

By the Committee on Rules Subcommittee on Ethics and Elections;
and Senator Wise

582-00562-12

2012116c1

1 A bill to be entitled
2 An act relating to freeholder voting; amending s.
3 100.241, F.S.; permitting the submission of a written
4 declaration to establish that an elector is a
5 freeholder and qualified to vote in an election or
6 referendum limited to freeholders who are qualified to
7 vote; providing an effective date.

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

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11 Section 1. Section 100.241, Florida Statutes, is amended to
12 read:

13 100.241 Freeholder voting; election; penalties for
14 ineligible persons who vote as freeholders.—

15 (1) In any election or referendum in which only electors
16 who are freeholders are qualified to vote, the regular
17 registration books covering the precincts located within the
18 geographical area in which the election or referendum is to be
19 held shall be used.

20 (2) Qualification and registration of electors
21 participating in a freeholder ~~such an~~ election or referendum
22 subject to this section shall be the same as prescribed for
23 voting in other elections under this code, and, in addition,
24 each such elector shall submit a written declaration, verified
25 pursuant to s. 92.525, affirming ~~proof by affidavit made before~~
26 ~~an inspector~~ that the elector is a freeholder who is a qualified
27 elector residing in the county, district, or municipality in
28 which the election or referendum is to be held.

29 (3) Each registered elector who submits the written

582-00562-12

2012116c1

30 declaration ~~makes a sworn affidavit of ownership to the~~
31 ~~inspectors,~~ giving either a legal description, address, or
32 location of property in the elector's name which is not wholly
33 exempt from taxation is ~~shall be~~ entitled to vote in the
34 election or referendum and is ~~shall be~~ considered a freeholder.

35 (4) The actual costs of conducting a freeholder ~~such~~
36 ~~freeholders'~~ election or referendum subject to this section
37 shall be paid by the county, district, or municipality requiring
38 the election or referendum ~~same to be held~~.

39 (5) A ~~It is unlawful for any person~~ may not ~~to~~ vote in any
40 county, district, or other election or referendum which is
41 limited to a vote of the electors who are freeholders, unless
42 the ~~such~~ person is a freeholder and a qualified elector. A ~~Any~~
43 person who violates ~~the provisions of~~ this subsection commits ~~is~~
44 ~~guilty of~~ a misdemeanor of the first degree, punishable as
45 provided in s. 775.082 or s. 775.083.

46 Section 2. This act shall take effect July 1, 2012.