A bill to be entitled
An act relating to elections; amending s. 97.012, revising provisions relating to the investigative duties of the Secretary of State; amending s. 97.041, F.S.; revising requirements for voter preregistration of minors; amending s. 97.053, F.S.; revising provisions relating to verification of certain information on voter registration applications; amending s. 97.0535, F.S.; revising forms of acceptable identification for certain voter registration applicants; amending s. 97.055, F.S.; providing for change of party affiliation after the closing of the registration books to apply to an upcoming election under certain circumstances; amending s. 98.065, F.S.; revising registration list maintenance provisions; creating s. 98.0655, F.S.; requiring the Department of State to prescribe registration list maintenance forms; providing criteria for such forms; amending s. 98.0981, F.S.; reducing the time by which supervisors of elections must electronically transmit certain voter history information to the department; requiring the department to prepare a detailed report containing specified voter information to legislative officers after a general election; requiring supervisors of elections to collect and submit data to the department after certain elections; defining the phrase "all ballots cast"; requiring the department to compile precinct-level statistical data for counties before certain elections; amending s. 99.012, F.S.; providing restrictions on individuals qualifying for public office; removing an exception from such restrictions for persons.
seeking any federal public office; amending s. 99.021, F.S.; deleting a resignation statement from the qualifying oath for candidates for federal office; amending s. 99.095, F.S.; providing requirements for candidate qualifying petitions; amending s. 100.221, F.S.; providing circumstances under which early voting is not required; amending s. 100.361, F.S.; revising provisions relating to the recall of municipal or charter county officers, recall committees, recall petitions, recall defense, and offenses related thereto; amending s. 100.371, F.S.; providing that a petition form circulated for signatures may not be bundled with other petitions; deleting requirements relating to the recording and determination of signature forms; providing that an elector may complete and submit a standard petition-revocation form directly to the supervisor of elections under certain circumstances; requiring that the division adopt petition-revocation forms by rule; amending s. 101.041, F.S.; deleting a requirement for the printing and distribution of official ballots; amending s. 101.045, F.S.; authorizing the use of a voter registration application for a name or address change; amending s. 101.111, F.S.; revising methods by which a person's right to vote may be challenged; amending s. 101.23, F.S.; deleting provisions requiring an election inspector to prevent certain persons from voting; amending s. 101.51, F.S.; deleting provisions specifying certain responsibilities of election officials before allowing electors to enter a booth or compartment to vote; amending s. 101.5608, F.S.; revising certain procedures relating to
the deposit of ballots; repealing s. 101.573, F.S.,
relating to the reporting of precinct-level election
results; amending s. 101.6923, F.S.; revising forms of
acceptable identification for certain absentee voters;
amending s. 101.75, F.S.; authorizing municipalities to
set by ordinance election dates to coincide with statewide
or countywide elections; amending s. 102.014, F.S.;
revising provisions relating to the training of poll
workers; amending s. 102.031, F.S.; including the term
"solicitation" as an equivalent of the term "solicit" as
it relates to the unlawful solicitation of voters;
providing that such terms do not prohibit exit polling;
amending s. 102.112, F.S.; revising the county canvassing
board's certification requirements for election returns;
amending s. 103.101, F.S.; deleting provisions related to
the placement on the ballot of presidential candidates
whose names do not appear on the list submitted to the
Secretary of State; amending s. 106.021, F.S.; removing a
campaign finance filing requirement for certain
candidates; amending s. 106.07, F.S.; clarifying that
political subdivisions may impose electronic filing
requirements on certain candidates, and that expenditures
for such filing system serve a valid public purpose;
repealing s. 106.082, F.S., relating to campaign
contribution limitations for candidates for the office of
Commissioner of Agriculture; amending s. 106.147, F.S.;
requiring a disclosure statement for certain telephone
calls and communications; revising provisions requiring
authorization from the candidate or sponsor for certain
telephone calls; amending s. 106.24, F.S.; providing that
the Florida Elections Commission is its own agency head
rather than the director of the commission; amending s.
190.006, F.S.; deleting certain fee and assessment
provisions for candidates seeking election to the board of
supervisors of a community redevelopment district;
amending s. 105.041, F.S.; providing procedure for
determining ballot position of candidates for the office
of circuit judge; providing effective dates.

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

Section 1. Subsection (15) of section 97.012, Florida
Statutes, is amended to read:

97.012 Secretary of State as chief election officer. -- The
Secretary of State is the chief election officer of the state,
and it is his or her responsibility to:

(15) Conduct preliminary investigations into any
irregularities or fraud involving voter registration, voting, or
candidate petition, or issue petition activities and report his
or her findings to the statewide prosecutor or the state attorney
for the judicial circuit in which the alleged violation occurred
for prosecution, if warranted. The Department of State may
prescribe by rule requirements for filing an elections-fraud
complaint and for investigating any such complaint.

Section 2. Paragraph (b) of subsection (1) of section
97.041, Florida Statutes, is amended to read:

97.041 Qualifications to register or vote.--

(1)
(b) A person who is otherwise qualified may preregister on
or after that person's 16th 47th birthday or receipt of a valid
Florida driver's license, whichever occurs earlier, and may vote
in any election occurring on or after that person's 18th
birthday.

Section 3. Effective upon this act becoming a law,
subsection (6) of section 97.053, Florida Statutes, is amended to
read:

97.053 Acceptance of voter registration applications.--
(6) A voter registration application may be accepted as
valid only after the department has verified the authenticity or
nonexistence of the driver's license number, the Florida
identification card number, or the last four digits of the social
security number provided by the applicant. If a completed voter
registration application has been received by the book-closing
deadline but the driver's license number, the Florida
identification card number, or the last four digits of the social
security number provided by the applicant cannot be verified, the
applicant shall be notified that the number cannot be verified
application is incomplete and that the applicant voter must
provide evidence to the supervisor sufficient to verify the
authenticity of the applicant's driver's license number, Florida
identification card number, or last four digits of the social
security number provided on the application. If the applicant
voter provides the necessary evidence, the supervisor shall place
the applicant's voter's name on the registration rolls as an
active voter. If the applicant voter has not provided the
necessary evidence or the number has not otherwise been verified
prior to the applicant presenting himself or herself to vote, the

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applicant shall be provided a provisional ballot. The provisional ballot shall be counted only if the number application is verified by the end of the canvassing period or if the applicant presents evidence to the supervisor of elections sufficient to verify the authenticity of the applicant's driver's license number, Florida identification card number, or last four digits of the social security number provided on the application no later than 5 p.m. of the second day following the election.

Section 4. Paragraph (a) of subsection (3) of section 97.0535, Florida Statutes, is amended to read:

97.0535 Special requirements for certain applicants.--
(3)(a) The following forms of identification shall be considered current and valid if they contain the name and photograph of the applicant and have not expired:

1. United States passport.
2. Employee badge or identification.
4. Debit or credit card.
7. Retirement center identification.

Section 5. Subsection (1) of section 97.055, Florida Statutes, is amended to read:

97.055 Registration books; when closed for an election.--
(1)(a) The registration books must be closed on the 29th day before each election and must remain closed until after that election. If an election is called and there are fewer than 29
days before that election, the registration books must be closed immediately.

(b) Except as provided in paragraph (c), when the registration books are closed for an election, updates to a voter's name, address, and signature pursuant to ss. 98.077 and 101.045 shall be the only changes permitted for purposes of the upcoming election. New voter registration applications and party changes must be accepted but only for the purpose of subsequent elections.

(c) When the registration books are closed for an upcoming election, an update or change to a voter's party affiliation made pursuant to s. 97.1031 shall be permitted for that upcoming election unless such election is for the purpose of nominating a political party nominee, in which case the update or change shall be permitted only for the purpose of subsequent elections.

Section 6. Subsection (4) of section 98.065, Florida Statutes, is amended to read:

98.065 Registration list maintenance programs.--

(4)(a) If the supervisor receives change-of-address information pursuant to the activities conducted in subsection (2), from jury notices signed by the voter and returned to the courts, from the Department of Highway Safety and Motor Vehicles, or from other sources, which information indicates that the legal address of a registered voter's legal residence voter might have changed to another location within the state, the supervisor must change the registration records to reflect the new address and must shall send the voter by forwardable return if undeliverable mail an address change confirmation notice as provided in s. 98.0655(2) to the address at which the voter was last registered.

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A supervisor may also send an address confirmation notice to any voter who the supervisor has reason to believe has moved from his or her legal residence.

(b) If the supervisor of elections receives change-of-address information pursuant to the activities conducted in subsection (2), from jury notices signed by the voter and returned to the courts, or from other sources which indicates that a registered voter's legal residence might have changed to a location outside the state, the supervisor of elections shall send an address confirmation final notice to the voter as provided in s. 98.0655(3). The address confirmation notice shall contain a postage prepaid, preaddressed return form on which:

1. If the voter has changed his or her address of legal residence to a location outside the state, the voter shall mark that the voter's legal residence has changed to a location outside the state. The form shall also include information on how to register in the new state in order to be eligible to vote. The form must be returned within 30 days after the date of the notice. The completed form shall constitute a request to be removed from the statewide voter registration system.

2. If the voter has changed his or her address of legal residence to a location inside the state, the voter shall set forth the updated or corrected address and submit the return form within 30 days after the date of the notice. The completed form shall constitute a request to update the statewide voter registration system with the updated or corrected address information.

3. If the voter has not changed his or her address of legal residence as printed on the address confirmation notice, the
voter shall confirm that his or her address of legal residence
has not changed and submit the form within 30 days after the date
of the notice.

(c) The supervisor must designate as inactive all voters
who have been sent an address confirmation final notice and who
have not returned the postage prepaid, preaddressed return form
within 30 days or for which the final an address confirmation
notice has been returned as undeliverable. Names on the inactive
list may not be used to calculate the number of signatures needed
on any petition. A voter on the inactive list may be restored to
the active list of voters upon the voter updating his or her
registration, requesting an absentee ballot, or appearing to
vote. However, if the voter does not update his or her voter
registration information, request an absentee ballot, or vote by
the second general election after being placed on the inactive
list, the voter's name shall be removed from the statewide voter
registration system and the voter shall be required to reregister
to have his or her name restored to the statewide voter
registration system.

Section 7. Section 98.0655, Florida Statutes, is created to
read:

98.0655 Registration list maintenance forms.--The
department shall prescribe registration list maintenance forms to
be used by the supervisors which must include:

(1) An address confirmation request that must contain:
   (a) The voter's name and address of legal residence as
   shown on the voter registration record; and
   (b) A request that the voter notify the supervisor if
   either the voter's name or address of legal residence is
incorrect.

(2) An address change notice that must be sent to the newly recorded address of legal residence by forwardable mail, including a postage prepaid, preaddressed return form with which the voter may verify or correct the voter's new address information.

(3) An address confirmation final notice that must be sent to the newly recorded address of legal residence by forwardable mail and must contain a postage prepaid, preaddressed return form and a statement that:

(a) If the voter has not changed his or her legal residence or has changed his or her legal residence within the state, the voter should return the form within 30 days after the date on which the notice was sent to the voter.

(b) If the voter has changed his or her legal residence to a location outside the state:

1. The voter shall return the form, which serves as a request to be removed from the registration books; and

2. The voter shall be provided with information on how to register in the new jurisdiction in order to be eligible to vote.

(c) If the return form is not returned, the voter's name shall be designated as inactive in the statewide voter registration system.

Section 8. Effective July 1, 2008, section 98.0981, Florida Statutes, is amended to read:

98.0981 Reports; voting history; statewide voter registration system information; precinct-level election results; book closing statistics database.—

(1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
INFORMATION.--

(a) Within 45 75 days after a general election, or within 15 days after all supervisors of elections shall transmit to the department, in a uniform electronic format specified by the department, completely have updated voting voter history information for each qualified voter who voted, whichever occurs later.

(b) After receipt of the information in paragraph (a), the department shall prepare send to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader a report in electronic format which contains the following information, separately compiled for the primary and general election for all voters qualified to vote in either election: of all voter qualified to vote in the election or primary. The report shall include for each voter:

1. The unique identifier assigned to each qualified voter within the statewide voter registration system the code used by the department to uniquely identify the voter;

2. All information provided by each qualified voter on his or her in the uniform statewide voter registration application pursuant to s. 97.052(2), except that which is specifically identified as confidential or exempt from public records requirements;

3. Each qualified voter's the date of registration;

4. Each qualified voter's current state the representative district, state senatorial district, and congressional district, assigned by the supervisor of elections;

5. Each qualified voter's current and precinct in which the
voter resides; and

6. Voting history as transmitted under paragraph (a) to include whether the qualified voter voted at the precinct location, voted during the early voting period by early vote, voted by absentee ballot, attempted to vote by absentee ballot that was not counted, attempted to vote by provisional ballot that was not counted, or did not vote.

(c) Within 60 days after a general election, the department shall send to the President of the Senate, the Speaker of the House of Representatives, the Senate Minority Leader, and the House Minority Leader a report in electronic format that includes all information set forth in paragraph (b).

(2) PRECINCT-LEVEL ELECTION RESULTS.—Within 45 days after the date of a presidential preference primary election, a special election, or a general election, the supervisors of elections shall collect and submit to the department precinct-level election results for the election in a uniform electronic format specified by the department. The precinct-level election results shall be compiled separately for the primary or special primary election that preceded the general or special general election, respectively. The results shall specifically include for each precinct the aggregate total of all ballots cast for each candidate or nominee to fill a national, state, county, or district office or proposed constitutional amendment. "All ballots cast" means ballots cast by voters who cast a ballot whether at a precinct location, by absentee ballot including overseas absentee ballots, during the early voting period, or by provisional ballot.

(3) PRECINCT-LEVEL BOOK CLOSING STATISTICS.—After the date...
of book closing but before the date of an election as defined in
s. 97.021(10) to fill a national, state, county, or district
office, or to vote on a proposed constitutional amendment, the
department shall compile the following precinct-level statistical
data for each county:

(a) Precinct numbers.
(b) Total number of active registered voters by party for
each precinct.

(4) REPORTS PUBLICLY AVAILABLE.--The department shall also
make publicly available the reports and results required in
subsections (1)-(3).

(5) RULEMAKING.--The department shall adopt rules and
prescribe forms to carry out the purposes of this section.

Section 9. Subsection (2), paragraph (a) of subsection (3),
and subsections (6) and (7) of section 99.012, Florida Statutes,
are amended to read:

99.012. Restrictions on individuals qualifying for public
office.--

(2) No person may qualify as a candidate for more than one
public office, whether federal, state, district, county, or
municipal, if the terms or any part thereof run concurrently with
each other.

(3)(a) No officer may qualify as a candidate for another
public office, whether state, district, county, or municipal
public office if the terms or any part thereof run concurrently
with each other without resigning from the office he or she
presently holds.

(6) This section does not apply to:

(a) Political party offices.
(b) Persons serving without salary as members of an
appointive board or authority.

c Persons seeking any federal public office.

(7) Nothing contained in subsection subsections (3) and (4)
relates to persons holding any federal office.

Section 10. Paragraph (a) of subsection (1) of section
99.021, Florida Statutes, is amended to read:

99.021 Form of candidate oath.--

(1)(a)1. Each candidate, whether a party candidate, a
candidate with no party affiliation, or a write-in candidate, in
order to qualify for nomination or election to any office other
than a judicial office as defined in chapter 105 or a federal
office, shall take and subscribe to an oath or affirmation in
writing. A printed copy of the oath or affirmation shall be
furnished to the candidate by the officer before whom such
candidate seeks to qualify and shall be substantially in the
following form:

State of Florida
County of____

Before me, an officer authorized to administer oaths,
personally appeared  (please print name as you wish it to appear
on the ballot) , to me well known, who, being sworn, says that
he or she is a candidate for the office of ____; that he or she
is a qualified elector of ____ County, Florida; that he or she
is qualified under the Constitution and the laws of Florida to
hold the office to which he or she desires to be nominated or
elected; that he or she has taken the oath required by ss.
876.05-876.10, Florida Statutes; that he or she has qualified for
no other public office in the state, the term of which office or 
any part thereof runs concurrent with that of the office he or 
she seeks; and that he or she has resigned from any office from 
which he or she is required to resign pursuant to s. 99.012, 
Florida Statutes.

(Signature of candidate)

(Address)

Sworn to and subscribed before me this ___ day of ___, 
(year) , at ____ County, Florida.

(Signature and title of officer administering oath)

2. Each candidate for federal office, whether a party 
candidate, a candidate with no party affiliation, or a write-in 
candidate, in order to qualify for nomination or election to 
office shall take and subscribe to an oath or affirmation in 
writing. A printed copy of the oath or affirmation shall be 
furnished to the candidate by the officer before whom such 
candidate seeks to qualify and shall be substantially in the 
following form:

State of Florida
County of ____

Before me, an officer authorized to administer oaths, 
personally appeared (please print name as you wish it to appear 
on the ballot) , to me well known, who, being sworn, says that 
he or she is a candidate for the office of ____; that he or she 
is qualified under the Constitution and laws of the United States 
to hold the office to which he or she desires to be nominated or
elected; and that he or she has qualified for no other public
office in the state, the term of which office or any part thereof
runs concurrent with that of the office he or she seeks; and that
he or she has resigned from any office from which he or she is
required to resign pursuant to s. 99.012, Florida Statutes.
(Signature of candidate)
(Address)

Sworn to and subscribed before me this ___ day of ___,
(year), at ___ County, Florida.
(Signature and title of officer administering oath)

Section 11. Paragraph (a) of subsection (2) of section
99.095, Florida Statutes, is amended to read:
99.095 Petition process in lieu of a qualifying fee and
party assessment.—
(2)(a) Except as provided in paragraph (b), a candidate
must obtain the number of signatures of voters in the
geographical area represented by the office sought equal to at
least 1 percent of the total number of registered voters of that
geographical area, as shown by the compilation by the department
for the immediately preceding general election. Signatures may
not be obtained until the candidate has filed the appointment of
campaign treasurer and designation of campaign depository
pursuant to s. 106.021 and are valid only for the qualifying
period immediately following such filings.

Section 12. Section 100.221, Florida Statutes, is amended
to read:
100.221 General election laws to govern bond

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referenda.--The laws governing the holding of general elections are applicable to bond referenda, except as provided in ss. 100.201-100.351. A county, district, or municipality is not required to offer early voting for a bond referendum that is not held in conjunction with a county or state election. The places for voting in a bond referendum shall be the same as the places for voting in general elections when a bond referendum is held in the county or district; however, but when a bond referendum is held in a municipality, the polling places shall be the same as in other municipal elections.

Section 13. Section 100.361, Florida Statutes, is amended to read:

100.361 Municipal recall.--
(1) APPLICATION; DEFINITION RECALL PETITION.--Any member of the governing body of a municipality or charter county, hereinafter referred to in this section as "municipality," may be removed from office by the electors of the municipality. When the official represents a district and is elected only by electors residing in that district, only electors from that district are eligible to sign the petition to recall that official and are entitled to vote in the recall election. When the official represents a district and is elected at-large by the electors of the municipality, all electors of the municipality are eligible to sign the petition to recall that official and are entitled to vote in the recall election. Where used in this section, the term "district" shall be construed to mean the area or region of a municipality from which a member of the governing body is elected by the electors from such area or region. Members may be removed from office pursuant to the procedures provided in this

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section. This method of removing members of the governing body of
a municipality is in addition to any other method provided by
state law. Following procedure:

(2) RECALL PETITION.--

(a) Petition content.--A petition shall contain the name of
be prepared naming the person sought to be recalled and
containing a statement of grounds for recall. The statement of
grounds may not exceed in not more than 200 words and the stated
grounds are limited solely to those grounds specified in
paragraph (d) (b). If more than one member of the governing body
is sought to be recalled, whether such member is elected by the
electors of a district or by the electors of the municipality at-
large, a separate recall petition shall be prepared for each
member sought to be recalled. Upon request, the content of a
petition should be, but is not required to be, provided by the
proponent in alternative formats.

(b) Requisite signatures.--

1. In a municipality or district of fewer than 500
electors, the petition shall be signed by at least 50 electors or
by 10 percent of the total number of registered electors of the
municipality or district as of the preceding municipal election,
whichever is greater.

2. In a municipality or district of 500 or more but fewer
than 2,000 registered electors, the petition shall be signed by
at least 100 electors or by 10 percent of the total number of
registered electors of the municipality or district as of the
preceding municipal election, whichever is greater.

3. In a municipality or district of 2,000 or more but fewer
than 5,000 registered electors, the petition shall be signed by
at least 250 electors or by 10 percent of the total number of
registered electors of the municipality or district as of the
preceding municipal election, whichever is greater.

4. In a municipality or district of 5,000 or more but fewer
than 10,000 registered electors, the petition shall be signed by
at least 500 electors or by 10 percent of the total number of
registered electors of the municipality or district as of the
preceding municipal election, whichever is greater.

5. In a municipality or district of 10,000 or more but fewer than 25,000 registered electors, the petition shall be
signed by at least 1,000 electors or by 10 percent of the total
number of registered electors of the municipality or district as
of the preceding municipal election, whichever is greater.

6. In a municipality or district of 25,000 or more
registered electors, the petition shall be signed by at least
1,000 electors or by 5 percent of the total number of registered
electors of the municipality or district as of the preceding
municipal election, whichever is greater.

Electors of the municipality or district making charges contained
in the statement of grounds for recall and those signing the
recall petition shall be designated as the "committee." A
specific person shall be designated in the petition as chair of
the committee to act for the committee. Electors of the
municipality or district are eligible to sign the petition.
Signatures and oaths of witnesses shall be executed as provided
in paragraph (c). All signatures shall be obtained, as provided
in paragraph (e), within a period of 30 days, and all signed and
dated petition forms the petition shall be filed at the same...
time, no later than within 30 days after the date on which the
first signature is obtained on the petition.

(c) Recall committee.--E Electors of the municipality or
district making charges contained in the statement of grounds for
recall, as well as those signing the recall petition, shall be
designated as the recall committee. A specific person shall be
designated in the petition as chair of the committee and this
person shall act for the committee. The recall committee and the
officer being recalled are subject to the provisions of chapter
106.

(d) Grounds for recall.--The grounds for removal of
elected municipal officials shall, for the purposes of this act,
be limited to the following and must be contained in the
petition:

1. Malfeasance;
2. Misfeasance;
3. Neglect of duty;
4. Drunkenness;
5. Incompetence;
6. Permanent inability to perform official duties; and
7. Conviction of a felony involving moral turpitude.

(e) Signature process.--Only electors of the
municipality or district are eligible to sign the petition. Each
elector of the municipality signing a petition shall sign and
date his or her name in ink or indelible pencil as registered in
the office of the supervisor of elections and shall state on the
petition his or her place of residence and voting precinct. Each
petition shall contain appropriate lines for each elector's
original the signature, printed name, and street address, city,
county, voter registration number or date of birth, and date
signed. The form shall also contain lines for of the elector and
an oath, to be executed by a witness who is to verify thereof,
verifying the fact that the witness saw each person sign the
counterpart of the petition, that each signature appearing
thereon is the genuine signature of the person it purports to be,
and that the petition was signed in the presence of the witness
on the date indicated.

(f) Filing of signed petitions.--All signed petition
forms. The petition shall be filed at the same time, no later than
30 days after the date on which the first signature is obtained
on the petition, with the auditor or clerk of the municipality or
charter county, or his or her equivalent, hereinafter referred to
as "clerk," by The person designated as chair of the committee
shall file the signed petition forms with the auditor or clerk of
the municipality or charter county, or his or her equivalent,
hereinafter referred to as "clerk." The petition may not be
amended after it is filed with the clerk.

(g) Verification of signatures.--
1. Immediately after the filing of the petition forms, and
when the petition is filed, the clerk shall submit such forms
petition to the county supervisor of elections. No more than 30
days after the date on which all petition forms are submitted to
the supervisor by the clerk, the supervisor who shall promptly
verify the signatures in accordance with s. 99.097, and within a
period of not more than 30 days after the petition is filed with
the supervisor, determine whether the requisite number of valid
signatures has been obtained for the petition contains the
required valid signatures. The committee seeking verification of
the signatures shall pay in advance to the supervisor the sum of 10 cents for each signature checked or the actual cost of checking such signatures, whichever is less. The petition cannot be amended after it is filed with the clerk. The supervisor shall be paid by the persons or committee seeking verification the sum of 10 cents for each name checked.

2. Upon filing with the clerk, the petition and all subsequent papers or forms required or permitted to be filed with the clerk in connection with this section must, upon request, be made available in alternative formats by the clerk.

3. (e) If the supervisor determines it is determined that the petition does not contain the requisite number of verified and valid required signatures, the clerk shall, upon receipt of such written determination, so certify to the governing body of the municipality or charter county and file the petition without taking further action, and the matter shall be at an end. No additional names may be added to the petition, and the petition shall not be used in any other proceeding.

4. (f) If the supervisor determines it is determined that the petition has the requisite number of verified and valid required signatures, then the procedures outlined in subsection (3) must be followed.

(3) RECALL PETITION AND DEFENSE.--

(a) Notice.--Upon receipt of a written determination that the requisite number of signatures has been obtained, the clerk shall at once serve upon the person sought to be recalled a certified copy of the petition. Within 5 days after service, the person sought to be recalled may file with the clerk a defensive statement of not more than 200 words.
(b) Content and preparation.—Within 5 days after the date of receipt of the defensive statement or after the last date a defensive statement could have been filed, the clerk shall, within 5 days, prepare a document entitled "Recall Petition and Defense." The "Recall Petition and Defense" shall consist of sufficient number of typewritten, printed, or mimeographed copies of the recall petition, including copies of the originally signed petitions and counterparts. The "Recall Petition and Defense" must contain lines which conform to the provisions of paragraph (2)(e), and the and defensive statement or, if no defensive statement has been filed, a statement to that effect. The clerk shall make copies of the "Recall Petition and Defense" which are sufficient to carry the signatures of 30 percent of the registered electors. Immediately after preparing and making sufficient copies of the "Recall Petition and Defense," the clerk shall as well as the names, addresses, and oaths on the original petition, and deliver the copies them to the person who has been designated as chair of the committee and take his or her receipt therefor. Such prepared copies shall be entitled "Recall Petition and Defense" and shall contain lines and spaces for signatures and printed names of registered electors, place of residence, election precinct number, and date of signing, together with oaths to be executed by the witnesses which conform to the provisions of paragraph (c). The clerk shall deliver forms sufficient to carry the signatures of 30 percent of the registered electors.

(c) Requisite signatures.—Upon receipt of the "recall petition and defense," the committee may circulate them to obtain the signatures of 15 percent of the electors. All signatures
668 shall be obtained and all signed petition forms filed with the
669 clerk no later than 60 days after delivery of the "Recall
670 Petition and Defense" to the chair of the committee. Any elector
671 who signs a recall petition shall have the right to demand in
672 writing that his or her name be stricken from the petition. A
673 written demand signed by the elector shall be filed with the
674 clerk and upon receipt of the demand the clerk shall strike the
675 name of the elector from the petition and place his or her
676 initials to the side of the signature stricken. However, no
677 signature may be stricken after the clerk has delivered the
678 "Recall Petition and Defense" to the supervisor of elections for
679 verification.
680 (d)(h) Signed petitions; request for striking name.--Within
681 60 days after delivery of the "Recall Petition and Defense" to
682 the chair, the chair shall file with the clerk the "Recall
683 Petition and Defense" which bears the signatures of electors. The
684 clerk shall assemble all signed petitions, check to see that each
685 petition is properly verified by the oath of a witness, and
686 submit such petitions to the county supervisor of elections. Any
687 elector who signs a recall petition has the right to demand in
688 writing that his or her name be stricken from the petition. A
689 written demand signed by the elector shall be filed with the
690 clerk and upon receipt of the demand, the clerk shall strike the
691 name of the elector from the petition and place his or her
692 initials to the side of the signature stricken. However, a
693 signature may not be stricken after the clerk has delivered the
694 "Recall Petition and Defense" to the supervisor for verification
695 of the signatures.
696 (e) Verification of signatures.--Within 30 days after

CODING: Words stricken are deletions; words underlined are additions.
receipt of the signed "Recall Petition and Defense," the
supervisor, who shall determine the number of valid signatures,
 purge the names withdrawn, and certify within 10 days whether 15
percent of the qualified electors of the municipality have signed
the petitions, and report his or her findings to the governing
body. The supervisor shall be paid by the persons or committee
seeking verification the sum of 10 cents for each name checked.

(f)(i) Reporting.--If the supervisor determines that the
requisite number of signatures has not been obtained petitions do
not contain the required signatures, the clerk shall, upon
receipt of such written determination, certify report such
determination fact to the governing body and retain file the
petitions. The proceedings shall be terminated, and the
petitions shall not again be used. If the supervisor determines
that signatures do amount to at least 15 percent of the qualified
electors signed the petition, the clerk shall, immediately upon
receipt of such written determination, serve notice of that
determination fact upon the person sought to be recalled and
deliver to the governing body a certificate as to the percentage
of qualified electors voters who signed.

(4) RECALL ELECTION.--If the person designated in the
petition files with the clerk, within 5 days after the last-
mentioned notice, his or her written resignation, the clerk shall
at once notify the governing body of that fact, and the
resignation shall be irrevocable. The governing body shall then
proceed to fill the vacancy according to the provisions of the
appropriate law. In the absence of a resignation, the chief judge
of the judicial circuit in which the municipality is located
shall fix a day for holding a recall election for the removal of
those not resigning. Any such election shall be held not less
than 30 days or more than 60 days after the expiration of the 5-
day period last-mentioned and at the same time as any other
general or special election held within the period; but if no
such election is to be held within that period, the judge shall
call a special recall election to be held within the period
aforesaid.

(5)-(3) BALLOTS.--The ballots at the recall election shall
conform to the following: With respect to each person whose
removal is sought, the question shall be submitted: "Shall ___
be removed from the office of ____ by recall?" Immediately
following each question there shall be printed on the ballots the
two propositions in the order here set forth:

" (name of person) should be removed from office."
" (name of person) should not be removed from office."

(6)-(4) FILLING OF VACANCIES; SPECIAL ELECTIONS.--
(a) If an election is held for the recall of members
elected only at-large, candidates to succeed them for the
unexpired terms shall be voted upon at the same election and
shall be elected in the same manner as provided by the
appropriate law for the election of candidates at general
elections. Candidates shall not be elected to succeed any
particular member. If only one member is removed, the candidate
receiving the highest number of votes shall be declared elected
to fill the vacancy. If more than one member is removed,
candidates equal in number to the number of members removed shall
be declared elected to fill the vacancies; and, among the
successful candidates, those receiving the greatest number of
votes shall be declared elected for the longest terms. Cases of
ties, and all other matters not herein specially provided for, shall be determined by the rules governing elections generally.

(b) If an election is held for the recall of members elected only from districts, candidates to succeed them for the unexpired terms shall be voted upon at a special election called by the chief judge of the judicial circuit in which the districts are located not less than 30 days or more than 60 days after the expiration of the recall election. The qualifying period, for purposes of this section, shall be established by the chief judge of the judicial circuit after consultation with the clerk. Any candidate seeking election to fill the unexpired term of a recalled district municipal official shall reside in the district represented by the recalled official and qualify for office in the manner required by law. Each candidate receiving the highest number of votes for each office in the special district recall election shall be declared elected to fill the unexpired term of the recalled official. Candidates seeking election to fill a vacancy created by the removal of a municipal official shall be subject to the provisions of chapter 106.

(c) When an election is held for the recall of members of the governing body composed of both members elected at-large and from districts, candidates to succeed them for the unexpired terms shall be voted upon at a special election as provided in paragraph (b).

(d) However, in any recall election held pursuant to paragraph (b) or paragraph (c), if only one member is voted to be removed from office, the vacancy created by the recall shall be filled by the governing body according to the provisions of the appropriate law for filling vacancies.
(7) EFFECT OF RESIGNATIONS.--If the member of the governing body being recalled resigns from office prior to the recall election, the remaining members shall fill the vacancy created according to the appropriate law for filling vacancies. If all of the members of the governing body are sought to be recalled and all of the members resign prior to the recall election, the recall election shall be canceled, and a special election shall be called to fill the unexpired terms of the resigning members. If all of the members of the governing body are sought to be recalled and any of the members resign prior to the recall election, the proceedings for the recall of members not resigning and the election of successors to fill the unexpired terms shall continue and have the same effect as though there had been no resignation.

(8) WHEN PETITION MAY BE FILED.--No petition to recall any member of the governing body of a municipality shall be filed until the member has served one-fourth of his or her term of office. No person removed by a recall, or resigning after a petition has been filed against him or her, shall be eligible to be appointed to the governing body within a period of 2 years after the date of such recall or resignation.

(9) RETENTION OF PETITION.--The clerk shall preserve in his or her office all papers comprising or connected with a petition for recall for a period of 2 years after they were filed. This method of removing members of the governing body of a municipality is in addition to such other methods now or hereafter provided by the general laws of this state.

(10) OFFENSES RELATING TO PETITIONS.--No person shall impersonate another, purposely write his or her name or residence
falsely in the signing of any petition for recall or forge any 
name thereto, or sign any paper with knowledge that he or she is 
not a qualified elector of the municipality. No expenditures for 
campaigning for or against an officer being recalled shall be 
made until the date on which the recall election is to be held is 
publicly announced. The committee and the officer being recalled 
shall be subject to chapter 106. No person shall employ or pay 
another to accept employment or payment for circulating or 
witnessing a recall petition. Any person violating any of the 
provisions of this section commits shall be deemed guilty of a 
misdemeanor of the second degree and shall, upon conviction, be 
punished as provided by law.

(11)-(8) INTENT.—It is the intent of the Legislature that 
the recall procedures provided in this act shall be uniform 
statewide. Therefore, all municipal charter and special law 
provisions which are contrary to the provisions of this act are 
hereby repealed to the extent of this conflict.

(12)-(9) PROVISIONS APPLICABLE.—The provisions of this act 
shall apply to cities and charter counties whether or not they 
have adopted recall provisions.

Section 14. Effective July 1, 2008, subsections (3), (4), 
and (6) of section 100.371, Florida Statutes, are amended to 
read:

100.371 Initiatives; procedure for placement on ballot.—

(3) An initiative petition form circulated for signature 
may not be bundled with or attached to any other petition. Each 
signature shall be dated when made and shall be valid for a 
period of 4 years following such date, provided all other 
requirements of law are met. The sponsor shall submit signed and
dated forms to the appropriate supervisor of elections for
verification as to the number of registered electors whose valid
signatures appear thereon. The supervisor shall promptly verify
the signatures within 30 days of receipt of the petition forms
and payment of the fee required by s. 99.097. The supervisor
shall promptly record in the statewide voter registration system,
in the manner prescribed by the Secretary of State, the date each
form is received by the supervisor, and the date the signature on
the form is verified as valid. The supervisor may verify that the
signature on a form is valid only if:
(a) The form contains the original signature of the
purported elector.
(b) The purported elector has accurately recorded on the
form the date on which he or she signed the form.
(c) The form accurately sets forth the purported elector's
name, street address, county, and voter registration number or
date of birth.
(d) The purported elector is, at the time he or she signs
the form, a duly qualified and registered elector authorized to
vote in the county in which his or her signature is submitted.
The supervisor shall retain the signature forms for at least 1
year following the election in which the issue appeared on the
ballot or until the Division of Elections notifies the
supervisors of elections that the committee which circulated the
petition is no longer seeking to obtain ballot position.
(4) The Secretary of State shall determine from the
signatures verified by the supervisors of elections and recorded
in the statewide voter registration system the total number of
verified valid signatures and the distribution of such signatures
by congressional districts. Upon a determination that the
requisite number and distribution of valid signatures have been
obtained, the secretary shall issue a certificate of ballot
position for that proposed amendment and shall assign a
designating number pursuant to s. 101.161.

(6)(a) An elector's signature on a petition form may be
revoked within 150 days of the date on which he or she signed the
petition form by submitting to the appropriate supervisor of
elections a signed petition-revocation form adopted by rule for
this purpose by the division.

(b) The petition-revocation form and the manner in which
signatures are obtained, submitted, and verified shall be subject
to the same relevant requirements and timeframes as the
Corresponding petition form and processes under this code and
shall be approved by the Secretary of State before any signature
on a petition-revocation form is obtained.

(c) In those circumstances in which a petition-revocation
form for a corresponding initiative petition has not been
submitted and approved, an elector may complete and submit a
standard petition-revocation form directly to the supervisor of
elections. All other requirements and processes apply for the
submission and verification of the signatures as for initiative
petitions.

(d) Supervisors of elections shall provide petition-
revocation forms to the public at all main and branch offices.

(e)(d) The petition-revocation form shall be filed with the
supervisor of elections by February 1 preceding the next general
election or, if the initiative amendment is not certified for
ballot position in that election, by February 1 preceding the
next successive general election. The supervisor of elections
shall promptly verify the signature on the petition-revocation
form and process such revocation upon payment, in advance, of a
fee of 10 cents or the actual cost of verifying such signature,
whichever is less. The supervisor shall promptly record each
valid and verified signature on a petition-revocation form in the
statewide voter registration system in the manner prescribed by
the Secretary of State.

(f) The division shall adopt by rule the petition-
revocation forms to be used under this subsection.

Section 15. Section 101.041, Florida Statutes, is amended
to read:

101.041 Secret voting.--In all elections held on any
subject which may be submitted to a vote, and for all or any
state, county, district, or municipal officers, the voting shall
be by secret, official ballot printed and distributed as provided
by this code, and no vote shall be received or counted in any
election, except as prescribed by this code.

Section 16. Section 101.045, Florida Statutes, is amended
to read:

101.045 Electors must be registered in precinct; provisions
for change of residence or name change.--

(1) No person shall be permitted to vote in any election
precinct or district other than the one in which the person has
his or her legal residence and in which the person is registered.
However, a person temporarily residing outside the county shall
be registered in the precinct in which the main office of the
supervisor, as designated by the supervisor, is located when the
person has no permanent address in the county and it is the
person's intention to remain a resident of Florida and of the
county in which he or she is registered to vote. Such persons who
are registered in the precinct in which the main office of the
supervisor, as designated by the supervisor, is located and who
are residing outside the county with no permanent address in the
county shall not be registered electors of a municipality and
therefore shall not be permitted to vote in any municipal
election.

(2)(a) An elector who moves from the precinct in which the
elector is registered may be permitted to vote in the precinct to
which he or she has moved his or her legal residence, provided
such elector completes an affirmation in substantially the
following form:

Change of Legal Residence of Registered
Voter

Under penalties for false swearing, I, (Name of voter), swear
(or affirm) that the former address of my legal residence was
(Address of legal residence) in the municipality of ___, in
____ County, Florida, and I was registered to vote in the ___
precinct of ___ County, Florida; that I have not voted in the
precinct of my former registration in this election; that I now
reside at (Address of legal residence) in the Municipality of
___, in ___ County, Florida, and am therefore eligible to
vote in the ___ precinct of ___ County, Florida; and I
further swear (or affirm) that I am otherwise legally registered
and entitled to vote.
(Signature of voter whose address of legal residence has changed)

(b) An elector whose name changes because of marriage or other legal process may be permitted to vote, provided such elector completes an affirmation in substantially the following form:

Change of Name of Registered Voter

Under penalties for false swearing, I, (New name of voter), swear (or affirm) that my name has been changed because of marriage or other legal process. My former name and address of legal residence appear on the registration records of precinct as follows:

Name
Address
Municipality
County
Florida, Zip

My present name and address of legal residence are as follows:

Name
Address
Municipality
County
Florida, Zip

and I further swear (or affirm) that I am otherwise legally registered and entitled to vote.
(Signature of voter whose name has changed)

(c) Instead of the affirmation contained in paragraph (a) or paragraph (b), an elector may complete a voter registration application that indicates the change of name or change of address of legal residence.

(d) Such affirmation or application, when completed and presented at the precinct in which such elector is entitled to vote, and upon verification of the elector's registration, shall entitle such elector to vote as provided in this subsection. If the elector's eligibility to vote cannot be determined, he or she shall be entitled to vote a provisional ballot, subject to the requirements and procedures in s. 101.048. Upon receipt of an affirmation or application certifying a change in address of legal residence or name, the supervisor shall as soon as practicable make the necessary changes in the statewide voter registration system to indicate the change in address of legal residence or name of such elector.

(d) Instead of the affirmation contained in paragraph (a) or paragraph (b), an elector may complete a voter registration application that indicates the change of name or change of address of legal residence.

Section 17. Section 101.111, Florida Statutes, is amended to read:

1011 101.111 Person desiring to vote may be challenged;
1012 challenger to execute oath; oath of person challenged;
1013 determination of challenge.--
1014 (1)(a) Any registered elector or poll watcher of a county
1015 may challenge the right of a person to vote in that county. When
the right to vote of any person who desires to vote is challenged by any elector or poll watcher. The challenge must be in writing and contain the following oath with an oath as provided in this section, giving reasons for the challenge, which shall be delivered to the clerk or inspector. Any elector or poll watcher challenging the right of a person to vote shall execute the oath set forth below:

OATH OF PERSON ENTERING CHALLENGE

State of Florida
County of _____

I do solemnly swear or affirm that my name is _____; that I am a member of the _____ Party; that I am a registered voter or poll watcher; that my residence address is _____, in the municipality of _____; and that I have reason to believe that _____ is attempting to vote illegally and the reasons for my belief are set forth herein to wit:

(Signature of person challenging voter)

Sworn and subscribed to before me this _____ day of _____.
(year).
(Clerk of election)

(b)(2) The clerk or inspector shall immediately deliver to the challenged person a copy of the oath of the person entering the challenge, and the challenged voter shall be allowed to cast a provisional ballot in accordance with s. 101.048.

(c)(3) Alternatively, a challenge in accordance with this
section may be filed in advance with the supervisor of elections

Any elector or poll watcher may challenge the right of any
voter to vote—net sooner than 30 days before an election by
filing a completed copy of the oath contained in subsection (1)
to the supervisor of election's office. The supervisor shall
promptly provide the election board in the challenged voter's
precinct with a copy of the oath of the person entering the
challenge. The challenged voter shall be permitted to
cast a provisional ballot in accordance with s. 101.048.

Any elector or poll watcher filing a frivolous
challenge of any person's right to vote commits a misdemeanor of
the first degree, punishable as provided in s. 775.082 or s.
775.083; however, electors or poll watchers shall not be subject
to liability for any action taken in good faith and in
furtherance of any activity or duty permitted of such electors or
poll watchers by law. Each instance where any elector or poll
watcher files a frivolous challenge of any person's right to vote
constitutes a separate offense.

Section 18. Section 101.23, Florida Statutes, is amended to
read:

101.23 Election inspector to keep list of those voting.--

When any person has been admitted to vote, the person's
name shall be checked by the clerk or one of the inspectors at
the place indicated upon the registration books or voter history
form provided by the supervisor. One of the inspectors shall, at
the same time, keep a poll list containing names of electors who
have voted or a list of registered electors, on which those
electors who have voted are indicated. Such lists shall be
available for inspection during regular voting hours by poll
watchers designated and appointed pursuant to s. 101.131, except that the election inspector may regulate access to the lists so as to ensure that such inspection does not unreasonably interfere with the orderly operation of the polling place.

(2) The inspectors shall prevent any person from voting a second time when they have reason to believe that the person has voted. They shall refuse to allow any person to vote who is not a qualified elector or who has become disqualified to vote in the precinct, and may prevent any elector from consuming more than 5 minutes in voting.

Section 19. Effective July 1, 2008, subsection (1) of section 101.51, Florida Statutes, is amended to read:

101.51 Electors to occupy booth alone.--

(1) When the elector presents himself or herself to vote, the election official shall ascertain whether the elector's name is upon the register of electors, and, if the elector's name appears and no challenge interposes, or, if interposed, be not sustained, one of the election official officials stationed at the entrance shall announce the name of the elector and permit the elector him or her to enter the booth or compartment to cast his or her vote, allowing only one elector at a time to pass through to vote. An elector, while casting his or her ballot, may not occupy a booth or compartment already occupied or speak with anyone, except as provided by s. 101.051.

Section 20. Effective July 1, 2008, paragraph (a) of subsection (2) of section 101.5608, Florida Statutes, is amended to read:

101.5608 Voting by electronic or electromechanical method; procedures.--
(2) When an electronic or electromechanical voting system utilizes a ballot card or marksense ballot, the following procedures shall be followed:

(a) After receiving a ballot from an inspector, the elector shall, without leaving the polling place, retire to a booth or compartment and mark the ballot. After marking preparing his or her ballot, the elector shall place the ballot in a secrecy envelope with the stub exposed or shall fold over that portion on which write-in votes may be cast, as instructed, so that the ballot will be deposited in the tabulator ballot box without exposing the voter's choices. Before the ballot is deposited in the ballot box, the inspector shall detach the exposed stub and place it in a separate envelope for audit purposes; when a fold-over ballot is used, the entire ballot shall be placed in the ballot box.

Section 21. Effective July 1, 2008, section 101.573, Florida Statutes, is repealed.

Section 22. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.--

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.
1. In order to ensure that your absentee ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election.

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope and seal the envelope.

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter's Certificate. Seal the envelope and completely fill out the Voter's Certificate on the back of the envelope.
   a. You must sign your name on the line above (Voter's Signature).
   b. If you are an overseas voter, you must include the date you signed the Voter's Certificate on the line above (Date) or your ballot may not be counted.

6. Unless you meet one of the exemptions in Item 7., you must make a copy of one of the following forms of identification:
   a. Identification which must include your name and photograph: United States passport; employee badge or identification; buyer's club identification card; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification;
or public assistance identification; or

b. Identification which shows your name and current
residence address: current utility bill, bank statement,
government check, paycheck, or government document (excluding
voter identification card).

7. The identification requirements of Item 6. do not apply
if you meet one of the following requirements:

a. You are 65 years of age or older.
b. You have a temporary or permanent physical disability.
c. You are a member of a uniformed service on active duty
who, by reason of such active duty, will be absent from the
county on election day.
d. You are a member of the Merchant Marine who, by reason
of service in the Merchant Marine, will be absent from the county
on election day.
e. You are the spouse or dependent of a member referred to
in paragraph c. or paragraph d. who, by reason of the active duty
or service of the member, will be absent from the county on
election day.
f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into
the mailing envelope addressed to the supervisor. Insert a copy
of your identification in the mailing envelope. DO NOT PUT YOUR
IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
BALLOT WILL NOT COUNT.

9. Mail, deliver, or have delivered the completed mailing
envelope. Be sure there is sufficient postage if mailed.

10. FELONY NOTICE. It is a felony under Florida law to
accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 23. Effective July 1, 2008, subsection (3) of section 101.75, Florida Statutes, is amended to read:

101.75 Municipal elections; change of dates for cause.--

(3) Notwithstanding any provision of local law or municipal charter, for any municipality whose election is scheduled to be held in March 2008, the governing body of a the municipality, notwithstanding any municipal charter provision, may, by ordinance, move the date of any the general municipal election in 2008 and in each subsequent year that is a multiple of 4 to a the date concurrent with any statewide or countywide election the presidential preference primary. The dates for qualifying for the general municipal election moved by the passage of such an ordinance shall be specifically provided for in the ordinance and shall run for no less than 14 days. The term of office for any elected municipal official shall commence as provided by the relevant municipal charter or ordinance, and the term of office for any elected municipal official whose term was due to expire in March 2008 shall expire as provided by the relevant municipal charter or ordinance.

Section 24. Effective July 1, 2008, subsection (7) of section 102.014, Florida Statutes, is amended to read:

102.014 Poll worker recruitment and training.--

(7) The Department of State shall develop a mandatory, statewide, and uniform program for training poll workers on issues of etiquette and sensitivity with respect to voters having
a disability. The program must consist of approximately 1 hour of
the required number of hours set forth in paragraph (4)(a). The
program must be conducted locally by each supervisor of
elections, and who shall periodically certify to the Department
of State whether each poll worker must complete has completed the
program before working during the current election cycle. The
supervisor of elections shall contract with a recognized
disability-related organization, such as a center for independent
living, family network on disabilities, deaf service bureau, or
other such organization, to develop and assist with training the
trainers in the disability sensitivity programs. The program must
include actual demonstrations of obstacles confronted by disabled
persons during the voting process, including obtaining access to
the polling place, traveling through the polling area, and using
the voting system.

Section 25. Effective July 1, 2008, paragraph (b) of
subsection (4) of section 102.031, Florida Statutes, is amended
to read:

102.031 Maintenance of good order at polls; authorities;
persons allowed in polling rooms and early voting areas; unlawful
solicitation of voters.--

(4)

(b) For the purpose of this subsection, the terms term
"solicit" or "solicitation" shall include, but not be limited to,
seeking or attempting to seek any vote, fact, opinion, or
contribution; distributing or attempting to distribute any
political or campaign material, leaflet, or handout; conducting a
poll except as specified in this paragraph; seeking or attempting
to seek a signature on any petition; and selling or attempting to
sell any item. The terms "solicit" or "solicitation" shall not be construed to prohibit exit polling.

Section 26. Effective July 1, 2008, subsection (1) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.--

(1) The county canvassing board or a majority thereof shall file the county returns for the election of a federal or state officer with the Department of State immediately after certification of the election results. The returns must contain a certification by the canvassing board that the board has compared reconciled the number of persons who voted with the number of ballots counted and that the certification includes all valid votes cast in the election.

Section 27. Subsection (2) of section 103.101, Florida Statutes, is amended to read:

103.101 Presidential preference primary.--

(2)(a) There shall be a Presidential Candidate Selection Committee composed of the Secretary of State, who shall be a nonvoting chair; the Speaker of the House of Representatives; the President of the Senate; the minority leader of each house of the Legislature; and the chair of each political party required to have a presidential preference primary under this section.

(b) By October 31 of the year preceding the presidential preference primary, each political party shall submit to the Secretary of State a list of its presidential candidates to be placed on the presidential preference primary ballot or candidates entitled to have delegates appear on the presidential preference primary ballot. The Secretary of State shall prepare
and publish a list of the names of the presidential candidates submitted. The Secretary of State shall submit such list of names of presidential candidates to the selection committee on the first Tuesday after the first Monday in November of the year preceding the presidential preference primary. Each person designated as a presidential candidate shall have his or her name appear, or have his or her delegates’ names appear, on the presidential preference primary ballot unless all committee members of the same political party as the candidate agree to delete such candidate's name from the ballot.

(c) The selection committee shall meet in Tallahassee on the first Tuesday after the first Monday in November of the year preceding the presidential preference primary. The selection committee shall publicly announce and submit to the Department of State no later than 5 p.m. on the following day the names of presidential candidates who shall have their names appear, or who are entitled to have their delegates' names appear, on the presidential preference primary ballot. The Department of State shall immediately notify each presidential candidate designated by the committee. Such notification shall be in writing, by registered mail, with return receipt requested.

(b) Any presidential candidate whose name does not appear on the list submitted to the Secretary of State may request that the selection committee place his or her name on the ballot. Such request shall be made in writing to the Secretary of State no later than the second Tuesday after the first Monday in November of the year preceding the presidential preference primary.

(e) If a presidential candidate makes a request that the selection committee reconsider placing the candidate's name on
the ballot, the selection committee will reconvene no later than
the second Thursday after the first Monday in November of the
year preceding the presidential preference primary to reconsider
placing the candidate's name on the ballot. The Department of
State shall immediately notify such candidate of the selection
committee's decision.

Section 28. Effective upon this act becoming a law,
paragraph (a) of subsection (1) of section 106.021, Florida
Statutes, is amended to read:

106.021 Campaign treasurers; deputies; primary and
secondary depositories.--

(1)(a) Each candidate for nomination or election to office
and each political committee shall appoint a campaign treasurer.
Each person who seeks to qualify for nomination or election to,
or retention in, office shall appoint a campaign treasurer and
designate a primary campaign depository prior to qualifying for
office. Any person who seeks to qualify for election or
nomination to any office by means of the petitioning process
shall appoint a treasurer and designate a primary depository on
or before the date he or she obtains the petitions. Each
candidate shall at the same time he or she designates a campaign
depository and appoints a treasurer also designate the office for
which he or she is a candidate. If the candidate is running for
an office which will be grouped on the ballot with two or more
similar offices to be filled at the same election, the candidate
must indicate for which group or district office he or she is
running. Nothing in this subsection shall prohibit a candidate,
at a later date, from changing the designation of the office for
which he or she is a candidate. However, if a candidate changes
the designated office for which he or she is a candidate, the
candidate must notify all contributors in writing of the intent
to seek a different office and offer to return pro rata, upon
their request, those contributions given in support of the
original office sought. This notification shall be given within
15 days after the filing of the change of designation and shall
include a standard form developed by the Division of Elections
for requesting the return of contributions. The notice
requirement shall not apply to any change in a numerical
designation resulting solely from redistricting. If, within 30
days after being notified by the candidate of the intent to seek
a different office, the contributor notifies the candidate in
writing that the contributor wishes his or her contribution to be
returned, the candidate shall return the contribution, on a pro
rata basis, calculated as of the date the change of designation
is filed. Any contributions not requested to be returned within
the 30-day period may be used by the candidate for the newly
designated office. No person shall accept any contribution or
make any expenditure with a view to bringing about his or her
nomination, election, or retention in public office, or authorize
another to accept such contributions or make such expenditure on
the person's behalf, unless such person has appointed a campaign
treasurer and designated a primary campaign depository. A
candidate for an office voted upon statewide may appoint not more
than 15 deputy campaign treasurers, and any other candidate or
political committee may appoint not more than 3 deputy campaign
treasurers. The names and addresses of the campaign treasurer and
deputy campaign treasurers so appointed shall be filed with the
officer before whom such candidate is required to qualify or with
whom such political committee is required to register pursuant to s. 106.03. Each candidate who qualifies with the Department of State for an office not voted upon statewide shall, at the same time, file a copy of the name and address of the campaign treasurer with the supervisor of elections in the county in which the candidate resides.

Section 29. Paragraph (a) of subsection (2) and paragraph (b) of subsection (8) of section 106.07, Florida Statutes, are amended to read:

106.07 Reports; certification and filing.--

(2)(a)1. All reports required of a candidate by this section shall be filed with the officer before whom the candidate is required by law to qualify. All candidates who file with the Department of State shall file their reports pursuant to s. 106.0705. Except as provided in s. 106.0705, reports shall be filed not later than 5 p.m. of the day designated; however, any report postmarked by the United States Postal Service no later than midnight of the day designated shall be deemed to have been filed in a timely manner. Any report received by the filing officer within 5 days after the designated due date that was delivered by the United States Postal Service shall be deemed timely filed unless it has a postmark that indicates that the report was mailed after the designated due date. A certificate of mailing obtained from and dated by the United States Postal Service at the time of mailing, or a receipt from an established courier company, which bears a date on or before the date on which the report is due, shall be proof of mailing in a timely manner. Reports shall contain information of all previously unreported contributions received and expenditures made as of the
preceding Friday, except that the report filed on the Friday
immediately preceding the election shall contain information of
all previously unreported contributions received and expenditures
made as of the day preceding that designated due date. All such
reports shall be open to public inspection.

2. This subsection does not prohibit the governing body of
a political subdivision, by ordinance or resolution, from
imposing upon its own officers and candidates electronic filing
requirements not in conflict with s. 106.0705. Expenditure of
public funds for such purpose is deemed to be for a valid public
purpose.

(b) Upon determining that a report is late, the filing
officer shall immediately notify the candidate or chair of the
political committee as to the failure to file a report by the
designated due date and that a fine is being assessed for each
late day. The fine shall be $50 per day for the first 3 days late
and, thereafter, $500 per day for each late day, not to exceed 25
percent of the total receipts or expenditures, whichever is
greater, for the period covered by the late report. However, for
the reports immediately preceding each primary and general
election, the fine shall be $500 per day for each late day, not
to exceed 25 percent of the total receipts or expenditures,
whichever is greater, for the period covered by the late report.
For reports required under s. 106.141(7), the fine is $50 per day
for each late day, not to exceed 25 percent of the total receipts
or expenditures, whichever is greater, for the period covered by
the late report. Upon receipt of the report, the filing officer
shall determine the amount of the fine which is due and shall
notify the candidate or chair. The filing officer shall determine
the amount of the fine due based upon the earliest of the
following:

1. When the report is actually received by such officer.
2. When the report is postmarked.
3. When the certificate of mailing is dated.
4. When the receipt from an established courier company is
dated.
5. When the electronic receipt issued pursuant to s.
106.0705 or other electronic filing system authorized in this
section is dated.

Such fine shall be paid to the filing officer within 20 days
after receipt of the notice of payment due, unless appeal is made
to the Florida Elections Commission pursuant to paragraph (c). In
the case of a candidate, such fine shall not be an allowable
campaign expenditure and shall be paid only from personal funds
of the candidate. An officer or member of a political committee
shall not be personally liable for such fine.

Section 30. Effective upon this act becoming a law, section
106.082, Florida Statutes, is repealed.

Section 31. Effective upon this act becoming a law,
subsections (1) and (2) of section 106.147, Florida Statutes, are
amended to read:

106.147 Telephone solicitation; disclosure requirements;
prohibitions; exemptions; penalties.--

(1)(a) Any electioneering communication telephone call or
any telephone call supporting or opposing a candidate, elected
public official, or ballot proposal must identify the persons or

CODING: Words struck through are deletions; words underlined are additions.
organizations sponsoring the call by stating either: "paid for
by____" (insert name of persons or organizations sponsoring the
call) or "paid for on behalf of____" (insert name of persons or
organizations authorizing call). This paragraph does not apply to
any telephone call in which both the individual making the call
is not being paid and the individuals participating in the call
know each other prior to the call.

(b) Any telephone call conducted for the purpose of polling
respondents concerning a candidate or elected public official
which is a part of a series of like telephone calls that consists
of fewer than 1,000 completed calls and averages more than 2
minutes in duration is presumed to be a political poll and not
subject to the provisions of paragraph (a).

(c) No telephone call shall state or imply that the caller
represents any person or organization unless the person or
organization so represented has given specific approval in
writing to make such representation.

(d) No telephone call shall state or imply that the caller
represents a nonexistent person or organization.

(e) Any electioneering communication paid for with public
funds must include a disclaimer containing the words "paid for by
(Name of the government entity paying for the communication)."

(2) Any telephone call, not conducted by independent
expenditure, which expressly advocates for or against supporting
or opposing a candidate or ballot proposal requires prior
written authorization by the candidate or sponsor of the ballot
proposal that the call supports. A copy of such written
authorization must be placed on file with the qualifying officer
by the candidate or sponsor of the ballot proposal prior to the
time the calls commence.

Section 32. Paragraph (a) of subsection (1) of section 106.24, Florida Statutes, is amended to read:

106.24 Florida Elections Commission; membership; powers; duties.--

(1)(a) There is created within the Department of Legal Affairs, Office of the Attorney General, a Florida Elections Commission, hereinafter referred to as the commission. The commission shall be a separate budget entity and its director shall be the agency head for all purposes. The commission shall not be subject to control, supervision, or direction by the Department of Legal Affairs or the Attorney General in the performance of its duties, including, but not limited to, personnel, purchasing transactions involving real or personal property, and budgetary matters.

Section 33. Paragraph (c) of subsection (3) of section 190.006, Florida Statutes, is amended to read:

190.006 Board of supervisors; members and meetings.--

(3)

(c) Candidates seeking election to office by qualified electors under this subsection shall conduct their campaigns in accordance with the provisions of chapter 106 and shall file qualifying papers and qualify for individual seats in accordance with s. 99.061. Candidates shall pay a qualifying fee, which shall consist of a filing fee and an election assessment or, as an alternative, shall file a petition signed by not less than 1 percent of the registered voters of the district, and take the oath required in s. 99.021, with the supervisor of elections in the county affected by such candidacy. The amount of the filing fee.
fee is 3 percent of $4,800; however, if the electors have
provided for compensation pursuant to subsection (8), the amount
of the filing fee is 3 percent of the maximum annual compensation
so provided. The amount of the election assessment is 1 percent
of $4,800; however, if the electors have provided for
compensation pursuant to subsection (8), the amount of the
election assessment is 1 percent of the maximum annual
compensation so provided. The filing fee and election assessment
shall be distributed as provided in s. 105.031(3).

Section 34. Effective upon this act becoming a law,
subsection (2) of section 105.041, Florida Statutes, is amended
to read:

105.041 Form of ballot.--
(2) LISTING OF CANDIDATES.--

(a) Except as provided in paragraph (b), the order of
nonpartisan offices appearing on the ballot shall be determined
by the Department of State. The names of candidates for election
to each nonpartisan office shall be listed in alphabetical order.

With respect to retention of justices and judges, the question
"Shall Justice (or Judge) (name of justice or judge) of the (name
of the court) be retained in office?" shall appear on the ballot
in alphabetical order and thereafter the words "Yes" and "No."

(b) 1. The names of candidates for the office of circuit
judge shall be listed on the primary election ballot in the order
determined by lot conducted by the Director of the Division of
Elections of the Department of State after the close of the
qualifying period.

2. Candidates who have secured a position on the general
election ballot, after having survived elimination at the primary
election, shall have their names listed in the same order as on
the primary election ballot, notwithstanding the elimination of
any intervening names as a result of the primary election.

Section 35. Except as otherwise expressly provided in this
act and except for this section, which shall take effect upon
becoming a law, this act shall take effect January 1, 2009.

Approved by the Governor JUN 5 2008

Filed in Office Secretary of State JUN 5 2008