

By Senator Jones

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1 A bill to be entitled
 2 An act relating to restoration of voting rights
 3 information on sentencing scoresheets; amending s.
 4 921.0024, F.S.; specifying information to be provided
 5 on sentencing scoresheets concerning restoration of
 6 voting rights; providing an effective date.

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

9
 10 Section 1. Paragraph (c) is added to subsection (1) of
 11 section 921.0024, Florida Statutes, to read:

12 921.0024 Criminal Punishment Code; worksheet computations;
 13 scoresheets.—

14 (1)

15 (c) NOTICE CONCERNING VOTING RIGHTS:

16 Subsections 4(a) and (b) of Art. VI of the State
 17 Constitution provide the following concerning voting rights:

18 SECTION 4. Disqualifications.—

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

27 (b) No person convicted of murder or a felony sexual
 28 offense shall be qualified to vote until restoration of civil
 29 rights.

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30
31 Section 98.0751, Florida Statutes, provides the following
32 concerning restoration of voting rights:

33 98.0751 Restoration of voting rights; termination of
34 ineligibility subsequent to a felony conviction.-

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

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

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

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

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

55 3. Fulfillment of any term ordered by the court as a part
56 of the sentence;

57 4. Termination from any term of any supervision, which is
58 monitored by the Florida Commission on Offender Review,

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59 including, but not limited to, parole; and

60 5.a. Full payment of restitution ordered to a victim by the
61 court as a part of the sentence. A victim includes, but is not
62 limited to, a person or persons, the estate or estates thereof,
63 an entity, the state, or the Federal Government.

64 b. Full payment of fines or fees ordered by the court as a
65 part of the sentence or that are ordered by the court as a
66 condition of any form of supervision, including, but not limited
67 to, probation, community control, or parole.

68 c. The financial obligations required under sub-
69 subparagraph a. or sub-subparagraph b. include only the amount
70 specifically ordered by the court as part of the sentence and do
71 not include any fines, fees, or costs that accrue after the date
72 the obligation is ordered as a part of the sentence.

73 d. For the limited purpose of addressing a plea for relief
74 pursuant to sub-subparagraph e. and notwithstanding any other
75 statute, rule, or provision of law, a court may not be
76 prohibited from modifying the financial obligations of an
77 original sentence required under sub-subparagraph a. or sub-
78 subparagraph b. Such modification shall not infringe on a
79 defendant's or a victim's rights provided in the United States
80 Constitution or the State Constitution.

81 e. Financial obligations required under sub-subparagraph a.
82 or sub-subparagraph b. are considered completed in the following
83 manner or in any combination thereof:

84 (I) Actual payment of the obligation in full.

85 (II) Upon the payee's approval, either through appearance
86 in open court or through the production of a notarized consent
87 by the payee, the termination by the court of any financial

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88 obligation to a payee, including, but not limited to, a victim,
89 or the court.

90 (III) Completion of all community service hours, if the
91 court, unless otherwise prohibited by law or the State
92 Constitution, converts the financial obligation to community
93 service.

94
95 A term required to be completed in accordance with this
96 paragraph shall be deemed completed if the court modifies the
97 original sentencing order to no longer require completion of
98 such term. The requirement to pay any financial obligation
99 specified in this paragraph is not deemed completed upon
100 conversion to a civil lien.

101 (b) "Felony sexual offense" means any of the following:

102 1. Any felony offense that serves as a predicate to
103 registration as a sexual offender in accordance with s.
104 943.0435;

105 2. Section 491.0112;

106 3. Section 784.049(3)(b);

107 4. Section 794.08;

108 5. Section 796.08;

109 6. Section 800.101;

110 7. Section 826.04;

111 8. Section 847.012;

112 9. Section 872.06(2);

113 10. Section 944.35(3)(b)2.;

114 11. Section 951.221(1); or

115 12. Any similar offense committed in another jurisdiction
116 which would be an offense listed in this paragraph if it had

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117 been committed in violation of the laws of this state.

118 (c) "Murder" means either of the following:

119 1. A violation of any of the following sections which
120 results in the actual killing of a human being:

121 a. Section 775.33(4).

122 b. Section 782.04(1), (2), or (3).

123 c. Section 782.09.

124 2. 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 (3) (a) The department shall obtain and review information
128 pursuant to s. 98.075(5) related to a person who registers to
129 vote and make an initial determination on whether such
130 information is credible and reliable regarding whether the
131 person is eligible pursuant to s. 4, Art. VI of the State
132 Constitution and this section. Upon making an initial
133 determination of the credibility and reliability of such
134 information, the department shall forward such information to
135 the supervisor of elections pursuant to s. 98.075.

136 (b) A local supervisor of elections shall verify and make a
137 final determination pursuant to s. 98.075 regarding whether the
138 person who registers to vote is eligible pursuant to s. 4, Art.
139 VI of the State Constitution and this section.

140 (c) The supervisor of elections may request additional
141 assistance from the department in making the final
142 determination, if necessary.

143 (4) For the purpose of determining a voter registrant's
144 eligibility, the provisions of this section shall be strictly
145 construed. If a provision is susceptible to differing

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146 interpretations, it shall be construed in favor of the
147 registrant.

148 Section 2. This act shall take effect July 1, 2023.