

## Committee on Ethics and Elections

### **CS/CS/SB 524 — Election Administration**

by Appropriations Committee; Ethics and Elections Committee; and Senator Hutson

The bill revises provisions governing elections to improve election security, transparency, and administration.

Related to investigations of election law violations, the bill:

- Creates the Office of Election Crimes and Security within the Department of State to aid the Secretary of State in completion of his or her existing duties related to investigation of election law violations or election irregularities.
- Modernizes the Governor's current authority to appoint special officers by requiring the Governor to, in consultation with the executive director of the Florida Department of Law Enforcement, appoint special officers to investigate alleged violations of election laws.
- Requires the Department of State to annually report specified information regarding each received allegation of an election law violation or election irregularity.

Related to penalties for election law violations, the bill:

- Increases to \$50,000 from \$1,000 the annual cap on fines assessed against a third-party voter registration organization that does not timely deliver completed voter registration applications.
- Creates a new penalty that provides that if a person collecting applications on behalf of an organization is found guilty of altering an application without consent, the organization is subject to a fine of \$1,000 per altered application.
- Increases criminal penalties for ballot harvesting and crimes related to ballot petition signatures.
- Expands a criminal penalty for early disclosure of election results and requires authorized observers of vote-by-mail ballot duplication to sign an affidavit acknowledging they are subject to the penalty.

Related to maintenance of voter registration information, the bill:

- Increases the frequency with which list maintenance must be conducted.
- Revises options supervisors of elections may use for identifying change-of-address information.
- Specifies voter addresses that supervisors of elections must use in conducting list maintenance activities.
- Requires a supervisor of elections to send an address confirmation final notice to a voter if certain conditions are met.
- Requires an inactive voter to confirm his or her current address of legal residence before being restored to active status.
- Creates additional requirements for information other governmental entities must report to the Department of State.

Related to citizens' initiatives, the bill:

- Authorizes amendment review processes to be halted if the validity of signatures for an initiative petition have expired.
- Revises retention, maintenance, and website-posting requirements for petition signature forms.

The bill also:

- Expands the prohibition against the use of private donations for election-related expenses to apply to any kind of expense, including but not limited to the costs of related litigation.
- Conforms the mailing and canvassing timeframes for all-mail-ballot elections to those for vote-by-mail ballots in regular elections.
- Revises the date by which supervised voting must be requested.
- Prohibits the use of ranked-choice voting in any election in the state and preempts any conflicting local ordinances.
- Deletes a requirement that vote targets on ballots must be in the shape of an oval.
- Revises "drop box" terminology to "secure ballot intake station."
- Clarifies the meaning of "permanent branch office of the supervisor" for purposes of placement of secure ballot intake stations.
- Transfers the disclaimer regarding third-party voter registration organizations to the required contents of the uniform statewide voter registration application.
- Requires certain county commissioners of single-member districts to run for election after each decennial redistricting.
- Requires the Department of State to submit a plan to use identifying numbers to confirm the identity of each voter returning a vote-by-mail ballot.

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

*Vote: Senate 24-14; House 76-41*

## Committee on Ethics and Elections

### **CS/CS/HB 921 — Campaign Financing**

by State Affairs Committee; Public Integrity and Elections Committee; and Rep. Drake and others (CS/CS/SB 1352 by Rules Committee; Ethics and Elections Committee; and Senator Brodeur)

The bill defines the term “foreign national” and prohibits a foreign national from making or offering to make a contribution or expenditure, directly or indirectly, in connection with any election held in the state.

The bill also narrows application of the contribution limit for political committees that are the sponsors of or in opposition to citizens’ initiatives by specifying that the contribution limit applies only to persons who are not residents of the state and to political committees that have not registered an office using a street address located within the state.

Finally, the bill prohibits use of public funds by local governments for initiating communications pertaining to an issue, referendum, or amendment, including any state question. The prohibition does not preclude a local government or a person acting on behalf of a local government from:

- Reporting on official actions of the local government’s governing body in an accurate, fair, and impartial manner;
- Posting factual information on a government website or in printed materials;
- Hosting and providing information at a public forum;
- Providing factual information in response to an inquiry; or
- Providing information as otherwise authorized or required by law.

If approved by the Governor, these provisions take effect July 1, 2022.

*Vote: Senate 22-16; House 80-40*

## Committee on Ethics and Elections

### **CS/CS/HB 7001 — Implementation of the Constitutional Prohibition Against Lobbying by a Public Officer**

by Rules Committee; State Affairs Committee; Public Integrity and Elections Committee; and Rep. Koster

The bill creates ss. 112.3121 and 112.3122, F.S., to implement the constitutional amendment prohibiting lobbying by certain public officers both during public office and for a six-year period following vacation of public office. The bill provides definitions for terms that have no clear constitutional definition. It provides that the prohibitions apply to persons in public office on or after December 31, 2022. It authorizes the Commission on Ethics to investigate and determine violations of the new prohibitions. The bill provides a range of penalties for violations and directs the Commission to report post-service lobbying violations and recommended punishment to the Governor for imposition of penalties. Finally, it authorizes the Chief Financial Officer and Attorney General independently to collect monetary penalties imposed.

If approved by the Governor, these provisions take effect December 31, 2022.

*Vote: Senate 39-0; House 117-0*

## Committee on Ethics and Elections

### **HB 7003 — Implementation of the Constitutional Prohibition Against Lobbying by a Former Justice or Judge**

by Public Integrity and Elections Committee and Rep. Koster

The bill creates ss. 112.3123 and 112.3124, F.S., to implement the constitutional amendment prohibiting lobbying by former justices and judges for a six-year period following vacation of judicial office. The bill provides definitions for terms that have no clear constitutional definition. It provides that the prohibition applies to justices and judges who vacate office on or after December 31, 2022. It authorizes the Commission on Ethics to investigate and determine violations of the new prohibition. The bill provides a range of penalties for violations and directs the Commission to report a post-service lobbying violation and recommended punishment to the Governor for imposition of penalties. Finally, it authorizes the Chief Financial Officer and Attorney General independently to collect monetary penalties imposed.

If approved by the Governor, these provisions take effect December 31, 2022.

*Vote: Senate 38-0; House 118-0*