

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Lopez-Cantera offered the following:

3 **Amendment (with title amendment)**

4 Remove everything after the enacting clause and insert:

5 Section 1. Subsection (3) of section 98.075, Florida

6 Statutes, is amended to read:

7 98.075 Registration records maintenance activities;
8 ineligibility determinations.--

9 (3) DECEASED PERSONS.--

10 (a)1. The department shall identify those registered
11 voters who are deceased by comparing information on the lists of
12 deceased persons received or obtained from:

13 a. The Department of Health as provided in s. 98.093.

14 b. The United States Social Security Administration,
15 including, but not limited to, any master death file or index
16 compiled by the administration.

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17 2. Within 7 days after ~~Upon~~ receipt of such information
18 through the statewide voter registration system, the supervisor
19 shall remove the name of the registered voter.

20 (b) The supervisor shall remove the name of a deceased
21 registered voter from the statewide voter registration system
22 upon receipt of a copy of a death certificate issued by a
23 governmental agency authorized to issue death certificates.

24 Section 2. Subsection (2) of section 98.0981, Florida
25 Statutes, is amended to read:

26 98.0981 Reports; voting history; statewide voter
27 registration system information; precinct-level election
28 results; book closing statistics.--

29 (2) PRECINCT-LEVEL ELECTION RESULTS.--

30 (a) Within 45 days after the date of a presidential
31 preference primary election, a special election, or a general
32 election, the supervisors of elections shall collect and submit
33 to the department precinct-level election results for the
34 election in a uniform electronic format specified by the
35 department. The precinct-level election results shall be
36 compiled separately for the primary or special primary election
37 that preceded the general or special general election,
38 respectively. The results shall specifically include for each
39 precinct the ~~aggregate~~ total of all ballots cast subtotaled by
40 ballot type for each candidate or nominee to fill a national,
41 state, county, or district office or proposed constitutional
42 amendment.

43 (b) In precincts where three or fewer total ballots were
44 cast, the supervisors of elections shall report only the

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45 aggregate total of all ballots cast.

46 (c) As used in this subsection, "all ballots cast" means
47 ballots cast by voters who cast a ballot whether at a precinct
48 location, by absentee ballot including overseas absentee
49 ballots, during the early voting period, or by provisional
50 ballot.

51 Section 3. Paragraph (d) is added to subsection (4) of
52 section 100.111, Florida Statutes, subsection (5) of that
53 section is renumbered as subsection (6), and a new subsection
54 (5) is added to that section, to read:

55 100.111 Filling vacancy.--

56 (4)

57 (d) A candidate for any state legislative or county office
58 who wins an open primary shall be deemed elected at that time.

59 (5) A vacancy in nomination is not created if it is
60 determined that a nominee did not properly qualify or does not
61 meet the necessary qualifications to hold the office for which
62 he or she sought to qualify.

63 Section 4. Subsection (3) and paragraph (a) of subsection
64 (6) of section 100.371, Florida Statutes, are amended to read:

65 100.371 Initiatives; procedure for placement on ballot.--

66 (3) An initiative petition form circulated for signature
67 may not be bundled with or attached to any other petition. Each
68 signature shall be dated when made and shall be valid for a
69 period of 2 4 years following such date, provided all other
70 requirements of law are met. The sponsor shall submit signed and
71 dated forms to the appropriate supervisor of elections for
72 verification as to the number of registered electors whose valid
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73 signatures appear thereon. Petition forms must be submitted to
74 the supervisor of elections within 45 days after the date on
75 which the petition was signed in order to be valid. The
76 supervisor shall promptly verify the signatures within 30 days
77 after ~~of~~ receipt of the petition forms and payment of the fee
78 required by s. 99.097. The supervisor shall promptly record, in
79 the manner prescribed by the Secretary of State, the date each
80 form is received by the supervisor, and the date the signature
81 on the form is verified as valid. The supervisor may verify that
82 the signature on a form is valid only if:

83 (a) The form contains the original signature of the
84 purported elector.

85 (b) The purported elector has accurately recorded on the
86 form the date on which he or she signed the form.

87 (c) The form accurately sets forth the purported elector's
88 name, street address, county, and voter registration number or
89 date of birth.

90 (d) The purported elector is, at the time he or she signs
91 the form, a duly qualified and registered elector authorized to
92 vote in the county in which his or her signature is submitted.

93
94 The supervisor shall retain the signature forms for at least 1
95 year following the election in which the issue appeared on the
96 ballot or until the Division of Elections notifies the
97 supervisors of elections that the committee which circulated the
98 petition is no longer seeking to obtain ballot position.

99 (6) (a) An elector's signature on a petition form may be
100 ~~revoked within 150 days of the date on which he or she signed~~
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101 ~~the petition form~~ by submitting to the appropriate supervisor of
102 elections a signed petition-revocation form.

103 Section 5. Subsection (2) of section 101.64, Florida
104 Statutes, is amended to read:

105 101.64 Delivery of absentee ballots; envelopes; form.--

106 (2) The certificate shall be arranged on the back of the
107 mailing envelope so that the line for the signature of the
108 absent elector is across the seal of the envelope; however, no
109 statement shall appear on the envelope which indicates that a
110 signature of the voter must cross the seal of the envelope. The
111 absent elector shall execute the certificate on the envelope.
112 The supervisor may not place on the mailing envelope any
113 information indicating the voter's party affiliation or no-
114 party-affiliation status.

115 Section 6. Subsection (4), paragraphs (b) and (c) of
116 subsection (6), and subsection (7) of section 103.091, Florida
117 Statutes, are amended, subsection (8) of that section is
118 renumbered as subsection (9), and a new subsection (8) is added
119 to that section, to read:

120 103.091 Political parties.--

121 (4) Any political party other than a minor political party
122 may by rule provide for the membership of its state or county
123 executive committee to be elected for 4-year terms at the
124 primary election in each year a presidential election is held.
125 The political party may adopt any additional requirements for
126 qualifying for the office of state or county executive committee
127 member in addition to any other requirements imposed by law. The
128 terms shall commence on the first day of the month following
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129 each presidential general election; but the names of candidates
130 for political party offices shall not be placed on the ballot at
131 any other election. The results of such election shall be
132 determined by a plurality of the votes cast. In such event,
133 electors seeking to qualify for such office shall do so with the
134 Department of State or supervisor of elections not earlier than
135 noon of the 71st day, or later than noon of the 67th day,
136 preceding the primary election. The outgoing chair of each
137 county executive committee shall, within 30 days after the
138 committee members take office, hold an organizational meeting of
139 all newly elected members for the purpose of electing officers.
140 The chair of each state executive committee shall, within 60
141 days after the committee members take office, hold an
142 organizational meeting of all newly elected members for the
143 purpose of electing officers.

144 (6)

145 (b) Each state executive committee shall include, as at-
146 large committeemen and committeewomen, all members of the United
147 States Congress representing the State of Florida who are
148 members of the political party, all statewide elected officials
149 who are members of the party, 15 ~~10~~ Florida registered voters
150 who are members of the party as appointed by the Governor if the
151 Governor is a member of the party or the senior U.S. Senator who
152 is a member of the party if the Governor is not a member of the
153 party, the President of the Senate or the Minority Leader in the
154 Senate, whichever is a member of the political party, and the
155 Speaker of the House of Representatives or the Minority Leader
156 in the House of Representatives, whichever is a member of the

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157 political party, and 10 Florida registered voters who are
158 members of the party with five appointed by the President of the
159 Senate or the Minority Leader in the Senate, and five appointed
160 by the Speaker of the House of Representatives or the Minority
161 Leader in the House of Representatives, whichever is a member of
162 the political party, and 20 members of the Legislature who are
163 members of the political party. Ten of the legislators shall be
164 appointed with the concurrence of the state chair of the
165 respective party, as follows: five to be appointed by the
166 President of the Senate; five by or the Minority Leader in the
167 Senate, whichever is a member of the political party; and 10
168 five by the Speaker of the House of Representatives; and five by
169 or the Minority Leader in the House, whichever is a member of
170 the political party.

171 (c) When a political party allows any member of the state
172 executive committee to have more than one vote per person, other
173 than by proxy, in a matter coming before the state executive
174 committee, the ~~20~~ members of the Legislature appointed under
175 paragraph (b) shall not be appointed to the state executive
176 committee and the following elected officials who are members of
177 that political party shall be appointed and shall have the
178 following votes:

179 1. Governor: a number equal to 15 percent of votes cast by
180 state executive committeemen and committeewomen;

181 2. Lieutenant Governor: a number equal to 5 percent of the
182 votes cast by state executive committeemen and committeewomen;

183 3. Each member of the United States Senate representing
184 the state: a number equal to 10 percent of the votes cast by
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185 state executive committeemen and committeewomen;

186 4. Attorney General: a number equal to 5 percent of the
187 votes cast by state executive committeemen and committeewomen;

188 5. Chief Financial Officer: a number equal to 5 percent of
189 the votes cast by state executive committeemen and
190 committeewomen;

191 6. Commissioner of Agriculture: a number equal to 5
192 percent of the votes cast by state executive committeemen and
193 committeewomen;

194 7. President of the Senate: a number equal to 10 percent
195 of the votes cast by state executive committeemen and
196 committeewomen;

197 8. Minority leader of the Senate: a number equal to 10
198 percent of the votes cast by state executive committeemen and
199 committeewomen;

200 9. Speaker of the House of Representatives: a number equal
201 to 10 percent of the votes cast by state executive committeemen
202 and committeewomen;

203 10. Minority leader of the House of Representatives: a
204 number equal to 10 percent of the votes cast by state executive
205 committeemen and committeewomen; and

206 11. Each member of the United States House of
207 Representatives representing the state: a number equal to 1
208 percent of the votes cast by state executive committeemen and
209 committeewomen.

210 (7) Members of the state executive committee or governing
211 body may vote by proxy if proxy voting is permitted by party
212 rule.

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213 (8) Each member of a state executive committee, whether
214 elected or appointed, shall be considered a full member with all
215 rights and privileges of that office.

216 Section 7. Subsection (2) of section 106.08, Florida
217 Statutes, is amended to read:

218 106.08 Contributions; limitations on.--

219 (2) (a) A candidate may not accept contributions from
220 national, state, including any subordinate committee of a
221 national, state, or county committee of a political party, and
222 county executive committees of a political party, which
223 contributions in the aggregate exceed \$50,000, ~~no more than~~
224 ~~\$25,000 of which may be accepted prior to the 28-day period~~
225 ~~immediately preceding the date of the general election.~~

226 (b) A candidate for statewide office may not accept
227 contributions from national, state, or county executive
228 committees of a political party, including any subordinate
229 committee of a national, state, or county committee of a
230 political party, which contributions in the aggregate exceed
231 \$250,000, ~~no more than \$125,000 of which may be accepted prior~~
232 ~~to the 28-day period immediately preceding the date of the~~
233 ~~general election.~~ Polling services, research services, costs for
234 campaign staff, including office expenses, professional
235 consulting services, communications media, and telephone calls
236 are not contributions to be counted toward the contribution
237 limits of paragraph (a) or this paragraph. Any item not
238 expressly identified in this paragraph as nonallocable is a
239 contribution in an amount equal to the fair market value of the
240 item and must be counted as allocable toward the contribution

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241 limits of paragraph (a) or this paragraph. Nonallocable, in-kind
242 contributions must be reported by the candidate under s. 106.07
243 and by the political party under s. 106.29.

244 Section 8. Subsection (1) of section 106.29, Florida
245 Statutes, is amended to read:

246 106.29 Reports by political parties; restrictions on
247 contributions and expenditures; penalties.--

248 (1) The state executive committee and each county
249 executive committee of each political party regulated by chapter
250 103 shall file regular reports of all contributions received and
251 all expenditures made by such committee. Such reports shall
252 contain the same information as do reports required of
253 candidates by s. 106.07, except that expenditures for salaries
254 may be reported in the aggregate. Such reports and shall be
255 filed on the 10th day following the end of each calendar
256 quarter, except that, during the period from the last day for
257 candidate qualifying until the general election, such reports
258 shall be filed on the Friday immediately preceding both the
259 primary election and the general election. In addition to the
260 reports filed under this section, the state executive committee
261 and each county executive committee shall file a copy of each
262 prior written acceptance of an in-kind contribution given by the
263 committee during the preceding calendar quarter as required
264 under s. 106.08(6). Each state executive committee shall file
265 the original and one copy of its reports with the Division of
266 Elections. Each county executive committee shall file its
267 reports with the supervisor of elections in the county in which
268 such committee exists. Any state or county executive committee
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269 failing to file a report on the designated due date shall be
270 subject to a fine as provided in subsection (3). No separate
271 fine shall be assessed for failure to file a copy of any report
272 required by this section.

273 Section 9. Section 106.295, Florida Statutes, is amended
274 to read:

275 106.295 Leadership fund.--

276 (1) For purposes of this section:

277 (a) "Leadership fund" means accounts comprised of any
278 moneys contributed to a political party, directly or indirectly,
279 which are designated to be used at the partial or total
280 discretion of a leader.

281 (b) "Leader" means the President of the Senate, the
282 Speaker of the House of Representatives, the majority leader and
283 the minority leader of each house, and any person designated by
284 a political caucus of members of either house to succeed to any
285 such position.

286 (2) Notwithstanding any other provision of law, leadership
287 funds are authorized ~~prohibited~~ in this state. ~~No leader shall~~
288 ~~accept any leadership funds.~~

289 ~~(3) This section applies to leadership funds in existence~~
290 ~~on or after January 1, 1990.~~

291 Section 10. If any provision of this act or its
292 application to any person or circumstance is held invalid, the
293 invalidity does not affect other provisions or applications of
294 the act which can be given effect without the invalid provision
295 or application, and to this end the provisions of this act are
296 severable.

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297 Section 11. This act shall take effect upon becoming a
298 law.

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

302 Remove the entire title and insert:

303 A bill to be entitled

304 An act relating to elections; amending s. 98.075, F.S.;
305 providing methods for removing the names of deceased
306 persons from the statewide voter registration system;
307 amending s. 98.0981, F.S.; revising requirements for
308 reporting election results at the precinct level; amending
309 s. 100.111, F.S.; providing that a candidate for a
310 legislative or county office is deemed elected after
311 winning an open primary; providing that a vacancy in
312 nomination is not created if a nominee did not properly
313 qualify or does not meet the necessary qualifications to
314 hold the office sought; amending s. 100.371, F.S.;
315 revising the number of years that an initiative petition
316 is valid; requiring that a petition form be submitted
317 within a specified period after the date on which the
318 petition was signed in order to be valid; deleting a
319 limitation on the period for revoking a signature on a
320 petition form; amending s. 101.64, F.S.; prohibiting a
321 supervisor from placing certain information on a mailing
322 envelope containing an absentee ballot; amending s.
323 103.091, F.S.; authorizing a political party to adopt
324 additional qualifying requirements for certain offices;

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HOUSE AMENDMENT

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325 authorizing certain members of a political party to vote
326 by proxy if proxy voting is permitted by party rule;
327 providing that an elected or appointed member of the state
328 executive committee shall be considered a full member of
329 the committee; amending s. 106.08, F.S.; deleting
330 provisions limiting the amount of contributions certain
331 candidates may accept during a specified period preceding
332 a general election; revising the list of items that a
333 political party may provide to candidates; amending s.
334 106.29, F.S.; authorizing the reporting of expenditures
335 for salaries in the aggregate in certain executive
336 committee reports; amending s. 106.295, F.S.; eliminating
337 a prohibition on leadership funds; providing for
338 severability; providing an effective date.

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