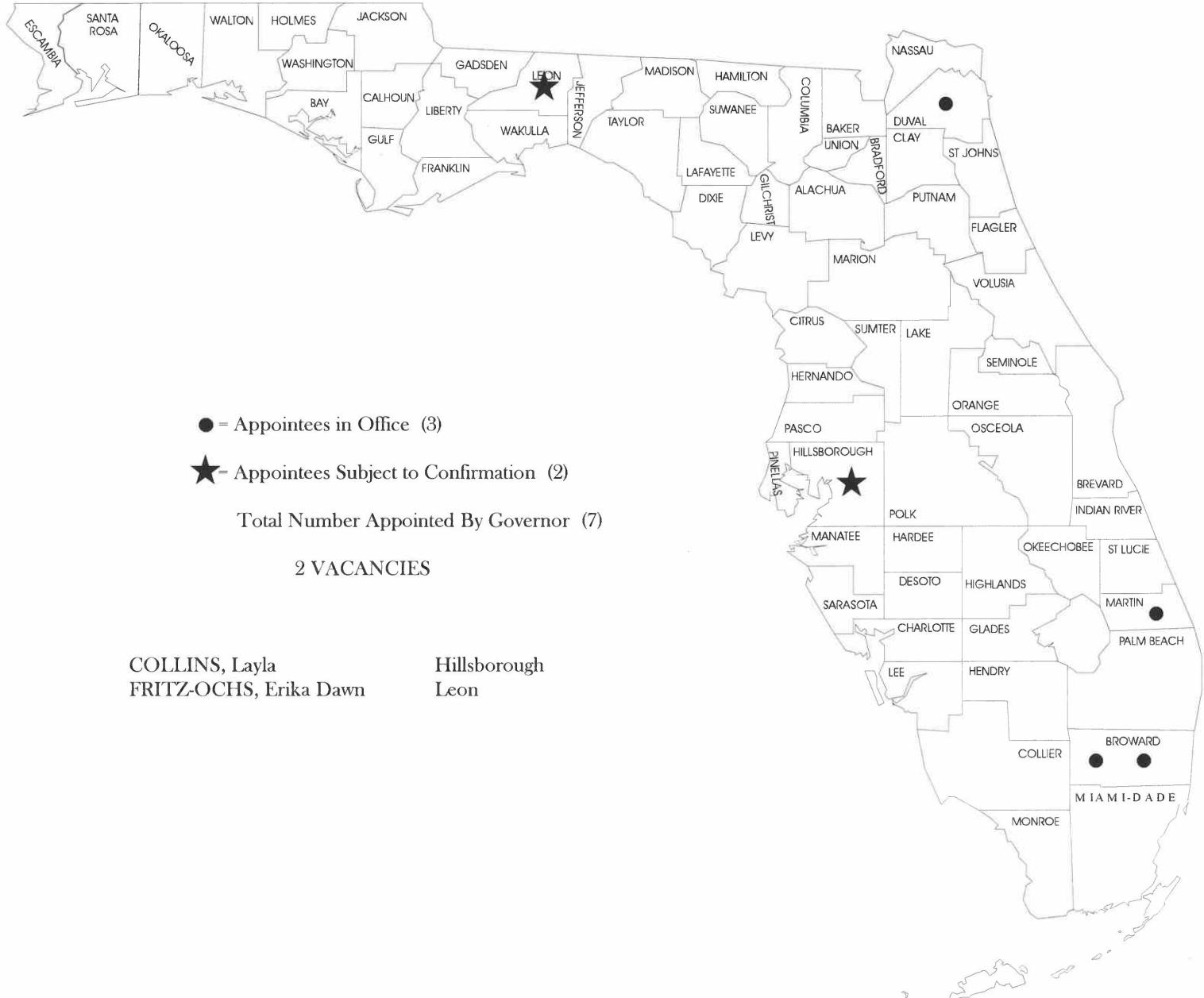
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**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# State Board of Education



COLLINS, Layla  
FRITZ-OCHS, Erika Dawn

Hillsborough  
Leon

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Collins, Layla  
 Term: 09/01/2025 – 12/31/2028  
 City/County: Odessa/Hillsborough  
 Office: State Board of Education, Member  
 Authority: 1001.01(1), F.S.  
 Reference(s): Committee on Education Pre-K - 12-Recommend Confirm-01/27/2026  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 11/4/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Retired

**Compensation:** Members of the board shall serve without compensation, but shall be entitled to reimbursement of travel and per diem expenses in accordance with s. 112.061, F.S.

**Requirements:** The Florida Board of Education consists of seven members who are residents of the state. Members are appointed by the Governor, subject to confirmation by the Senate.

**Additional Requirements:** Members of the board shall be appointed to staggered 4-year terms and may be reappointed by the Governor for additional terms not to exceed 8 years of consecutive service.

Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mrs. Collins served in the US Army 1994-2014.  
Education Verified

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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7

A3010F

**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Filburn, Mark C. Appointed: 12/12/2025  
Term: 01/07/2026 – 01/06/2031 Prior Term: 12/19/2024 - 01/06/2026  
City/County: Winter Park/Orange  
Office: Board of Trustees, University of Central Florida, Member  
Authority: 1001.71(1), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 8/6/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			See Below
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	See Below
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:**

**Attendance:** Attended 8 of 8 meetings (100%) from December 19, 2024 through January 5, 2026.

**Compensation:** Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

**Requirements:** Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

**Additional Requirements:** Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

**Notes:** Number 6 - Mr. Filburn served in the US Army 1982-1983.

Number 8 - Board of Governors' Appointment

Number 10 - Report No. 2026-018

Number 18 - Mr. Filburn has served on this board since 2025.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Florez, Alan  
Term: 01/07/2026 – 01/06/2031  
Appointed: 12/12/2025  
City/County: Ormond Beach/Volusia  
Prior Term:  
Office: Board of Trustees, University of Central Florida, Member  
Authority: 1001.71(1), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/27/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record	X		See Below
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:**

**Compensation:** Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

**Requirements:** Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

**Additional Requirements:** Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

**Notes:** Number 8 - Board of Governors' Appointment

Number 9 - FDLE reported Mr. Florez was charged with D.U.I. in Ormond Beach, FL on 9/2/2005, and he was found guilty of reckless driving. In addition, Mr. Florez was charged with a D.U.I. in Orange County, FL on 11/5/2009, a misdemeanor, and his driver's license was suspended for six months. The charge was dropped and Mr. Florez's driver's license was reinstated 1/22/2010. Mr. Florez disclosed these violations in his questionnaire.

Number 15 - Mr. Florez's employer, Foundation Risk Partners has various contracts with municipalities and school districts for insurance brokerage.

Number 18 - Mr. Florez served on this board 2006-2009 and 2011-2016.

Number 19 - Mr. Florez was employed by the Executive Office of the Governor from 2001-2005 and was the Deputy Director of Legislative Affairs and Special Assistant to the Governor.

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## Ethics and Elections

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**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Plana, Nestor  
Term: 01/07/2026 – 01/06/2031  
Appointed: 11/06/2025  
City/County: Miami-Dade/Miami-Dade  
Prior Term:  
Office: Board of Trustees, Florida International University, Member  
Authority: 1001.71(1), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed		X	Not Filed
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)	X		
14. Licenses or Certification Revoked/Suspended	X		
15. Contracts with State/Local Governments (sworn statement)	X		
16. Contracts with Pending Office	X		
17. Holds Another Public Office (sworn statement)	X		
18. Previously a Public Officer (sworn statement)	X		
19. Present or Past Government Employee	X		
20. Currently a Registered Lobbyist	X		

**Occupation:** CEO of Independent Living Systems, LLC

**Compensation:** Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

**Requirements:** Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

**Additional Requirements:** Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

**Notes:** Number 8 - Board of Governors' Appointment

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## Ethics and Elections

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**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Moore, Clarence S. Appointed: 12/12/2025  
Term: 01/07/2026 – 01/06/2031 Prior Term: 07/08/2022 - 01/06/2026  
City/County: St. Johns/St. Johns  
Office: Board of Trustees, University of North Florida, Member  
Authority: 1001.71(1), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 8/26/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record	X		See Below
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)	X		See Below
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** President of The Vestcor Companies

**Attendance:** Attended 52 of 57 meetings (91%) from July 8, 2022 through January 5, 2026.

**Compensation:** Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

**Requirements:** Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

**Additional Requirements:** Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

**Notes:** Number 8 - Governor's Appointment

Number 9 - Mr. Moore disclosed that in 2019 he received a fine for a violation of the FWC administrative rules.

Number 15 - Mr. Moore disclosed that his employer Vestcor has contractual relationships with the Florida Housing Finance Corporation, various local municipalities and the Florida Polytechnic University.

Number 17 - Mr. Moore serving on the Duval County Research and Development Authority, since 2021.

Number 18 - Mr. Moore has served on this board since 2022.

Number 19 - Mr. Moore worked as a Graduate Assistant for the University of North Florida 1997-1999 and then an Assistant Dean 2001-2003.

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Piccolo, Fredrick  
Term: 12/12/2025 – 01/06/2030  
Appointed: 12/12/2025  
City/County: Sarasota/Sarasota  
Prior Term:  
Office: Board of Trustees, University of South Florida, Member  
Authority: 1001.71(1), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed	X		Form 1 filed as of 6/2/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	As of 1/15/26
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:**

**Compensation:** Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

**Requirements:** Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Beginning July 2, 2020, for purposes of this subsection, regional representation shall include the chair of a campus board established pursuant to s. 1004.341, F.S.

A member of the Board of Trustees of the University of South Florida who resides in Pinellas County shall jointly serve as a member of the Board of Trustees and as chair of the campus board.

- A member of the Board of Trustees of the University of South Florida who resides in Manatee County or Sarasota County shall be selected by the Chair of the Board of Trustees of the University of South Florida to serve jointly as a member of the Board of Trustees and as chair of the campus board.

**Additional Requirements:** Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

**Notes:** Number 6 - Mr. Piccolo served in the U.S. Army 1972-1974.

Number 8 - Board of Governors' Appointment

Number 18 - Mr. Piccolo served on this board 2021-2026 as a Governor's Appointment.

Number 19 - Mr. Piccolo was the President/Chief Executive Officer of Sarasota Manatee Airport Authority, 1995-2025.. Mr. Piccolo was the Assistant Airport Director for Pinellas County Government from 1986-1995. Mr. Piccolo was the Assistant Director of Operations at Hillsborough County Aviation Authority from 1984-1987.

Education Verified

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Watkins, Nancy Hemmingway  
Term: 01/07/2026 – 01/06/2031  
Appointed: 12/12/2025  
City/County: Tampa/Hillsborough  
Prior Term:  
Office: Board of Trustees, University of South Florida, Member  
Authority: 1001.71(1), F.S.  
Reference(s): Appropriations Committee on Higher Education-Recommend Confirm-01/28/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/10/25
8. Meets Requirements of Law	X		See Below
9. Conviction Record		X	
10. Adverse Auditor General Report			No Report
11. Adverse Ethics Commission Action		X	
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)	X		
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Certified Public Accountant/Robert Watkins & Co., PA

**Compensation:** Members of the board of trustees shall receive no compensation but may be reimbursed for travel and per diem expenses as provided in s. 112.061, F.S.

**Requirements:** Each university in the State University System shall have a 13-member board of trustees.

- Six citizen members shall be appointed by the Governor subject to Senate confirmation.
- Five citizen members shall be appointed by the Board of Governors subject to Senate confirmation.

In addition, the chair of the faculty senate, or the equivalent, and the president of the student body of the university shall also be members.

There shall be no state residency requirement for university board members, but the Governor shall consider diversity and regional representation.

Beginning July 2, 2020, for purposes of this subsection, regional representation shall include the chair of a campus board established pursuant to s. 1004.341, F.S.

A member of the Board of Trustees of the University of South Florida who resides in Pinellas County shall jointly serve as a member of the Board of Trustees and as chair of the campus board.

- A member of the Board of Trustees of the University of South Florida who resides in Manatee County or Sarasota County shall be selected by the Chair of the Board of Trustees of the University of South Florida to serve jointly as a member of the Board of Trustees and as chair of the campus board.

**Additional Requirements:** Members of the board of trustees shall be appointed for staggered 5-year terms.

Required to file Form 1 with the Commission on Ethics.

No citizen member of a board of trustees of a local constituent university, shall have or hold any employment or contractual relationship as a legislative lobbyist requiring annual registration and reporting pursuant to s. 11.045.

**Notes:** Number 8 - Board of Governor's Appointment

Number 17 - Ms. Watkins has served on this board since 2013. Ms. Watkins is serving on the Hillsborough Community College Board of Trustees, since 1999. Ms. Watkins is serving on the Governing Board of the Southwest Florida Water Management District, since 2023.

Education Verified

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## Ethics and Elections

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**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Asztalos, Robert P. Appointed: 08/05/2025  
Term: 08/05/2025 – Pleasure of Governor Prior Term:  
City/County: Tallahassee/Leon  
Office: Director, Agency for Persons with Disabilities, Statewide Director  
Authority: 20.197, F.S.  
Reference(s): Committee on Children, Families, and Elder Affairs-Recommend Confirm-01/27/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)	X		See Below
7. Financial Disclosure Filed		X	Not Filed
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 10/14/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)	X		See Below
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist			

**Occupation:** Director, Agency for Persons with Disabilities

**Compensation:** \$182,350.22 per year as of January 29, 2026.

**Requirements:** The Director shall be appointed by the Governor subject to confirmation by the Senate.

**Additional Requirements:** The Director shall serve at the pleasure of the Governor.  
Required to file Form 1 with the Commission on Ethics.

**Notes:** Number 6 - Mr. Asztalos served in the US Navy 1977-2006.

Number 17 - Mr. Asztalos serves on the Governor's Panel on Excellence in Long Term Care, since 2024.

Number 19 - Mr. Asztalos worked for the Department of Veteran Affairs, 2021-2025  
Education Verified

**COMMITTEE MEETING PACKET TAB**

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## Ethics and Elections

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**12**

A1310C

**MEETING DATE:** Wednesday, February 4, 2026

**TIME:** 10:30 a.m. —12:30 p.m.

**PLACE:** Mallory Horne Committee Room, 37 Senate Building

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Chiea, Renee  
Term: 01/06/2025 – 07/17/2028  
City/County: Dunedin/Pinellas  
Office: Juvenile Welfare Board of Pinellas County, Member  
Authority: 03-320, L.O.F.  
Reference(s): Committee on Children, Families, and Elder Affairs-Recommend Confirm-01/27/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 5/30/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 9/18/25
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Compliance Director at Elevance Health, Inc.

**Compensation:**

**Requirements:** The eleven-member board consists of:

- The county superintendent of public instruction;
- One judge in the juvenile division of the circuit court;
- The state attorney;
- The public defender;
- One appointed member of the Pinellas County Board of County Commissioners; and
- Six members appointed by the Governor and confirmed by the Senate.

**Additional Requirements:** Terms for the six members appointed by the Governor shall be for four years. Required to file Form 1 with the SOE's office.

**Notes:**

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Gnage, Kristen Arrojo  
 Term: 05/06/2025 – 08/07/2028  
 City/County: Pinellas Park/Pinellas  
 Office: Juvenile Welfare Board of Pinellas County, Member  
 Authority: 03-320, L.O.F.  
 Reference(s): Committee on Children, Families, and Elder Affairs-Recommend Confirm-01/27/2026  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 6/27/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 9/18/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** Assistant State Attorney at the 6th Circuit Office of the State Attorney

**Compensation:**

**Requirements:** The eleven-member board consists of:

- The county superintendent of public instruction;
- One judge in the juvenile division of the circuit court;
- The state attorney;
- The public defender;
- One appointed member of the Pinellas County Board of County Commissioners; and
- Six members appointed by the Governor and confirmed by the Senate.

**Additional Requirements:** Terms for the six members appointed by the Governor shall be for four years. Required to file Form 1 with the SOE's office.

**Notes:** Number 18 - Ms. Gnage has served on this board since 7/2023.

Number 19 - Ms. Gnage is an Assistant State Attorney in the 6th Circuit Office of the State Attorney, since 2012. Ms. Gnage was a Law Clerk in the Office of the Attorney General 2009-2012.

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: McShea, Alicia S. Appointed: 05/06/2025  
 Term: 01/06/2025 – 08/11/2026 Prior Term:  
 City/County: St. Petersburg/Pinellas  
 Office: Juvenile Welfare Board of Pinellas County, Member  
 Authority: 03-320, L.O.F.  
 Reference(s): Committee on Children, Families, and Elder Affairs-Recommend Confirm-01/27/2026  
 Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)		X	
7. Financial Disclosure Filed	X		Form 1 filed as of 6/2/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 9/18/25
12. Previously Suspended from Office			Not Applicable
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)		X	
19. Present or Past Government Employee		X	
20. Currently a Registered Lobbyist		X	

**Occupation:** Client Relations Manager 1 at Franklin Templeton Investments

**Compensation:**

**Requirements:** The eleven-member board consists of:

- The county superintendent of public instruction;
- One judge in the juvenile division of the circuit court;
- The state attorney;
- The public defender;
- One appointed member of the Pinellas County Board of County Commissioners; and
- Six members appointed by the Governor and confirmed by the Senate.

**Additional Requirements:** Terms for the six members appointed by the Governor shall be for four years. Required to file Form 1 with the SOE's office.

**Notes:**

# Recommendation for Senate Confirmation of Executive Appointment

Appointee: Millican, James A. Appointed: 05/06/2025  
Term: 05/06/2025 – 08/11/2028 Prior Term: 07/21/2023 - 08/11/2024  
City/County: St. Petersburg/Pinellas  
Office: Juvenile Welfare Board of Pinellas County, Member  
Authority: 03-320, L.O.F.  
Reference(s): Committee on Children, Families, and Elder Affairs-Recommend Confirm-01/27/2026  
Committee on Ethics and Elections

Executive Appointment Questionnaire	Yes	No	Notes
1. Questionnaire completed	X		
2. Questionnaire notarized	X		
3. US Citizen (sworn statement)	X		
4. Florida Resident (sworn statement)	X		
5. Registered Voter in Florida	X		
6. Honorable Discharge (sworn statement)			Not Applicable
7. Financial Disclosure Filed	X		Form 1 filed as of 2/10/25
8. Meets Requirements of Law	X		
9. Conviction Record		X	
10. Adverse Auditor General Report			Not Applicable
11. Adverse Ethics Commission Action		X	As of 9/18/25
12. Previously Suspended from Office		X	
13. Previously Refused Bond (sworn statement)		X	
14. Licenses or Certification Revoked/Suspended		X	
15. Contracts with State/Local Governments (sworn statement)		X	
16. Contracts with Pending Office		X	
17. Holds Another Public Office (sworn statement)		X	
18. Previously a Public Officer (sworn statement)	X		See Below
19. Present or Past Government Employee	X		See Below
20. Currently a Registered Lobbyist		X	

**Occupation:** District Chief of Lealman Fire District

**Attendance:** Attended 22 of 31 meetings (71%) from July 21, 2023 through August 12, 2025.

**Compensation:**

**Requirements:** The eleven-member board consists of:

- The county superintendent of public instruction;
- One judge in the juvenile division of the circuit court;
- The state attorney;
- The public defender;
- One appointed member of the Pinellas County Board of County Commissioners; and
- Six members appointed by the Governor and confirmed by the Senate.

**Additional Requirements:** Terms for the six members appointed by the Governor shall be for four years. Required to file Form 1 with the SOE's office.

**Notes:** Number 18 - Mr. Millican has served on this board since 2017.  
Number 19 - District Chief of Lealman Fire District.