



DUVAL COUNTY ELECTION ADVISORY PANEL

MEETING AGENDA

Wednesday, March 14, 2018 3:00 P.M.

Don Davis Room, 1st Floor, City Hall

Research: Jeff Clements, Chief of Research

Members:

Ingrid Montgomery, Chairperson
Justin Portlock, Member
Leon Carrero, Member

Daniel Henry, Vice Chairperson
Hunter Anderson, Member
Charles McWhite, Member

Toni Alfred, Member
John Libby, Member
Jon McGowan, Member

Meeting Convened

Meeting Adjourned

If a person decides to appeal any decision made with respect to any matter considered at such meeting, such person will need a record of the proceedings, and for such purpose, such person may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based.

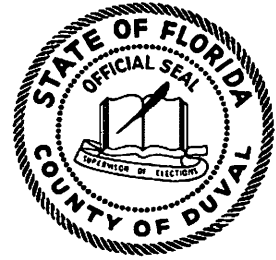
Legislative Authority: Chapter 59, Ordinance Code

Total Members: 9

Committee Duties: Study and make recommendations to the Supervisor of Elections to increase the quality of voter registration and education efforts. Study and make recommendations to the Supervisor of Elections to enhance the voter's election-day experience, including poll worker training, polling locations, ballot styles, and fraud prevention. Evaluate and recommend improvements on the election effectiveness, including number of over votes, under votes and spoiled ballots, voter complaints, and voter turnout. Review and comment on ballot styles, instructions and absentee ballot appearance. Make an annual report to Council on progress, including an incorporation of any statistics, charts, studies, reports, or other data and materials generated.

- I. Quorum – Roll Call
- II. Approval of January 10, 2018 minutes
- III. Supervisor of Elections update
- IV. Old Business
 - Election-related legislation filed for 2018 Florida Legislature
- V. New Business
 - Clarification of EAP's current roles
 - EAP 2017 annual report
 - Potential changes to Ordinance Code Chapter 59 – EAP's legislative authorization
- VI. Public Comments
- VIII. Adjourn

Mike Hogan
Duval County Supervisor of Elections
105 E. Monroe St.
Jacksonville, Florida 32202
Phone: 904-630-1414
Fax: 904-630-2920



March 12, 2018

Dear Registered Voter:

The Duval County Supervisor of Elections has received information from the State of Florida Voter database that your voter information lacks a copy of your original voter registration form with your signature image, or that your signature on file is more than 10 years old. This condition may cause some inconvenience when you attempt to vote in the next election.

We have enclosed a blank voter registration form. Please fill it out as an update, sign with your current signature, and return it to our office at your earliest convenience.

Thank you for your prompt attention to this matter. If you need further explanation, please feel free to call our office at (904) 630-1414 and one of our efficient staff members will be able to assist you.

Very truly yours,

Mike Hogan
Duval County Supervisor of Elections

Enclosure: Voter Registration Application

89-338; s. 555, ch. 95-147; s. 61, ch. 2001-40; s. 28, ch. 2005-277; s. 27, ch. 2011-40.

Note.—Former s. 100.45.

101.151 Specifications for ballots.—

(1)(a) Marksense ballots shall be printed on paper of such thickness that the printing cannot be distinguished from the back and shall meet the specifications of the voting system that will be used to tabulate the ballots.

(b) Early voting sites may employ a ballot-on-demand production system to print individual marksense ballots, including provisional ballots, for eligible electors pursuant to s. 101.657. Ballot-on-demand technology may be used to produce marksense vote-by-mail and election-day ballots.

(2)(a) The ballot must include the following office titles above the names of the candidates for the respective offices in the following order:

1. The office titles of President and Vice President above the names of the candidates for President and Vice President of the United States nominated by the political party that received the highest vote for Governor in the last general election of the Governor in this state, followed by the names of other candidates for President and Vice President of the United States who have been properly nominated.

2. The office titles of United States Senator and Representative in Congress.

3. The office titles of Governor and Lieutenant Governor; Attorney General; Chief Financial Officer; Commissioner of Agriculture; State Attorney, with the applicable judicial circuit; and Public Defender, with the applicable judicial circuit.

4. The office titles of State Senator and State Representative, with the applicable district for the office printed beneath.

5. The office titles of Clerk of the Circuit Court or, when the Clerk of the Circuit Court also serves as the County Comptroller, Clerk of the Circuit Court and Comptroller, when authorized by law; Clerk of the County Court, when authorized by law; Sheriff; Property Appraiser; Tax Collector; District Superintendent of Schools; and Supervisor of Elections.

6. The office titles of Board of County Commissioners, with the applicable district printed beneath each office, and such other county and district offices as are involved in the election, in the order fixed by the Department of State, followed, in the year of their election, by "Party Offices," and thereunder the offices of state and county party executive committee members.

(b) In a general election, in addition to the names printed on the ballot, a blank space shall be provided under each office for which a write-in candidate has qualified. With respect to write-in candidates, if two or more candidates are seeking election to one office, only one blank space shall be provided.

(c) When more than one candidate is nominated for office, the candidates for such office shall qualify and run in a group or district, and the group or district number shall be printed beneath the name of the office. Each nominee of a political party chosen in a primary shall appear on the general election ballot in the same

numbered group or district as on the primary election ballot.

(d) If in any election all the offices as set forth in paragraph (a) are not involved, those offices not to be filled shall be omitted and the remaining offices shall be arranged on the ballot in the order named.

(3)(a) The names of the candidates of the party that received the highest number of votes for Governor in the last election in which a Governor was elected shall be placed first for each office on the general election ballot, together with an appropriate abbreviation of the party name; the names of the candidates of the party that received the second highest vote for Governor shall be placed second for each office, together with an appropriate abbreviation of the party name.

(b) Minor political party candidates shall have their names appear on the general election ballot following the names of recognized political parties, in the same order as they were qualified, followed by the names of candidates with no party affiliation, in the order as they were qualified.

(4)(a) The names of candidates for each office shall be arranged alphabetically as to surnames on a primary election ballot.

(b) When two or more candidates running for the same office on a primary election ballot have the same or a similar surname, the word "incumbent" shall appear next to the incumbent's name.

(5) The primary election ballot shall be arranged so that the offices of Governor and Lieutenant Governor are joined in a single voting space to allow each elector to cast a single vote for the joint candidacies for Governor and Lieutenant Governor, if applicable.

(6) The general election ballot shall be arranged so that the offices of President and Vice President are joined in a single voting space to allow each elector to cast a single vote for the joint candidacies for President and Vice President and so that the offices of Governor and Lieutenant Governor are joined in a single voting space to allow each elector to cast a single vote for the joint candidacies for Governor and Lieutenant Governor.

(7) Except for justices or judges seeking retention, the names of unopposed candidates shall not appear on the general election ballot. Each unopposed candidate shall be deemed to have voted for himself or herself.

(8) In counties subject to multi-language ballot requirements, the supervisor may petition the United States Department of Justice for authorization for the supervisor to print and deliver single-language ballots for each minority language required.

(9)(a) The Department of State shall adopt rules prescribing a uniform primary and general election ballot for each certified voting system. The rules shall incorporate the requirements set forth in this section and shall prescribe additional matters and forms that include, without limitation:

1. Clear and unambiguous ballot instructions and directions;
2. Individual race layout; and
3. Overall ballot layout.

(b) The department rules shall graphically depict a sample uniform primary and general election ballot form for each certified voting system.

History.—s. 35, ch. 4328, 1895; GS 219; s. 1, ch. 5612, 1907; RGS 264; CGL 320; s. 5, ch. 17898, 1937; ss. 2, 3, ch. 25187, 1949; s. 5, ch. 26870, 1951; s. 3, ch. 29937, 1955; s. 1, ch. 57-235; s. 2, ch. 59-334; s. 8, ch. 65-380; s. 1, ch. 65-52; s. 2, ch. 65-60; s. 8, ch. 65-380; s. 4, ch. 67-386; ss. 10, 35, ch. 69-106; s. 8, ch. 69-281; s. 1, ch. 69-380; s. 37, ch. 73-333; s. 1, ch. 77-102; s. 13, ch. 77-175; s. 33, ch. 79-400; s. 6, ch. 81-105; s. 11, ch. 81-304; s. 9, ch. 82-143; s. 20, ch. 89-338; s. 556, ch. 95-147; s. 14, ch. 99-318; s. 11, ch. 99-326; s. 14, ch. 99-355; s. 7, ch. 2001-40; s. 7, ch. 2002-17; s. 29, ch. 2005-277; s. 5, ch. 2007-30; s. 28, ch. 2011-40; s. 5, ch. 2013-57; s. 6, ch. 2013-108; s. 10, ch. 2016-37.

Note.—Former ss. 99.18, 99.171.

101.161 Referenda; ballots.—

(1) Whenever a constitutional amendment or other public measure is submitted to the vote of the people, a ballot summary of such amendment or other public measure shall be printed in clear and unambiguous language on the ballot after the list of candidates, followed by the word “yes” and also by the word “no,” and shall be styled in such a manner that a “yes” vote will indicate approval of the proposal and a “no” vote will indicate rejection. The ballot summary of the amendment or other public measure and the ballot title to appear on the ballot shall be embodied in the constitutional revision commission proposal, constitutional convention proposal, taxation and budget reform commission proposal, or enabling resolution or ordinance. The ballot summary of the amendment or other public measure shall be an explanatory statement, not exceeding 75 words in length, of the chief purpose of the measure. In addition, for every amendment proposed by initiative, the ballot shall include, following the ballot summary, a separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s. 100.371(5). The ballot title shall consist of a caption, not exceeding 15 words in length, by which the measure is commonly referred to or spoken of. This subsection does not apply to constitutional amendments or revisions proposed by joint resolution.

(2) The ballot summary and ballot title of a constitutional amendment proposed by initiative shall be prepared by the sponsor and approved by the Secretary of State in accordance with rules adopted pursuant to s. 120.54. The Department of State shall give each proposed constitutional amendment a designating number for convenient reference. This number designation shall appear on the ballot. Designating numbers shall be assigned in the order of filing or certification and in accordance with rules adopted by the Department of State. The Department of State shall furnish the designating number, the ballot title, and, unless otherwise specified in a joint resolution, the ballot summary of each amendment to the supervisor of elections of each county in which such amendment is to be voted on.

(3)(a) Each joint resolution that proposes a constitutional amendment or revision shall include one or more ballot statements set forth in order of priority. Each ballot statement shall consist of a ballot title, by which the measure is commonly referred to or spoken of, not exceeding 15 words in length, and a ballot summary that describes the chief purpose of the amendment or revision in clear and unambiguous language. If a joint resolution that proposes a constitutional amendment or

revision contains only one ballot statement, the ballot summary may not exceed 75 words in length. If a joint resolution that proposes a constitutional amendment or revision contains more than one ballot statement, the first ballot summary, in order of priority, may not exceed 75 words in length.

(b) The Department of State shall furnish a designating number pursuant to subsection (2) and the appropriate ballot statement to the supervisor of elections of each county. The ballot statement shall be printed on the ballot after the list of candidates, followed by the word “yes” and also by the word “no,” and shall be styled in such a manner that a “yes” vote will indicate approval of the amendment or revision and a “no” vote will indicate rejection.

(c)1. Any action for a judicial determination that one or more ballot statements embodied in a joint resolution are defective must be commenced by filing a complaint or petition with the appropriate court within 30 days after the joint resolution is filed with the Secretary of State. The complaint or petition shall assert all grounds for challenge to each ballot statement. Any ground not asserted within 30 days after the joint resolution is filed with the Secretary of State is waived.

2. The court, including any appellate court, shall accord an action described in subparagraph 1. priority over other pending cases and render a decision as expeditiously as possible. If the court finds that all ballot statements embodied in a joint resolution are defective and further appeals are declined, abandoned, or exhausted, unless otherwise provided in the joint resolution, the Attorney General shall, within 10 days, prepare and submit to the Department of State a revised ballot title or ballot summary that corrects the deficiencies identified by the court, and the Department of State shall furnish a designating number and the revised ballot title or ballot summary to the supervisor of elections of each county for placement on the ballot. The revised ballot summary may exceed 75 words in length. The court shall retain jurisdiction over challenges to a revised ballot title or ballot summary prepared by the Attorney General, and any challenge to a revised ballot title or ballot summary must be filed within 10 days after a revised ballot title or ballot summary is submitted to the Department of State.

(4)(a) For any general election in which the Secretary of State, for any circuit, or the supervisor of elections, for any county, has certified the ballot position for an initiative to change the method of selection of judges, the ballot for any circuit must contain the statement in paragraph (b) or paragraph (c) and the ballot for any county must contain the statement in paragraph (d) or paragraph (e).

(b) In any circuit where the initiative is to change the selection of circuit court judges to selection by merit selection and retention, the ballot shall state: “Shall the method of selecting circuit court judges in the (number of the circuit) judicial circuit be changed from election by a vote of the people to selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people?” This statement must be followed by the word “yes” and also by the word “no.”

(c) In any circuit where the initiative is to change the selection of circuit court judges to election by the voters, the ballot shall state: "Shall the method of selecting circuit court judges in the (number of the circuit) judicial circuit be changed from selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people to election by a vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(d) In any county where the initiative is to change the selection of county court judges to merit selection and retention, the ballot shall state: "Shall the method of selecting county court judges in (name of county) be changed from election by a vote of the people to selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

(e) In any county where the initiative is to change the selection of county court judges to election by the voters, the ballot shall state: "Shall the method of selecting county court judges in (name of the county) be changed from selection by the judicial nominating commission and appointment by the Governor with subsequent terms determined by a retention vote of the people to election by a vote of the people?" This statement must be followed by the word "yes" and also by the word "no."

History.—s. 34, ch. 4328, 1895; GS 218; RGS 262; CGL 318; ss. 1-11, ch. 16180, 1933; s. 1, ch. 16877, 1935; s. 4, ch. 17898, 1937; s. 1, ch. 22626, 1945; s. 5, ch. 26870, 1951; ss. 10, 35, ch. 69-106; s. 1, ch. 73-7; s. 13, ch. 77-175; s. 16, ch. 79-365; s. 2, ch. 80-305; s. 32, ch. 84-302; s. 11, ch. 90-203; s. 10, ch. 99-355; s. 1, ch. 2000-361; s. 4, ch. 2001-75; s. 5, ch. 2002-390; s. 5, ch. 2004-33; s. 11, ch. 2005-2; s. 33, ch. 2005-278; s. 29, ch. 2011-40; s. 6, ch. 2013-57.

Note.—Former s. 99.16.

101.171 Copy of constitutional amendment to be available at voting locations.—Whenever any amendment to the State Constitution is to be voted upon at any election, the Department of State shall have printed and shall furnish to each supervisor of elections a sufficient number of copies of the amendment either in poster or booklet form, and the supervisor shall have a copy thereof conspicuously posted or available at each polling room or early voting area upon the day of election.

History.—s. 1, ch. 5405, 1905; RGS 263; CGL 319; s. 5, ch. 26870, 1951; ss. 10, 35, ch. 69-106; s. 13, ch. 77-175; s. 30, ch. 2005-277.

Note.—Former s. 99.17.

101.20 Publication of ballot form; sample ballots.—

(1) Two sample ballots shall be furnished to each polling place by the officer whose duty it is to provide official ballots. The sample ballots shall be in the form of the official ballot as it will appear at that polling place on election day. Sample ballots shall be open to inspection by all electors in any election, and a sufficient number of reduced-size ballots may be furnished to election officials so that one may be given to any elector desiring same.

(2) Upon completion of the list of qualified candidates, a sample ballot shall be published by the supervisor of elections in a newspaper of general

circulation in the county, before the day of election. A supervisor may send a sample ballot to each registered elector by e-mail at least 7 days before an election if an e-mail address has been provided and the elector has opted to receive a sample ballot by electronic delivery. If an e-mail address has not been provided, or if the elector has not opted for electronic delivery, a sample ballot may be mailed to each registered elector or to each household in which there is a registered elector at least 7 days before an election.

History.—s. 5, ch. 26870, 1951; s. 8, ch. 57-166; s. 9, ch. 65-380; s. 1, ch. 75-174; s. 16, ch. 77-175; s. 2, ch. 2013-192.

101.21 Official ballots; number; printing; payment.—Where applicable, the supervisor of elections shall determine the actual number of ballots to be printed. The printing and delivery of ballots and cards of instruction shall, in a municipal election, be paid for by the municipality, and in all other elections by the county.

History.—ss. 29, 37, ch. 4328, 1895; s. 11, ch. 4537, 1897; GS 211, 222; RGS 255, 267; CGL 311, 323; s. 7, ch. 17898, 1937; s. 2, ch. 24088, 1947; s. 7, ch. 25384, 1949; s. 5, ch. 26870, 1951; s. 10, ch. 65-380; s. 1, ch. 69-281; s. 20, ch. 71-355; s. 16, ch. 77-175; s. 34, ch. 79-400; s. 1, ch. 80-292; s. 48, ch. 81-259; s. 8, ch. 2001-40.

Note.—Former ss. 99.09, 99.21.

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.

History.—s. 58, ch. 4328, 1895; GS 236; RGS 281; CGL 337; s. 5, ch. 26870, 1951; s. 24, ch. 28156, 1953; s. 11, ch. 65-380; s. 16, ch. 77-175; s. 559, ch. 95-147; s. 18, ch. 2008-95.

Note.—Former s. 99.37.

101.24 Ballot boxes and ballots.—The supervisor of elections shall prepare for each polling place one ballot box of sufficient size to contain all the ballots of the particular precinct, and the ballot box shall be plainly marked with the name of the precinct for which it is intended. An additional ballot box, if necessary, may be supplied to any precinct. Before each election, the supervisor shall place in the ballot box or ballot transfer container as many ballots as are required in s. 101.21. After securely sealing the ballot box or ballot transfer container, the supervisor shall send the ballot box or ballot transfer container to the clerk or inspector of election of the precinct in which it is to be used. The clerk or inspector shall be placed under oath or affirmation to perform his or her duties faithfully and without favor or prejudice to any political party.

History.—s. 26, ch. 3879, 1889; RS 180; s. 7, ch. 4328, 1895; s. 7, ch. 4537, 1897; GS 203; RGS 247; CGL 303; s. 1, ch. 17898, 1937; s. 1, ch. 24088, 1947; s. 11, ch. 25035, 1949; s. 1, ch. 25384, 1949; s. 5, ch. 26870, 1951; s. 12, ch. 65-380; s. 16, ch. 77-175; s. 2, ch. 86-200; s. 560, ch. 95-147; s. 9, ch. 2001-40.

Note.—Former s. 99.02.

Official Primary Election Ballot
Full Month Name DD, YYYY
Democratic Party
[insert county name County], Florida

- **Instructions:** To vote, fill in the oval completely (●) next to your choice. Use only the marking device provided or a black or blue pen.
- **If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.**

West Side City Council
 (Vote for up to 3)

- John R. Clark
- Andrew John Fells
- Thaddeus Jones
- Margie Rhoades
- Bud Whitlock

Governor and Lt. Governor
 (Vote for 1)

- Brian P. Moore
Not Yet Designated
- Alex Sink
Not Yet Designated

County Referendum

Appraisals Required for Sale of County Property

The Charter currently provides that no property of the county be sold for less than ninety (90) percent of the appraised value of the property as determined by one (1) appraisal. It is proposed that the Charter be amended to provide that the county obtain at least two (2) appraisals, to more accurately determine the property value.

Attorney General
 (Vote for 1)

- Dan Gelber
- George Sheldon
- Perry E. Thurston

Shall the above described Charter Amendment be adopted?

State Representative District 47
 (Vote for 1)

- Wayne G. Aldrich
- Janice D. Brown
- John Huysman

- Yes
- No

County Commissioner District 1
 (Vote for 1)

- Janet Dawson
- Lucas Weatherington

County Judge Group 10
 (Vote for 1)

- Dick Greco Jr
- Lanell Williams Yulee

School Board Member District 2
 (Vote for 1)

- Frank Hernandez
- Candy Olson

**Official Primary Election Ballot, Full Month Name DD, YYYY
Republican Party, [insert county name County], Florida**

- **Instructions: To vote, fill in the oval completely (●) next to your choice. Use only the marking device provided or a black or blue pen.**
- **If you make a mistake, ask for a new ballot. Do not cross out or your vote may not count.**

Governor and Lt. Governor (Vote for 1)	West Side City Council (Vote for up to 3)
<input type="radio"/> Mike McCalister Not Yet Designated REP <input type="radio"/> Bill McCollum Not Yet Designated REP <input type="radio"/> Rick Scott Not Yet Designated REP	<input type="radio"/> John R. Clark <input type="radio"/> Andrew John Fells <input type="radio"/> Thaddeus Jones <input type="radio"/> Margie Rhoades <input type="radio"/> Bud Whitlock
Attorney General (Vote for 1)	County Referendum
<input type="radio"/> Holly Benson REP <input type="radio"/> Pam Bondi REP	<p>Appraisals Required for Sale of County Property</p> <p>The Charter currently provides that no property of the county be sold for less than ninety (90) percent of the appraised value of the property as determined by one (1) appraisal. It is proposed that the Charter be amended to provide that the county obtain at least two (2) appraisals, to more accurately determine the property value.</p> <p>Shall the above described Charter Amendment be adopted?</p> <input type="radio"/> Yes <input type="radio"/> No
State Representative District 47 Universal Primary Contest (Vote for 1)	
<input type="radio"/> Wayne G. Aldrich DEM <input type="radio"/> Janice D. Brown DEM <input type="radio"/> John Huysman DEM	
County Commissioner District 1 (Vote for 1)	
<input type="radio"/> Josh Burgin REP <input type="radio"/> Mark Sharpe REP	
County Judge Group 10 (Vote for 1)	
<input type="radio"/> Dick Greco Jr <input type="radio"/> Lanell Williams Yulee	
School Board Member District 2 (Vote for 1)	
<input type="radio"/> Frank Hernandez <input type="radio"/> Candy Olson	

SB 0186 Resign-to-run Law

Hutson



Resign-to-run Law; Requiring an officer who qualifies for federal public office to resign from the office he or she presently holds if the terms, or any part thereof, run concurrently; prescribing requirements for the written resignation; providing for an automatic irrevocable resignation in the event of noncompliance, etc. Effective Date: Upon becoming a law
03/08/18 SENATE Enrolled Text (ER) Filed

HB 0085 Voter Registration List Maintenance

Spano



Voter Registration List Maintenance: Authorizes DOS to become member of nongovernmental entity to verify voter registration information; establishes requirements for such memberships; requires DHSMV to provide specified information to DOS; establishes reporting requirements. Effective Date: January 1, 2019
03/09/18 Signed by Officers and presented to Governor (Governor must act on this bill by 03/24/18)

HB 0087 Pub.Rec./Statewide Voter Registration System

Spano



Pub.Rec./Statewide Voter Registration System: Provides exemption from public records requirements for certain information received by DOS from another state or District of Columbia which is confidential or exempt pursuant to laws of that jurisdiction; provides for release of such information to specified persons; provides for future legislative review & repeal of the exemption; provides statement of public necessity. Effective Date: on the same date that CS/HB 85 or similar legislation takes effect
03/09/18 Signed by Officers and presented to Governor (Governor must act on this bill by 03/24/18)

HB 6009 Write-In Candidates

Geller



Write-In Candidates: Repeals provisions relating to write-in candidate residency requirement. Effective Date: upon becoming a law
03/09/18 HOUSE Ordered enrolled

HB 7001 Supermajority Vote for State Taxes or Fees

Ways & Means Committee



Supermajority Vote for State Taxes or Fees: Proposes amendment to State Constitution to prohibit a state tax or fee from being imposed or raised except through legislation approved by two-thirds of each house of legislature; requires a state tax or fee imposed or raised to be contained in separate bill that contains no other subject.
03/05/18 HOUSE Enrolled Text (ER) Filed

ENROLLED

HB 6009

2018 Legislature

1

2 An act relating to write-in candidates; repealing s.
3 99.0615, F.S., relating to write-in candidate
4 residency requirements; providing an effective date.

5

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

7

8 Section 1. Section 99.0615, Florida Statutes, is repealed.

9 Section 2. This act shall take effect upon becoming a law.

Select Year:

The 2017 Florida Statutes

Title IX
ELECTORS AND ELECTIONS

Chapter 99
CANDIDATES

[View Entire Chapter](#)

99.0615 Write-in candidate residency requirements.—At the time of qualification, all write-in candidates must reside within the district represented by the office sought.

History.—s. 56, ch. 2007-30.

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ENROLLED

HJR 7001

2018 Legislature

House Joint Resolution

A joint resolution proposing the creation of section 19 of Article VII of the State Constitution to provide that no state tax or fee may be imposed, authorized, or raised by the legislature except through legislation approved by two-thirds of the membership of each house of the legislature and presented to the Governor for approval; providing for applicability; providing definitions; requiring any tax or fee imposed or raised under this section to be contained in a separate bill that contains no other subject.

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

That the following creation of Section 19 of Article VII of the State Constitution is agreed to and shall be submitted to the electors of this state for approval or rejection at the next general election or at an earlier special election specifically authorized by law for that purpose:

ARTICLE VII

FINANCE AND TAXATION

SECTION 19. Supermajority vote required to impose, authorize, or raise state taxes or fees.-

(a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW STATE TAX OR FEE. No new state tax or fee may be imposed or

ENROLLED

HJR 7001

2018 Legislature

26 authorized by the legislature except through legislation
 27 approved by two-thirds of the membership of each house of the
 28 legislature and presented to the Governor for approval pursuant
 29 to Article III, Section 8.

30 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
 31 FEES. No state tax or fee may be raised by the legislature
 32 except through legislation approved by two-thirds of the
 33 membership of each house of the legislature and presented to the
 34 Governor for approval pursuant to Article III, Section 8.

35 (c) APPLICABILITY. This section does not authorize the
 36 imposition of any state tax or fee otherwise prohibited by this
 37 Constitution, and does not apply to any tax or fee imposed by,
 38 or authorized to be imposed by, a county, municipality, school
 39 board, or special district.

40 (d) DEFINITIONS. As used in this section, the following
 41 terms shall have the following meanings:

42 (1) "Fee" means any charge or payment required by law,
 43 including any fee for service, fee or cost for licenses, and
 44 charge for service.

45 (2) "Raise" means:

46 a. To increase or authorize an increase in the rate of a
 47 state tax or fee imposed on a percentage or per mill basis;

48 b. To increase or authorize an increase in the amount of a
 49 state tax or fee imposed on a flat or fixed amount basis; or

50 c. To decrease or eliminate a state tax or fee exemption

ENROLLED

HJR 7001

2018 Legislature

51 or credit.

52 (e) SINGLE-SUBJECT. A state tax or fee imposed,
53 authorized, or raised under this section must be contained in a
54 separate bill that contains no other subject.

55
56 BE IT FURTHER RESOLVED that the following statement be
57 placed on the ballot:

58 CONSTITUTIONAL AMENDMENT

59 ARTICLE VII, SECTION 19

60 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, OR RAISE
61 STATE TAXES OR FEES.—Prohibits the legislature from imposing,
62 authorizing, or raising a state tax or fee except through
63 legislation approved by a two-thirds vote of each house of the
64 legislature in a bill containing no other subject. This proposal
65 does not authorize a state tax or fee otherwise prohibited by
66 the Constitution and does not apply to fees or taxes imposed or
67 authorized to be imposed by a county, municipality, school
68 board, or special district.

69
70 BE IT FURTHER RESOLVED that the following statement be
71 placed on the ballot if a court declares the preceding statement
72 defective and the decision of the court is not reversed:

73 CONSTITUTIONAL AMENDMENT

74 ARTICLE VII, SECTION 19

75 SUPERMAJORITY VOTE REQUIRED TO IMPOSE, AUTHORIZE, OR RAISE

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HJR 7001

2018 Legislature

76 STATE TAXES OR FEES.—Proposing the following amendment to the
77 State Constitution:

78 ARTICLE VII

79 FINANCE AND TAXATION

80 SECTION 19. Supermajority vote required to impose,
81 authorize, or raise state taxes or fees.—

82 (a) SUPERMAJORITY VOTE REQUIRED TO IMPOSE OR AUTHORIZE NEW
83 STATE TAX OR FEE. No new state tax or fee may be imposed or
84 authorized by the legislature except through legislation
85 approved by two-thirds of the membership of each house of the
86 legislature and presented to the Governor for approval pursuant
87 to Article III, Section 8.

88 (b) SUPERMAJORITY VOTE REQUIRED TO RAISE STATE TAXES OR
89 FEES. No state tax or fee may be raised by the legislature
90 except through legislation approved by two-thirds of the
91 membership of each house of the legislature and presented to the
92 Governor for approval pursuant to Article III, Section 8.

93 (c) APPLICABILITY. This section does not authorize the
94 imposition of any state tax or fee otherwise prohibited by this
95 Constitution, and does not apply to any tax or fee imposed by,
96 or authorized to be imposed by, a county, municipality, school
97 board, or special district.

98 (d) DEFINITIONS. As used in this section, the following
99 terms shall have the following meanings:

100 (1) "Fee" means any charge or payment required by law,

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101 including any fee for service, fee or cost for licenses, and
102 charge for service.

103 (2) "Raise" means:

104 a. To increase or authorize an increase in the rate of a
105 state tax or fee imposed on a percentage or per mill basis;

106 b. To increase or authorize an increase in the amount of a
107 state tax or fee imposed on a flat or fixed amount basis; or

108 c. To decrease or eliminate a state tax or fee exemption
109 or credit.

110 (e) SINGLE-SUBJECT. A state tax or fee imposed,
111 authorized, or raised under this section must be contained in a
112 separate bill that contains no other subject.

ENROLLED

CS/HB 85, Engrossed 1

2018 Legislature

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An act relating to voter registration list maintenance; amending s. 98.075, F.S.; authorizing the Department of State to become a member of a nongovernmental entity to verify voter registration information; establishing requirements for such membership; requiring the Department of Highway Safety and Motor Vehicles to provide specified information to the Department of State; establishing reporting requirements; providing an effective date.

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

Section 1. Subsection (2) of section 98.075, Florida Statutes, is amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(2) DUPLICATE REGISTRATION.—

(a) The department shall identify those voters who are registered more than once or those applicants whose registration applications within the state would result in duplicate registrations. The most recent application shall be deemed an update to the voter registration record.

(b)1. The department may become a member of a nongovernmental entity whose sole purpose is to share and

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2018 Legislature

26 exchange information in order to verify voter registration
 27 information. The membership of the nongovernmental entity must
 28 be composed solely of election officials of state governments,
 29 except that such membership may also include election officials
 30 of the District of Columbia. If the department intends to become
 31 a member of such a nongovernmental entity, the agreement to join
 32 the entity must require that the Secretary of State, or his or
 33 her designee, serve as a full member with voting rights on the
 34 nongovernmental entity's board of directors within 12 months
 35 after joining the entity.

36 2. The department may share confidential and exempt
 37 information after becoming a member of a nongovernmental entity
 38 as provided in subparagraph 1. if:

39 a. Each member of the nongovernmental entity agrees to
 40 maintain the confidentiality of such information as required by
 41 the laws of the jurisdiction providing the information; or

42 b. The bylaws of the nongovernmental entity require member
 43 jurisdictions and the entity to maintain the confidentiality of
 44 information as required by the laws of the jurisdiction
 45 providing the information.

46 3. The department may only become a member of a
 47 nongovernmental entity as provided in subparagraph 1. if the
 48 entity is controlled and operated by the participating
 49 jurisdictions. The entity may not be operated or controlled by
 50 the Federal Government or any other entity acting on behalf of

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51 the Federal Government. The department must be able to withdraw
 52 at any time from any such membership entered into.

53 4. If the department becomes a member of a nongovernmental
 54 entity as provided in subparagraph 1., the Department of Highway
 55 Safety and Motor Vehicles must, pursuant to a written agreement
 56 with the department, provide driver license or identification
 57 card information to the department for the purpose of sharing
 58 and exchanging voter registration information with the
 59 nongovernmental entity.

60 5. If the department becomes a member of a nongovernmental
 61 entity as provided in subparagraph 1., the department must
 62 submit a report to the Governor, the President of the Senate,
 63 and the Speaker of the House of Representatives by December 1 of
 64 each year. The report must describe the terms of the
 65 nongovernmental entity membership and provide information on the
 66 total number of voters removed from the voter registration
 67 system as a result of the membership and the reasons for their
 68 removal.

69 Section 2. This act shall take effect January 1, 2019.

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CS/HB 87

2018 Legislature

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An act relating to public records; amending s. 98.075, F.S.; providing an exemption from public records requirements for certain information received by the Department of State from another state or the District of Columbia which is confidential or exempt pursuant to the laws of that jurisdiction; providing for release of such information to specified persons; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing a contingent effective date.

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

Section 1. Paragraph (c) is added to subsection (2) of section 98.075, Florida Statutes, as amended by CS/HB 85, 2018 Regular Session, to read:

98.075 Registration records maintenance activities; ineligibility determinations.-

(2) DUPLICATE REGISTRATION.-

(c) Information received by the department from another state or the District of Columbia upon the department becoming a member of a nongovernmental entity as provided in subparagraph (b)1., which is confidential or exempt pursuant to the laws of that state or the District of Columbia, is exempt from s.

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26 119.07(1) and s. 24(a), Art. I of the State Constitution. The
 27 department shall provide such information to the supervisors to
 28 conduct registration list maintenance activities. This paragraph
 29 is subject to the Open Government Sunset Review Act in
 30 accordance with s. 119.15 and shall stand repealed on October 2,
 31 2023, unless reviewed and saved from repeal through reenactment
 32 by the Legislature.

33 Section 2. The Legislature finds that it is a public
 34 necessity that information received by the Department of State
 35 from another state or the District of Columbia pursuant to its
 36 membership in a nongovernmental entity as provided in s.
 37 98.075(2)(b), Florida Statutes, which is confidential or exempt
 38 pursuant to the laws of that state or the District of Columbia,
 39 be made exempt from s. 119.07(1), Florida Statutes, and s.
 40 24(a), Article I of the State Constitution. Becoming a member of
 41 a nongovernmental entity for the purpose of sharing and
 42 exchanging information to verify voter registration information
 43 is critical to ensuring the accuracy of the statewide voter
 44 registration system. Maintaining an accurate statewide voter
 45 registration system is critical to fair elections in this state.
 46 Without the public records exemption, the department will be
 47 unable to receive information from other states or the District
 48 of Columbia which might otherwise be confidential or exempt
 49 pursuant to the laws of those jurisdictions, which would impair
 50 the ability of the department and supervisors of elections to

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51 maintain accurate voter rolls. As a result, the effective and
52 efficient administration of the statewide voter registration
53 system would be hindered. For these reasons, the Legislature
54 finds that it is a public necessity to maintain the exempt
55 status of such information received by the department.

56 Section 3. This act shall take effect on the same date
57 that CS/HB 85 or similar legislation takes effect, if such
58 legislation is adopted in the same legislative session or an
59 extension thereof and becomes a law.

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1 A bill to be entitled
2 An act relating to the resign-to-run law; amending s.
3 99.012, F.S.; requiring an officer who qualifies for
4 federal public office to resign from the office he or
5 she presently holds if the terms, or any part thereof,
6 run concurrently; prescribing requirements for the
7 written resignation; providing for an automatic
8 irrevocable resignation in the event of noncompliance;
9 specifying that a resignation creates a vacancy in
10 office; revising an exception to the resign-to-run
11 law; amending s. 121.121, F.S.; conforming a cross-
12 reference; providing an effective date.

13
14 Be It Enacted by the Legislature of the State of Florida:

15
16 Section 1. Present subsections (4) through (7) of section
17 99.012, Florida Statutes, are renumbered as subsections (5)
18 through (8), respectively, a new subsection (4) is added to that
19 section, and present subsection (7) of that section is amended,
20 to read:

21 99.012 Restrictions on individuals qualifying for public
22 office.-

23 (4) (a) Any officer who qualifies for federal public office
24 must resign from the office he or she presently holds if the
25 terms, or any part thereof, run concurrently with each other.

26 (b) The resignation is irrevocable.

27 (c) The resignation must be submitted at least 10 days
28 before the first day of qualifying for the office he or she
29 intends to seek.

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30 (d) The written resignation must be effective no later than
31 the earlier of the following dates:

32 1. The date the officer would take office, if elected; or

33 2. The date the officer's successor is required to take
34 office.

35 (e)1. An elected district, county, or municipal officer
36 shall submit his or her resignation to the officer before whom
37 he or she qualified for the office he or she holds, with a copy
38 to the Governor and the Department of State.

39 2. An appointed district, county, or municipal officer
40 shall submit his or her resignation to the officer or authority
41 which appointed him or her to the office he or she holds, with a
42 copy to the Governor and the Department of State.

43 3. All other officers shall submit their resignations to
44 the Governor with a copy to the Department of State.

45 (f)1. The failure of an officer who qualifies for federal
46 public office to submit a resignation pursuant to this
47 subsection constitutes an automatic irrevocable resignation,
48 effective immediately, from the office he or she presently
49 holds.

50 2. The Department of State shall send a notice of the
51 automatic resignation to the Governor, and in the case of a
52 district, county, or municipal officer, a copy to:

53 a. The officer before whom he or she qualified if the
54 officer held an elective office; or

55 b. The officer or authority who appointed him or her if the
56 officer held an appointive office.

57 (g) Notwithstanding the provisions of any special act to
58 the contrary, with regard to an elective office, the resignation

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59 creates a vacancy in office to be filled by election, thereby
60 authorizing persons to qualify as candidates for nomination and
61 election as if the officer's term were otherwise scheduled to
62 expire. With regard to an elective charter county office or
63 elective municipal office, the vacancy created by the officer's
64 resignation may be filled for that portion of the officer's
65 unexpired term in a manner provided by the respective charter.
66 The office is deemed vacant upon the effective date of the
67 resignation submitted by the official in his or her letter of
68 resignation.

69 (8) ~~(7)~~ Subsections ~~Nothing contained in subsection~~ (3) and
70 (4) do not apply ~~relates~~ to persons holding any federal office
71 ~~or seeking the office of President or Vice President.~~ Subsection
72 (4) does not apply to an elected officer if the term of the
73 office that he or she presently holds is scheduled to expire and
74 be filled by election in the same primary and general election
75 period as the federal office he or she is seeking.

76 Section 2. Subsection (2) of section 121.121, Florida
77 Statutes, is amended to read:

78 121.121 Authorized leaves of absence.—

79 (2) A member who is required to resign his or her office as
80 a subordinate officer, deputy sheriff, or police officer because
81 he or she is a candidate for a public office which is currently
82 held by his or her superior officer who is also a candidate for
83 reelection to the same office, in accordance with s. 99.012(5)
84 ~~s. 99.012(4)~~, shall, upon return to covered employment, be
85 eligible to purchase retirement credit for the period between
86 his or her date of resignation and the beginning of the term of
87 office for which he or she was a candidate as a leave of absence

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88 without pay, as provided in subsection (1).

89 Section 3. This act shall take effect upon becoming a law.