

By Senator Hutson

7-00305B-22

2022524__

1 A bill to be entitled
2 An act relating to elections; amending s. 97.0575,
3 F.S.; removing the limitation on the amount of
4 aggregate fines that may be assessed in a calendar
5 year against a third-party voter registration
6 organization for specified violations; amending s.
7 99.021, F.S.; revising the candidate oath to require a
8 candidate to subscribe to an oath or affirmation
9 regarding outstanding fines, fees, or penalties owed
10 for certain ethics or campaign finance violations;
11 creating s. 101.019, F.S.; prohibiting the use of
12 ranked-choice voting to determine election or
13 nomination to elective office; voiding existing or
14 future local ordinances authorizing the use of ranked-
15 choice voting; amending s. 101.657, F.S.; authorizing
16 the supervisor of elections to designate up to two
17 additional early voting sites per election in areas of
18 a county that do not have otherwise eligible
19 locations; amending s. 105.031, F.S.; revising the
20 oath for judicial candidates to require a candidate to
21 subscribe to an oath or affirmation regarding
22 outstanding fines, fees, or penalties owed for certain
23 ethics or campaign finance violations; providing
24 effective dates.

25
26 Be It Enacted by the Legislature of the State of Florida:
27

28 Section 1. Paragraph (a) of subsection (3) of section
29 97.0575, Florida Statutes, is amended to read:

7-00305B-22

2022524__

30 97.0575 Third-party voter registrations.—

31 (3) (a) A third-party voter registration organization that
32 collects voter registration applications serves as a fiduciary
33 to the applicant, ensuring that any voter registration
34 application entrusted to the organization, irrespective of party
35 affiliation, race, ethnicity, or gender, must be promptly
36 delivered to the division or the supervisor of elections in the
37 county in which the applicant resides within 14 days after the
38 application was completed by the applicant, but not after
39 registration closes for the next ensuing election. A third-party
40 voter registration organization must notify the applicant at the
41 time the application is collected that the organization might
42 not deliver the application to the division or the supervisor of
43 elections in the county in which the applicant resides in less
44 than 14 days or before registration closes for the next ensuing
45 election and must advise the applicant that he or she may
46 deliver the application in person or by mail. The third-party
47 voter registration organization must also inform the applicant
48 how to register online with the division and how to determine
49 whether the application has been delivered. If a voter
50 registration application collected by any third-party voter
51 registration organization is not promptly delivered to the
52 division or supervisor of elections in the county in which the
53 applicant resides, the third-party voter registration
54 organization is liable for the following fines:

55 1. A fine in the amount of \$50 for each application
56 received by the division or the supervisor of elections in the
57 county in which the applicant resides more than 14 days after
58 the applicant delivered the completed voter registration

7-00305B-22

2022524__

59 application to the third-party voter registration organization
60 or any person, entity, or agent acting on its behalf. A fine in
61 the amount of \$250 for each application received if the third-
62 party voter registration organization or person, entity, or
63 agency acting on its behalf acted willfully.

64 2. A fine in the amount of \$100 for each application
65 collected by a third-party voter registration organization or
66 any person, entity, or agent acting on its behalf, before book
67 closing for any given election for federal or state office and
68 received by the division or the supervisor of elections in the
69 county in which the applicant resides after the book-closing
70 deadline for such election. A fine in the amount of \$500 for
71 each application received if the third-party registration
72 organization or person, entity, or agency acting on its behalf
73 acted willfully.

74 3. A fine in the amount of \$500 for each application
75 collected by a third-party voter registration organization or
76 any person, entity, or agent acting on its behalf, which is not
77 submitted to the division or supervisor of elections in the
78 county in which the applicant resides. A fine in the amount of
79 \$1,000 for any application not submitted if the third-party
80 voter registration organization or person, entity, or agency
81 acting on its behalf acted willfully.

82
83 ~~The aggregate fine pursuant to this paragraph which may be~~
84 ~~assessed against a third-party voter registration organization,~~
85 ~~including affiliate organizations, for violations committed in a~~
86 ~~calendar year is \$1,000.~~

87 Section 2. Effective January 1, 2023, present paragraph (d)

7-00305B-22

2022524__

88 of subsection (1) of section 99.021, Florida Statutes, is
89 redesignated as paragraph (e), and a new paragraph (d) is added
90 to that subsection, to read:

91 99.021 Form of candidate oath.—

92 (1)

93 (d) In addition, each candidate, whether a party candidate,
94 a candidate with no party affiliation, or a write-in candidate,
95 shall, at the time of subscribing to the oath or affirmation,
96 state in writing whether he or she owes any outstanding fines,
97 fees, or penalties that cumulatively exceed \$250 for any
98 violations of s. 8, Art. II of the State Constitution, the Code
99 of Ethics for Public Officers and Employees under part III of
100 chapter 112, any local ethics ordinance governing standards of
101 conduct and disclosure requirements, or chapter 106. If the
102 candidate owes any outstanding fines, fees, or penalties
103 exceeding the threshold amount specified in this paragraph, he
104 or she must also specify in the oath or affirmation the amount
105 owed and each entity that levied such fine, fee, or penalty. For
106 purposes of this paragraph, any such fines, fees, or penalties
107 that have been paid in full at the time of subscribing to the
108 oath or affirmation are not deemed to be outstanding.

109 Section 3. Section 101.019, Florida Statutes, is created to
110 read:

111 101.019 Ranked-choice voting prohibited.—

112 (1) A ranked-choice voting method that allows voters to
113 rank candidates for an office in order of preference and have
114 ballots cast be tabulated in multiple rounds following the
115 elimination of a candidate until a single candidate attains a
116 majority may not be used in determining the election or the

7-00305B-22

2022524__

117 nomination of any candidate to any local, state, or federal
118 elective office in this state.

119 (2) Any existing or future ordinance enacted or adopted by
120 a county, a municipality, or any other local governmental entity
121 which is in conflict with this section is void.

122 Section 4. Paragraph (a) of subsection (1) of section
123 101.657, Florida Statutes, is amended to read:

124 101.657 Early voting.—

125 (1) (a) As a convenience to the voter, the supervisor of
126 elections shall allow an elector to vote early in the main or
127 branch office of the supervisor. The supervisor shall mark,
128 code, indicate on, or otherwise track the voter's precinct for
129 each early voted ballot. In order for a branch office to be used
130 for early voting, it shall be a permanent facility of the
131 supervisor and shall have been designated and used as such for
132 at least 1 year prior to the election. The supervisor may also
133 designate any city hall, permanent public library facility,
134 fairground, civic center, courthouse, county commission
135 building, stadium, convention center, government-owned senior
136 center, or government-owned community center as an early voting
137 site; however, if so designated, the sites must be
138 geographically located so as to provide all voters in the county
139 an equal opportunity to cast a ballot, insofar as is
140 practicable, and must provide sufficient nonpermitted parking to
141 accommodate the anticipated amount of voters. In addition, a
142 supervisor may designate up to two ~~one~~ early voting sites ~~site~~
143 per election in areas ~~an area~~ of the county that do ~~does~~ not
144 have any of the eligible early voting locations. Such additional
145 early voting sites ~~site~~ must be geographically located so as to

7-00305B-22

2022524__

146 provide all voters in such areas ~~that area~~ with an equal
147 opportunity to cast a ballot, insofar as is practicable, and
148 must provide sufficient nonpermitted parking to accommodate the
149 anticipated amount of voters. Each county shall, at a minimum,
150 operate the same total number of early voting sites for a
151 general election which the county operated for the 2012 general
152 election. The results or tabulation of votes cast during early
153 voting may not be made before the close of the polls on election
154 day. Results shall be reported by precinct.

155 Section 5. Effective January 1, 2023, paragraph (a) of
156 subsection (5) of section 105.031, Florida Statutes, is amended
157 to read:

158 105.031 Qualification; filing fee; candidate's oath; items
159 required to be filed.—

160 (5) ITEMS REQUIRED TO BE FILED.—

161 (a) In order for a candidate for judicial office or the
162 office of school board member to be qualified, the following
163 items must be received by the filing officer by the end of the
164 qualifying period:

165 1. Except for candidates for retention to judicial office,
166 a properly executed check drawn upon the candidate's campaign
167 account in an amount not less than the fee required by
168 subsection (3) or, in lieu thereof, the copy of the notice of
169 obtaining ballot position pursuant to s. 105.035. If a
170 candidate's check is returned by the bank for any reason, the
171 filing officer shall immediately notify the candidate and the
172 candidate shall, the end of qualifying notwithstanding, have 48
173 hours from the time such notification is received, excluding
174 Saturdays, Sundays, and legal holidays, to pay the fee with a

7-00305B-22

2022524__

175 cashier's check purchased from funds of the campaign account.
176 Failure to pay the fee as provided in this subparagraph shall
177 disqualify the candidate.

178 2. The candidate's oath required by subsection (4), which
179 must contain the name of the candidate as it is to appear on the
180 ballot; the office sought, including the district or group
181 number if applicable; a statement declaring whether the
182 candidate owes any outstanding fines, fees, or penalties that
183 cumulatively exceed \$250 for any violations of s. 8, Art. II of
184 the State Constitution, the Code of Ethics for Public Officers
185 and Employees under part III of chapter 112, any local ethics
186 ordinance governing standards of conduct and disclosure
187 requirements, or chapter 106; and the signature of the
188 candidate, duly acknowledged. If the candidate owes any
189 outstanding fines, fees, or penalties exceeding the threshold
190 amount specified in this paragraph, he or she must also specify
191 in the oath or affirmation the amount owed and each entity that
192 levied such fine, fee, or penalty. For purposes of this
193 subparagraph, any such fines, fees, or penalties that have been
194 paid in full at the time of subscribing to the oath or
195 affirmation are not deemed to be outstanding.

196 3. The loyalty oath required by s. 876.05, signed by the
197 candidate and duly acknowledged.

198 4. The completed form for the appointment of campaign
199 treasurer and designation of campaign depository, as required by
200 s. 106.021. In addition, each candidate for judicial office,
201 including an incumbent judge, shall file a statement with the
202 qualifying officer, within 10 days after filing the appointment
203 of campaign treasurer and designation of campaign depository,

7-00305B-22

2022524__

204 stating that the candidate has read and understands the
 205 requirements of the Florida Code of Judicial Conduct. Such
 206 statement shall be in substantially the following form:

207
 208 Statement of Candidate for Judicial Office

209
 210 I, ...(name of candidate)..., a judicial candidate, have
 211 received, read, and understand the requirements of the Florida
 212 Code of Judicial Conduct.

213 ... (Signature of candidate)...

214 ... (Date)...

215
 216 5. The full and public disclosure of financial interests
 217 required by s. 8, Art. II of the State Constitution or the
 218 statement of financial interests required by s. 112.3145,
 219 whichever is applicable. A public officer who has filed the full
 220 and public disclosure or statement of financial interests with
 221 the Commission on Ethics or the supervisor of elections prior to
 222 qualifying for office may file a copy of that disclosure at the
 223 time of qualifying.

224 Section 6. Except as otherwise expressly provided in this
 225 act, this act shall take effect July 1, 2022.