

FLA SB 7050

3rd Party Voter Registraion

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

332

333 Section 1. Subsection (17) of section 97.012, Florida
334 Statutes, is amended to read:

335 97.012 Secretary of State as chief election officer.—The
336 Secretary of State is the chief election officer of the state,
337 and it is his or her responsibility to:

338 (17) Provide mandatory formal signature matching training
339 to supervisors of elections and county canvassing board members.
340 Any person whose duties require verification of signatures must
341 undergo signature matching training. The department shall adopt
342 rules governing signature matching procedures and training.

343 Section 2. Paragraph (g) of subsection (3) of section
344 97.052, Florida Statutes, is amended to read:

345 97.052 Uniform statewide voter registration application.—

346 (3) The uniform statewide voter registration application
347 must also contain:

348 (g) A statement informing the applicant that if the
349 application is being collected by a third-party voter
350 registration organization, the organization might not deliver
351 the application to the division or the supervisor in the county
352 in which the applicant resides in less than 10 ~~14~~ days or before
353 registration closes for the next ensuing election, and that the
354 applicant may instead elect to deliver the application in person
355 or by mail or choose to register online. The statement must
356 further inform the applicant how to determine whether the
357 application has been delivered.

358 Section 3. Subsection (13) of section 97.057, Florida
359 Statutes, is amended to read:

360 97.057 Voter registration by the Department of Highway
361 Safety and Motor Vehicles.—

362 (13) The Department of Highway Safety and Motor Vehicles
363 must assist the Department of State in regularly identifying
364 changes in residence address on the driver license or
365 identification card of a voter. The Department of State must
366 report each such change to the appropriate supervisor of
367 elections who must change the voter's registration records in
368 accordance with s. 98.065(4) ~~s. 98.065(5)~~.

369 Section 4. Section 97.0575, Florida Statutes, is amended to
370 read:

371 97.0575 Third-party voter registration organizations
372 ~~registrations~~.—

373 (1) Before engaging in any voter registration activities, a
374 third-party voter registration organization must register and
375 provide to the division, in an electronic format, the following
376 information:

377 (a) The names of the officers of the organization and the
378 name and permanent address of the organization.

379 (b) The name and address of the organization's registered
380 agent in the state.

381 (c) The names, permanent addresses, and temporary
382 addresses, if any, of each registration agent registering
383 persons to vote in this state on behalf of the organization.
384 This paragraph does not apply to persons who only solicit
385 applications and do not collect or handle voter registration
386 applications.

387 (d) Beginning November 6, 2024, the specific general
388 election cycle for which the third-party voter registration

389 organization is registering persons to vote.

390 (e) An affirmation that each person collecting or handling
391 voter registration applications on behalf of the third-party
392 voter registration organization has not been convicted of a
393 felony violation of the Election Code, a felony violation of an
394 offense specified in s. 825.103, a felony offense specified in
395 s. 98.0751(2)(b) or (c), or a felony offense specified in
396 chapter 817, chapter 831, or chapter 837. A third-party voter
397 registration organization is liable for a fine in the amount of
398 \$50,000 for each such person who has been convicted of a felony
399 violation of the Election Code, a felony violation of an offense
400 specified in s. 825.103, a felony offense specified in s.
401 98.0751(2)(b) or (c), or a felony offense specified in chapter
402 817, chapter 831, or chapter 837 who is collecting or handling
403 voter registration applications on behalf of the third-party
404 voter registration organization.

405 (f) An affirmation that each person collecting or handling
406 voter registration applications on behalf of the third-party
407 voter registration organization is a citizen of the United
408 States of America. A third-party voter registration organization
409 is liable for a fine in the amount of \$50,000 for each such
410 person who is not a citizen and is collecting or handling voter
411 registration applications on behalf of the third-party voter
412 registration organization.

413 (2) Beginning November 6, 2024, the registration of a
414 third-party voter registration organization automatically
415 expires at the conclusion of the specific general election cycle
416 for which the third-party voter registration organization is
417 registered.

418 (3) ~~(2)~~ The division or the supervisor of elections shall
419 make voter registration forms available to third-party voter
420 registration organizations. All such forms must contain
421 information identifying the organization to which the forms are
422 provided. The division shall maintain a database of all third
423 party voter registration organizations and the voter
424 registration forms assigned to the third-party voter
425 registration organization. Each supervisor of elections shall
426 provide to the division information on voter registration forms
427 assigned to and received from third-party voter registration
428 organizations. The information must be provided in a format and
429 at times as required by the division by rule. The division shall
430 must update information on third-party voter registrations daily
431 and make the information publicly available.

432 (4) A third-party voter registration organization that
433 collects voter registration applications shall provide a receipt
434 to an applicant upon accepting possession of his or her
435 application. The division shall adopt by rule a uniform format
436 for the receipt by October 1, 2023. The format must include, but
437 need not be limited to, the name of the applicant, the date the
438 application is received, the name of the third-party voter
439 registration organization, the name of the registration agent,
440 the applicant's political party affiliation, and the county in
441 which the applicant resides.

442 (5) (a) ~~(3) (a)~~ A third-party voter registration organization
443 that collects voter registration applications serves as a
444 fiduciary to the applicant and shall ensure, ~~ensuring~~ that any
445 voter registration application entrusted to the organization,
446 irrespective of party affiliation, race, ethnicity, or gender,
447 is ~~must be~~ promptly delivered to the division or the supervisor
448 of elections in the county in which the applicant resides within
449 10 ~~14~~ days after the application is ~~was~~ completed by the
450 applicant, but not after registration closes for the next
451 ensuing election. If a voter registration application collected

452 by any third-party voter registration organization is not
453 promptly delivered to the division or supervisor of elections in
454 the county in which the applicant resides, the third-party voter
455 registration organization is liable for the following fines:

456 1. A fine in the amount of \$50 per each day late, up to
457 \$2,500, for each application received by the division or the
458 supervisor of elections in the county in which the applicant
459 resides more than 10 ~~14~~ days after the applicant delivered the
460 completed voter registration application to the third-party
461 voter registration organization or any person, entity, or agent
462 acting on its behalf. A fine in the amount of \$2,500 ~~\$250~~ for
463 each application received if the third-party voter registration
464 organization or person, entity, or agency acting on its behalf
465 acted willfully.

466 2. A fine in the amount of \$100 per each day late, up to
467 \$5,000, for each application collected by a third-party voter
468 registration organization or any person, entity, or agent acting
469 on its behalf, before book closing for any given election for
470 federal or state office and received by the division or the
471 supervisor of elections in the county in which the applicant
472 resides after the book-closing deadline for such election. A
473 fine in the amount of \$5,000 ~~\$500~~ for each application received
474 if the third-party voter registration organization or any
475 person, entity, or agency acting on its behalf acted willfully.

476 3. A fine in the amount of \$500 for each application
477 collected by a third-party voter registration organization or
478 any person, entity, or agent acting on its behalf, which is not
479 submitted to the division or supervisor of elections in the
480 county in which the applicant resides. A fine in the amount of
481 \$5,000 ~~\$1,000~~ for any application not submitted if the third
482 party voter registration organization or person, entity, or
483 agency acting on its behalf acted willfully.

484
485 The aggregate fine which may be assessed pursuant to this
486 paragraph ~~which may be assessed~~ against a third-party voter
487 registration organization, including affiliate organizations,
488 for violations committed in a calendar year is \$250,000 ~~\$50,000~~.

489 (b) A showing by the third-party voter registration
490 organization that the failure to deliver the voter registration
491 application within the required timeframe is based upon force
492 majeure or impossibility of performance shall be an affirmative
493 defense to a violation of this subsection. The secretary may
494 waive the fines described in this subsection upon a showing that
495 the failure to deliver the voter registration application
496 promptly is based upon force majeure or impossibility of
497 performance.

498 ~~(6)(4)~~ If a person collecting voter registration
499 applications on behalf of a third-party voter registration
500 organization alters the voter registration application of any
501 other person, without the other person's knowledge and consent,
502 in violation of s. 104.012(4) and is subsequently convicted of
503 such offense, the applicable third-party voter registration
504 organization is liable for a fine in the amount of \$5,000 ~~\$1,000~~
505 for each application altered.

506 (7) If a person collecting voter registration applications
507 on behalf of a third-party voter registration organization
508 copies a voter's application or retains a voter's personal
509 information, such as the voter's Florida driver license number,
510 Florida identification card number, social security number, or
511 signature, for any reason other than to provide such application
512 or information to the third-party voter registration
513 organization in compliance with this section, the person commits
514 a felony of the third degree, punishable as provided in s.

515 775.082, s. 775.083, or s. 775.084.

516 ~~(8)(5)~~ If the Secretary of State reasonably believes that a
517 person has committed a violation of this section, the secretary
518 may refer the matter to the Attorney General for enforcement.
519 The Attorney General may institute a civil action for a
520 violation of this section or to prevent a violation of this
521 section. An action for relief may include a permanent or
522 temporary injunction, a restraining order, or any other
523 appropriate order.

524 ~~(9)(6)~~ The division shall adopt by rule a form to elicit
525 specific information concerning the facts and circumstances from
526 a person who claims to have been registered to vote by a third
527 party voter registration organization but who does not appear as
528 an active voter on the voter registration rolls. The division
529 shall also adopt rules to ensure the integrity of the
530 registration process, including controls to ensure that all
531 completed forms are promptly delivered to the division or a
532 supervisor in the county in which the applicant resides.

533 ~~(10)(7)~~ The date on which an applicant signs a voter
534 registration application is presumed to be the date on which the
535 third-party voter registration organization received or
536 collected the voter registration application.

537 (11) A third-party voter registration organization may not
538 mail or otherwise provide a voter registration application upon
539 which any information about an applicant has been filled in
540 before it is provided to the applicant. A third-party voter
541 registration organization that violates this section is liable
542 for a fine in the amount of \$50 for each such application.

543 ~~(12)(8)~~ The requirements of this section are retroactive
544 for any third-party voter registration organization registered
545 with the department as of July 1, 2023 ~~on the effective date of~~
546 ~~this act~~, and must be complied with within 90 days after the
547 department provides notice to the third-party voter registration
548 organization of the requirements contained in this section.
549 Failure of the third-party voter registration organization to
550 comply with the requirements within 90 days after receipt of the
551 notice shall automatically result in the cancellation of the
552 third-party voter registration organization's registration.