

## CHAPTER 2025-21

### Committee Substitute for House Bill No. 1205

An act relating to amendments to the State Constitution; providing legislative findings and intent; amending s. 15.21, F.S.; requiring the Secretary of State to have received the ballot summary and the full text of the proposed revision or amendment to the State Constitution from the sponsor and to have received the financial impact statement from the Financial Impact Estimating Conference before submitting an initiative petition to the Attorney General; conforming a cross-reference; amending s. 16.061, F.S.; revising the criteria that the Attorney General uses when petitioning the Supreme Court for an advisory opinion related to a proposed revision or amendment to the State Constitution; requiring that a copy of the petition form be provided to the sponsor of the initiative petition; conforming a cross-reference; making a technical change; amending s. 97.021, F.S.; revising the definition of the term “petition circulator”; reenacting and amending s. 99.097, F.S.; conforming a cross-reference; conforming provisions to changes made by the act; amending s. 100.371, F.S.; requiring the sponsor of an initiative petition to obtain a certain letter periodically; providing that a failure to obtain such letter results in the expiration of the initiative’s signatures and disbanding of the sponsor’s political committee; providing that certain initiative petition signatures expire and that the sponsor’s political committee is disbanded under specified conditions; providing that such sponsor is not precluded from refiling the proposed amendment as a new petition; prohibiting a sponsor from sponsoring more than one initiative amendment; requiring a sponsor to register as a political committee and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State; requiring that all information be available in alternative formats upon request; requiring the secretary to assign a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and a certain estimate; requiring the Division of Elections to publish the forms on which petition signatures must be fixed; deleting a requirement that the secretary adopt certain rules; providing requirements, which are effective on a specified date, for the petition forms; prohibiting persons, beginning on a specified date, from collecting, delivering, or otherwise physically possessing more than a specified number of signed petition forms if they have not registered with the Secretary of State as a petition circulator and have not been issued a petition circulator number; authorizing specified persons to collect signed petitions forms from their immediate family under specified circumstances; providing construction; defining the term “immediate family”; prohibiting certain persons from collecting signatures or initiative petitions; requiring that applications for registration include specified information; authorizing citizens to challenge a petition circulator’s registration by filing a petition in circuit court; authorizing the

court to enjoin the petition circulator from collecting signatures or petition forms until registered; authorizing the division to revoke a petition circulator's registration under specified circumstances; prohibiting persons from registering to collect signatures or initiative petitions until they complete a required training; providing the requirements for such training; providing civil penalties for the sponsors of initiative amendments that knowingly allow persons to collect petition forms on their behalf and violate specified provisions; prohibiting a sponsor from compensating a petition circulator based on the number of petition forms gathered or the time within which such forms are gathered; providing construction; requiring the division to make forms available to registered petition circulators in a certain format; deleting a requirement that supervisors of elections provide the division information on petition forms assigned to them; requiring sponsors to deliver forms promptly to the supervisor of elections in the county in which a voter resides within a specified timeframe after the form is signed; revising the civil penalties for failing to deliver forms within the prescribed timeframes; providing civil penalties for the sponsors of petitions if the person collecting petition forms on behalf of the sponsor signs the name of another, signs a fictitious name, or fills in missing information on the signed petition form; providing criminal penalties for persons who, while collecting petition forms, copy or retain a voter's personal identifying information for a reason other than to provide such information to the sponsor of an initiative petition; providing civil penalties for sponsors who mail or provide prefilled initiative petitions; providing that sponsors that discover and report a violation as soon as practicable may not be fined for such violation; requiring the supervisor to record the date a submitted petition is received; requiring the supervisor to notify the division of any misfiled petition; revising the conditions under which a supervisor verifies signatures to include processing of a certain fee; requiring supervisors, beginning on a specified date, to promptly record, in a specified manner, the date each form is received and the date the form is verified as valid; revising the conditions under which a supervisor may verify a signature on an initiative petition form; requiring supervisors to electronically transmit digital images, which must meet a specified standard, of all received petition forms to the division; requiring that such forms be identified as valid or invalid; requiring supervisors to retain all petition forms and identify those forms verified as valid from those deemed invalid until such forms are processed; requiring supervisors to deliver physical forms to the division; requiring the division to retain such forms for a specified timeframe; requiring supervisors to send a notice, which may be returned to the Office of Election Crimes and Security, to voters after their signature is verified, beginning on a specified date; providing requirements for such notice; requiring the Office of Election Crimes and Security to transmit copies of returned notices, upon receipt, to the division; requiring the division to deem the voter petition form invalid if a completed notice is received; providing that supervisors of elections are required to post on their websites the actual costs of signature verification for all petition forms, and that they may increase such costs annually by a

specified date; specifying that such costs include costs related to certain actions; requiring supervisors to notify the Office of Election Crimes and Security under a specified condition; requiring the office to conduct specified preliminary investigations; authorizing the office to report findings of such investigations to the statewide prosecutor or a certain state attorney; providing that a signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated; revising information related to signature verification which must be posted on the division's website; requiring the Secretary of State to rescind the certificate of ballot position if an advisory opinion from the Supreme Court deems the initiative petition invalid; requiring the Financial Impact Estimating Conference to submit the financial impact statement to the Secretary of State; requiring that a certain statement be included on the ballot if the conference does not complete an analysis and financial impact statement within a specified timeframe; providing that only the President of the Senate and the Speaker of the House of Representatives, jointly, may convene the conference; revising the membership of the conference; deleting a provision authorizing the court to remand the financial impact statement to the conference to be redrafted; requiring that such statement appear on the petition form and ballot; requiring a sponsor to refile a petition as a new petition under certain circumstances; deleting a provision that deems financial impact statements approved for placement on the ballot under certain circumstances; requiring the Department of State to update petition forms by a specified date; requiring the department to make the petition circulator application available by a specified date; providing that each petition circulator registration expires on a specified date; requiring the department to notify such petition circulators of the expiration of their registration by a specified date; requiring the department to develop a certain training within a specified timeframe; authorizing supervisors of elections to increase the costs of signature verification before a specified date; requiring the supervisors to post such cost on their publicly available websites as soon as the cost is determined; amending s. 101.161, F.S.; requiring that a certain statement be included on the ballot if a financial impact statement was not produced or the Financial Impact Estimating Conference did not meet to produce one; conforming a cross-reference; amending s. 102.111, F.S.; requiring the Elections Canvassing Commission to certify the returns of constitutional amendments; amending s. 102.121, F.S.; requiring the commission to make and sign separate certificates for constitutional amendments; providing requirements for such certificates; amending s. 102.168, F.S.; providing for standing to contest the adoption of a constitutional amendment by any qualified voter or taxpayer; revising the grounds on which such parties may contest an election or a constitutional amendment; providing that the commission and the sponsor of the amendment are indispensable parties in any such action; amending s. 104.185, F.S.; providing criminal penalties for persons who fill in missing information on a signed petition form to secure a ballot position for a candidate, a minor political party, or an issue; amending s. 104.186, F.S.; providing criminal penalties for persons who compensate others based on the number of

petition forms gathered, as prohibited by a specified section; amending s. 104.187, F.S.; conforming a cross-reference; creating s. 104.188, F.S.; defining the term “immediate family”; providing criminal penalties for certain persons who collect, deliver, or otherwise physically possess more than a certain number of signed petition forms other than their own or forms belonging to an immediate family member; providing construction; creating s. 106.151, F.S.; defining the term “public funds”; prohibiting an entity of state government or a person acting on behalf of such entity from expending or authorizing the expenditure of public funds for political advertisements or other communications sent to electors concerning a proposed constitutional amendment or revision; providing applicability; providing construction; amending s. 106.19, F.S.; providing that political committees sponsoring a constitutional amendment are liable for specified civil fines for submitting petition forms that do not provide the name and address of the petition circulator gathering such forms, regardless of whether the petition circulator is paid; amending s. 212.055, F.S.; conforming a cross-reference; amending s. 895.02, F.S.; revising the definition of the term “racketeering activity” to provide criminal and civil penalties for violations of the Florida Election Code relating to irregularities or fraud involving issue petition activities; prohibiting the verification of a signed petition form for a specified timeframe; providing construction; providing effective dates.

WHEREAS, the Legislature and the Secretary of State, in their official capacities, have the duty and obligation to ensure ballot integrity and a valid election process, and

WHEREAS, ballot integrity is necessary to ensure the effectiveness of the constitutionally provided initiative process, and

WHEREAS, investigations conducted by the Office of Election Crimes and Security have shown that agents of political committees sponsoring initiative petitions engaged in illegal and fraudulent activities while gathering petition signatures in the lead-up to recent elections, and

WHEREAS, the evidence brought forward indicates numerous instances of petition circulators being paid per signature, signing petition forms on behalf of deceased individuals, forging or misrepresenting voter signatures on petition forms, using voters’ personal identifying information without consent, committing perjury, and swearing false oaths, and

WHEREAS, compensating a petition circulator based on the number of petition forms gathered is a violation of s. 104.186, Florida Statutes; signing another person’s name, whether dead or alive, or a fictitious name on a petition form is a violation of s. 104.185(2), Florida Statutes; and perjury or swearing a false oath is a violation of s. 837.02(1), Florida Statutes, and all such violations are third degree felonies under Florida law, and

WHEREAS, fraudulently using another individual's personal identification without his or her consent is a violation of s. 817.568, Florida Statutes, and is, at minimum, a third degree felony, and

WHEREAS, the fraudulent use of another individual's personal identifying information becomes a second degree felony with a 3-year mandatory minimum prison sentence if the violation involves the information of more than 10 but fewer than 20 persons, a 5-year mandatory minimum prison sentence if the violation involves the information of more than 20 but fewer than 30 persons, and a 10-year mandatory minimum prison sentence if the violation involves the information of more than 30 persons, and

WHEREAS, despite the fiduciary duty prescribed by Florida law, sponsors of initiative petitions have failed to cooperate with investigations and have attempted to deflect responsibility for the actions of petition circulators to contractors and subcontractors, with the sponsors denying that they have custody or control of documents requested by state officials, and

WHEREAS, sponsors, contractors, and petition circulators have blatantly attempted to evade investigation by delegating key aspects of petition activities to out-of-state entities, who then subcontracted with other individuals who were even further outside the reach of Florida authorities, and

WHEREAS, evidence provided to the Office of Election Crimes and Security by supervisors of elections in several counties showed that petition circulators submitted petition forms on behalf of more than 50 deceased Floridians, and

WHEREAS, information provided to the Office of Election Crimes and Security from multiple supervisors of elections and individual Florida voters showed that petition circulators committed perjury and swore false oaths by distributing petition forms with pre-signed attestations to groups of unregistered circulators, who then obtained signatures outside the registered circulator's presence, and

WHEREAS, investigations revealed that after petition forms were signed and submitted by voters, petition circulators tampered with the signed forms by using a website to obtain missing personal identifying information, and then filled in the incomplete petition forms, and

WHEREAS, investigations indicated that some otherwise valid petition forms were obtained by fraud, with circulators misleading prospective signatories by telling them that the amendment did something other than what was described in the ballot summary or amendment language, or not showing the signatories what was on the ballot at all, and

WHEREAS, evidence showed that petition circulators were able to obtain the four necessary elements of personal identifying information required on petitions — name, address, voter registration number or birthdate, and

signature — using publicly available data to commit identity theft and complete dozens, hundreds, or even thousands of petitions without ever actually circulating a petition, and

WHEREAS, the Office of Election Crimes and Security received complaints from many Florida voters whose information was fraudulently submitted on forms for at least four initiative petitions circulated for inclusion in the 2024 General Election, and

WHEREAS, many of those complaints arose because some supervisors of elections notified a voter when a petition form bearing his or her name was rejected, which prompted such voters to contact the supervisor of elections or the Office of Election Crimes and Security to report potential fraud, and

WHEREAS, Florida does not currently restrict eligibility of persons to register as petition circulators, even in cases where such persons are not United States citizens, reside in another state, or have been convicted of a felony but have not had their right to vote restored, and

WHEREAS, at least one sponsor of an initiative amendment circulated during the 2024 General Election cycle settled a complaint with the Office of Election Crimes and Security for violations related to the petition process and agreed to pay \$164,000 in fines, and

WHEREAS, existing fines and penalties levied against petition sponsors engaging in, encouraging, or, at the very least, turning a blind eye to illegal activities related to the petition process appear to be inadequate deterrents, and

WHEREAS, given its constitutional underpinnings, the right to propose an initiative by petition is inherent and absolute, but subject to reasonable regulations as necessary to ensure ballot integrity and a valid election process, NOW, THEREFORE,

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

Section 1. (1) The Legislature finds that the power to propose an amendment to the State Constitution is reserved to the people of Florida consistent with s. 3, Article XI of the State Constitution. Evidence of fraud related to the process of gathering signatures on petitions for constitutional amendments compels the Legislature to act to protect the integrity of the ballot, ensure a valid election process, and protect the constitutionally provided initiative process.

(2) It is the intent of the Legislature to update the reasonable regulations in place for petition circulators, increase transparency and accountability for sponsors of initiative petitions, provide prospective signatories with objective information regarding the impact of a proposed amendment, and deter, prevent, and penalize fraudulent activities related to initiative petitions.

Section 2. Subsections (1) and (2) of section 15.21, Florida Statutes, are amended to read:

15.21 Initiative petitions; s. 3, Art. XI, State Constitution.—

(1) The Secretary of State shall immediately submit an initiative petition to the Attorney General if the sponsor has:

(a) Registered as a political committee pursuant to s. 106.03;

(b) Submitted the ballot title, ballot summary substance, and full text of the proposed revision or amendment to the Secretary of State, who has received a financial impact statement pursuant to ss. 100.371 and 101.161; and

(c) Obtained a letter from the Division of Elections confirming that the sponsor has submitted to the appropriate supervisors for verification, and the supervisors have verified, forms signed and dated equal to 25 percent of the number of electors statewide required by s. 3, Art. XI of the State Constitution in one-half of the congressional districts of the state.

(2) If the Secretary of State has submitted an initiative petition to the Attorney General pursuant to subsection (1) but the validity of the signatures for such initiative petition has expired pursuant to s. 100.371(14)(a) ~~s. 100.371(11)(a)~~ before securing ballot placement, the Secretary of State must promptly notify the Attorney General. The Secretary of State may resubmit the initiative petition to the Attorney General if the initiative petition is later circulated for placement on the ballot of a subsequent general election and the criteria under subsection (1) are satisfied.

Section 3. Subsections (1), (2), and (3) of section 16.061, Florida Statutes, are amended to read:

16.061 Initiative petitions.—

(1) The Attorney General shall, within 30 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, petition the Supreme Court, requesting an advisory opinion regarding the compliance of the text of the proposed amendment or revision with s. 3, Art. XI of the State Constitution, whether the proposed amendment is facially invalid under the United States Constitution, and the compliance of the proposed ballot title and substance with s. 101.161, and the compliance of the financial impact statement with s. 100.371(16). The petition may enumerate any specific factual issues that the Attorney General believes would require a judicial determination.

(2) A copy of the petition shall be provided to the Secretary of State and ~~the principal officer of the sponsor of the initiative petition.~~

(3) Any financial fiscal impact statement that the Supreme Court finds not to be in accordance with s. 100.371(16) must ~~s. 100.371~~ shall be remanded solely to the Financial Impact Estimating Conference for redrafting.

Section 4. Effective July 1, 2025, subsection (28) of section 97.021, Florida Statutes, is amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(28) “Petition circulator” means an entity or individual who collects signatures ~~for compensation~~ for the purpose of qualifying a proposed constitutional amendment for ballot placement. The term does not include a person who collects, delivers, or otherwise physically possesses no more than 25 signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to the person’s spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person’s spouse.

Section 5. Paragraphs (a) and (d) of subsection (4) of section 99.097, Florida Statutes, are amended, and paragraph (b) of subsection (1) of that section is reenacted, to read:

99.097 Verification of signatures on petitions.—

(1)

(b) Rules and guidelines for petition verification shall be adopted by the Department of State. Rules and guidelines for a random sample method of verification may include a requirement that petitions bear an additional number of names and signatures, not to exceed 15 percent of the names and signatures otherwise required. If the petitions do not meet such criteria or if the petitions are prescribed by s. 100.371, the use of the random sample method of verification is not available to supervisors.

(4)(a) The supervisor must be paid in advance the sum of 10 cents for each signature checked or the actual cost of checking such signature, whichever is less, by the candidate or, in the case of a petition to have a local issue placed on the ballot, by the person or organization submitting the petition. In the case of a petition to place a statewide issue on the ballot, the person or organization submitting the petition must pay the supervisor in advance the cost posted by the supervisor pursuant to s. 100.371(14) ~~s. 100.371(11)~~ for the actual cost of checking signatures to place a statewide issue on the ballot.

(d) Except as provided in s. 100.371(14)(d), petitions must be retained by the supervisors for a period of 1 year following the election for which the petitions were circulated.

Section 6. Section 100.371, Florida Statutes, is amended to read:



100.371 Initiatives; procedure for placement on ballot.—

(1)(a) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of voters electors under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. 15.21(1)(c). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. 15.21(1)(c) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refileing the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment ~~may not sponsor more than one amendment and must shall, before circulating any petition forms prior to obtaining any signatures,~~ register as a political committee pursuant to s. 106.03 and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats, with the form on which the signatures will be affixed, and shall obtain the approval of the Secretary of State of such form. Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed The Secretary of State shall adopt rules pursuant to s. 120.54 prescribing the style and requirements of such form. Upon filing with the Secretary of State, the text of the proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats.

(3)(a) Beginning July 1, 2025, the petition form must prominently display all of the following:

1. The petition number.
2. The ballot title.

3. The ballot summary.
  4. A notice that the form becomes a public record upon receipt by the supervisor.
  5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.
  6. A notice that the form will not be validated if all of the requested information is not completed.
  7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the financial impact statement.
- (b) The petition form must also include all of the following:
1. The full text of the proposed amendment.
  2. The name and address of the sponsor.
  3. The date received by the Secretary of State.
  4. A bar code or serial number associated with the initiative petition.
- (c) The petition form must solicit and require all of the following information:
1. The full name of the voter.
  2. The voter's address and county of legal residence.
  3. The voter's Florida voter registration number or date of birth.
  4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. 322.051, or the last four digits of the voter's social security number.
  5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.
  6. The voter's signature and the date on which the voter signed the form.
- (d) A petition form distributed by a petition circulator must also include all of the following:
1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.
  2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than 25 signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect, deliver, or otherwise physically possess more than 25 signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. This paragraph may not be construed to prohibit a person from distributing petition forms designated for personal use as described in paragraph (3)(e). For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse signatures or initiative petitions for compensation unless the person is registered as a petition circulator with the Secretary of State.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.

2. Is not a citizen of the United States.

3. Is not a resident of this state.

~~(b) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions for compensation until she or he is lawfully registered.~~

(c)(4) An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1.(a) The information required to be on the petition form under s. 101.161, including the ballot summary and title as received ~~approved~~ by the Secretary of State.

2.(b) The applicant's name, permanent address, temporary address, if applicable, and date of birth, Florida driver license or Florida identification card number, and the last four digits of his or her social security number.

3.(e) An address in this state at which the applicant will accept service of process related to disputes concerning the petition process, ~~if the applicant is not a resident of this state.~~

4.(d) A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.

5.(e) Any information required by the Secretary of State to verify the applicant's identity or address.

6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.

7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.

8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the state of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the state of Florida.

9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. 104.011, by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.
2. An overview of the petition circulator registration requirements.
3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.
4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.
5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of \$50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered. All petitions collected by a petition circulator must contain, in a format required by the Secretary of State, a completed Petition Circulator's Affidavit which includes:

~~(a) The circulator's name and permanent address;~~

~~(b) The following statement, which must be signed by the circulator:~~

~~By my signature below, as petition circulator, I verify that the petition was signed in my presence. Under penalties of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit and the facts stated in it are true.~~

~~(6) The division or the supervisor of elections shall make hard copy petition forms or electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to whom which the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms assigned~~

~~to and~~ received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the voter elector signing the petition form and shall ensure, ensuring that any petition form entrusted to the sponsor or petition circulator ~~is~~ shall be promptly delivered to the supervisor of elections in the county in which the voter resides within 10 30 days after the voter elector signs the form. If a petition form collected by the sponsor or any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of \$50 per each day late for each petition form received by the supervisor of elections in the county in which the voter resides more than 10 30 days after the voter elector signed the petition form or the next business day, if the office is closed. A fine in the amount of \$2,500 \$250 for each petition form received if the sponsor or petition circulator acted willfully.

2. A fine in the amount of \$100 per each day late, up to a maximum of \$5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of \$5,000 for each such petition form received if the sponsor or petition circulator acted willfully.

3. A fine in the amount of \$500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections in the county in which the voter resides. A fine in the amount of \$5,000 \$1,000 for any petition form not so submitted if the sponsor or petition circulator acting on its behalf acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. 104.185(2), the sponsor of the initiative petition is liable for a fine in the amount of \$5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as

the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of \$50 for each petition form that is a violation of this subsection.

(11)(8) If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.

(12)(9) The division shall adopt by rule a complaint form for a voter an elector who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13)(10) The date on which a voter an elector signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a)(11)(a) 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 until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor must shall notify the petition sponsor and the division of the misfiled petition. The supervisor shall promptly verify the signatures

within 60 days after receipt of the petition forms and payment and processing of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, 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:

1. The form contains the original signature of the purported voter elector.

2. The purported voter elector has accurately recorded on the form the date on which he or she signed the form.

3. The form sets forth the purported voter's: elector's

a. Full name;

b. Address and, city, county of residence; ~~and~~

c. Voter registration number or date of birth; and

d. Florida driver license or Florida identification card number issued pursuant to s. 322.051 or the last four digits of the voter's social security number.

4. The purported voter elector is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered voter elector in the state.

5. The signature was obtained legally, including that if a paid petition circulator was used, the circulator was validly registered under subsection (4) (3) when the signature was obtained.

The supervisor shall retain all signature forms, ~~separating forms verified as valid from those deemed invalid, for at least 1 year following the election for which the petition was circulated.~~

(d)1.(b) On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.



2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in ...(insert county)....

The petition is for ...(insert the petition serial number and ballot title)... and was signed on ...(insert the date the voter signed the petition)....

Check this box , sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 ...(insert the year in which the general election is held)....

...(Insert the voter’s Florida voter registration number, and if applicable, the petition circulator’s number)....

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

...(Voter’s Signature)... ...(Date)...

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. 775.082, Florida Statutes, or s. 772.083, Florida Statutes, for a person to knowingly make a false official statement pursuant to s. 837.06, Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year on his or her website, and may increase such cost, as necessary, annually on March 1 February 2 of each even-numbered year. These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division. The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g)(e) On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State. For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. 97.012(15) and 97.022(1), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

~~(15)(12)~~ The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures, less any signatures that were invalidated pursuant to subsection (14), and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph ~~(14)(g)~~ ~~(11)(e)~~. 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. The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. 16.061(1) deems the initiative petition invalid.

~~(16)(a)(13)(a)~~ Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research ~~At the same time the Secretary of State submits an initiative petition to the Attorney General pursuant to s. 15.21, the secretary shall submit a copy of the initiative petition to the Financial Impact Estimating Conference.~~

~~(b)~~ Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. ~~The Financial Impact Estimating Conference shall submit the financial impact statement to the Attorney General and Secretary of State. If the initiative petition has been submitted to the Financial Impact Estimating Conference but the validity of signatures has expired and the initiative petition no longer qualifies for ballot placement at the ensuing general election, the Secretary of State must notify the Financial Impact Estimating Conference. The Financial Impact Estimating Conference does is not required to complete an analysis and financial impact statement for an initiative petition that fails to meet the requirements of subsection (1) for placement on the ballot before the 75-day time limit, including any tolling period, expires, the ballot must include the statement required by s. 101.161(1)(e). The initiative petition may be resubmitted to the Financial Impact Estimating Conference if the initiative petition meets the requisite~~

criteria for a subsequent general election cycle. A new Financial Impact Estimating Conference shall be established at such time as the initiative petition again satisfies the criteria in s. 15.21(1).

~~(b) Immediately upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons shall be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representatives of the sponsor, interested parties, proponents, or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.~~

(c) The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly. All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall be composed ~~consist~~ of four principals: one person from the professional staff of the Executive Office of the Governor or from a state agency, designated by the Governor; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate, designated by the President of the Senate; and one person from the professional staff of the House of Representatives, designated by the Speaker of the House of Representatives. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement. ~~Any financial impact statement that a court finds not to be in accordance with this section shall be remanded solely to the Financial Impact Estimating Conference for redrafting.~~ The Financial Impact Estimating Conference shall redraft the financial impact statement within 15 days.

~~3. If the Supreme Court has rejected the initial submission by the Financial Impact Estimating Conference and no redraft has been approved by the Supreme Court by 5 p.m. on the 75th day before the election, the following statement shall appear on the ballot: "The impact of this measure, if any, has not been determined at this time."~~

(d) The financial impact statement must be separately contained on the petition form and the ballot and be set forth after the ballot summary as required in s. 101.161(1).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. 101.161(1)(b).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. 101.161(1)(c).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. 101.161(1)(d).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. 101.161(1)(e).

~~(e)1. Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting, provided the court's advisory opinion is rendered at least 75 days before the election at which the question of ratifying the amendment will be presented. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.~~

~~2. If, by 5 p.m. on the 75th day before the election, the Supreme Court has not issued an advisory opinion on the initial financial impact statement prepared by the Financial Impact Estimating Conference for an initiative amendment that otherwise meets the legal requirements for ballot placement, the financial impact statement shall be deemed approved for placement on the ballot.~~

~~(f)3. In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial information statement should describe in greater detail than the financial impact~~

statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g)4. The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h)5. The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. 101.20.

(17)(14) The Department of State may adopt rules in accordance with s. 120.54 to implement this section ~~carry out the provisions of subsections (1)-(14).~~

(18)(15) No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.

Section 7. (1) By July 1, 2025, the Department of State shall update the forms as required by the amendments made to s. 100.371(3), Florida Statutes, for any proposed amendments received before July 1, 2025.

(2)(a) By June 1, 2025, the Department of State shall make available a new petition circulator application to incorporate the amendments made to s. 100.371(4), Florida Statutes.

(b)1. Effective July 1, 2025, the registration of each petition circulator expires.

2. No later than 7 days after this section becomes law, the Department of State shall notify each petition circulator that his or her registration expires on July 1, 2025, and that he or she may reregister by completing a new application that will be available before the current registration expires.

(c) By June 1, 2025, the Department of State shall develop the training required by s. 100.371(4)(f), Florida Statutes.

(3) No later than October 1, 2025, a supervisor of elections may increase the cost of signature verification pursuant to the amendments made to s. 100.371(14)(f), Florida Statutes. A supervisor shall post the cost of signature verification on his or her publicly available website as soon as such cost is determined.

Section 8. Paragraph (a) of subsection (1) of section 101.161, Florida Statutes, is amended, and paragraph (e) is added to that subsection, to read:

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 constitutional amendment proposed by initiative, the ballot shall include, following the ballot summary, in the following order:

(a) A separate financial impact statement concerning the measure prepared by the Financial Impact Estimating Conference in accordance with s. 100.371(16) ~~s. 100.371(13)~~.

(e) If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial impact statement, the following statement in bold print:

**THE FINANCIAL IMPACT OF THIS AMENDMENT, IF ANY, HAS NOT BEEN DETERMINED AT THIS TIME.**

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.

Section 9. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 8 a.m. on the 9th day after a primary election and at 8 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office and for each constitutional amendment. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 10. Section 102.121, Florida Statutes, is amended to read:

102.121 Elections Canvassing Commission to issue certificates.—The Elections Canvassing Commission shall make and sign separate certificates of the result of the election for federal officers, and state officers, and constitutional amendments, which certificates must shall be written and contain the total number of votes cast for and against each person for each office and the total number of votes cast for and against each constitutional amendment. The certificates, the one including the result of the election for presidential electors and representatives to Congress, and the other including the result of the election for state officers, shall be recorded in the Department of State in a book to be kept for that purpose.

Section 11. Subsections (1), (3), and (4) of section 102.168, Florida Statutes, are amended to read:

102.168 Contest of election.—

(1) Except as provided in s. 102.171, the certification of election or nomination of any person to office, or of the adoption of a constitutional amendment or the result on any question submitted by referendum, may be contested in the circuit court by any unsuccessful candidate for such office or nomination thereto or by any voter elector qualified to vote in the election related to such candidacy or constitutional amendment, or by any taxpayer, respectively.

(3) The complaint must shall set forth the grounds on which the contestant intends to establish his or her right to such office; or set aside the result of the election on a submitted referendum or constitutional amendment. The grounds for contesting an election or a constitutional amendment under this section are:



(a) Misconduct, fraud, or corruption on the part of any election official or any member of the canvassing board sufficient to change or place in doubt the result of the election.

(b) Ineligibility of the successful candidate for the nomination or office in dispute or of the proposed constitutional amendment for placement on the ballot.

(c) Receipt of a number of illegal votes or rejection of a number of legal votes sufficient to change or place in doubt the result of the election.

(d) Proof that any voter elector, election official, or canvassing board member was given or offered a bribe or reward in money, property, or any other thing of value for the purpose of procuring the successful candidate's nomination or election or determining the result on any question submitted by referendum or constitutional amendment.

(4) The canvassing board responsible for canvassing the election is an indispensable party defendant in county and local elections. The Elections Canvassing Commission is an indispensable party defendant in federal, state, and multicounty elections, in elections for constitutional amendments, and in elections for justice of the Supreme Court, judge of a district court of appeal, and judge of a circuit court. The successful candidate is an indispensable party to any action brought to contest the election or nomination of a candidate. The sponsor of a constitutional amendment proposed by initiative petition, identified pursuant to s. 100.371, is an indispensable party to any action brought to contest such election.

Section 12. Subsection (2) of section 104.185, Florida Statutes, is amended to read:

104.185 Petitions; knowingly signing more than once; signing another person's name or a fictitious name.—

(2) A person who signs another person's name or a fictitious name to any petition, or who fills in missing information on a signed petition, to secure ballot position for a candidate, a minor political party, or an issue commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 13. Section 104.186, Florida Statutes, is amended to read:

104.186 Initiative petitions; violations.—A person who compensates a petition circulator as defined in s. 97.021 based on the number of petition forms gathered, as prohibited by s. 100.371(5), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084. This section does not prohibit employment relationships that do not base payment on the number of signatures collected.

Section 14. Section 104.187, Florida Statutes, is amended to read:

104.187 Initiative petitions; registration.—A person who violates s. 100.371(4)(a) ~~s. 100.371(3)~~ commits a misdemeanor of the second degree, punishable as provided in s. 775.082 or s. 775.083.

Section 15. Effective July 1, 2025, section 104.188, Florida Statutes, is created to read:

104.188 Petition forms gathered from immediate family; violations.—

(1) For the purposes of this section, the term “immediate family” means a person’s spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person’s spouse.

(2) A person who collects, delivers, or otherwise physically possesses more than 25 signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member, and who is not registered as a petition circulator pursuant to s. 100.371(4)(a), commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) This section may not be construed to prohibit a person from distributing petition forms designed for personal use as described in s. 100.371(3)(e).

Section 16. Section 106.151, Florida Statutes, is created to read:

106.151 Use of public funds prohibited.—

(1) As used in this section, the term “public funds” means all moneys under the jurisdiction or control of the state government.

(2) The state government or any person acting on behalf of the state government may not expend or authorize the expenditure of, and a person or group may not accept, public funds for a political advertisement or any other communication sent to electors concerning any proposed constitutional amendment or revision that is subject to a vote of the electors. This subsection applies to a communication initiated by the state government or a person acting on behalf of the state government, irrespective of whether the communication is limited to factual information or advocates for the passage or defeat of a proposed constitutional amendment or revision. This subsection does not preclude the state government or a person acting on behalf of the state government from reporting on official actions of the state government in an accurate, fair, and impartial manner; posting factual information on a government website or in printed materials; hosting and providing information at a public forum; providing factual information in response to an inquiry; or providing information as otherwise authorized or required by law.

(3) With the exception of the prohibitions specified in subsection (2), this section does not preclude an elected official of the state government from expressing an opinion on any issue at any time.

Section 17. Subsection (3) of section 106.19, Florida Statutes, is amended to read:

106.19 Violations by candidates, persons connected with campaigns, and political committees.—

(3) A political committee sponsoring a constitutional amendment proposed by initiative which submits a petition form gathered by a ~~paid~~ petition circulator which does not provide the name and address of the ~~paid~~ petition circulator on the form is subject to the civil penalties prescribed in s. 106.265.

Section 18. Paragraph (c) of subsection (1) of section 212.055, Florida Statutes, is amended to read:

212.055 Discretionary sales surtaxes; legislative intent; authorization and use of proceeds.—It is the legislative intent that any authorization for imposition of a discretionary sales surtax shall be published in the Florida Statutes as a subsection of this section, irrespective of the duration of the levy. Each enactment shall specify the types of counties authorized to levy; the rate or rates which may be imposed; the maximum length of time the surtax may be imposed, if any; the procedure which must be followed to secure voter approval, if required; the purpose for which the proceeds may be expended; and such other requirements as the Legislature may provide. Taxable transactions and administrative procedures shall be as provided in s. 212.054.

(1) CHARTER COUNTY AND REGIONAL TRANSPORTATION SYSTEM SURTAX.—

(c)1. The proposal to adopt a discretionary sales surtax as provided in this subsection and to create a trust fund within the county accounts must ~~shall~~ be placed on the ballot in accordance with law and must be approved in a referendum held at a general election in accordance with subsection (10).

2. If the proposal to adopt a surtax is by initiative, the petition sponsor must, at least 180 days before the proposed referendum, comply with all of the following:

a. Provide a copy of the final resolution or ordinance to the Office of Program Policy Analysis and Government Accountability. The Office of Program Policy Analysis and Government Accountability shall procure a certified public accountant in accordance with subsection (11) for the performance audit.

b. File the initiative petition and its required valid signatures with the supervisor of elections. The supervisor of elections shall verify signatures and retain signature forms in the same manner as required for initiatives under s. 100.371(14) ~~s. 100.371(11)~~.

3. The failure of an initiative sponsor to comply with the requirements of subparagraph 2. renders any referendum held void.

Section 19. Paragraph (d) is added to subsection (8) of section 895.02, Florida Statutes, to read:

895.02 Definitions.—As used in ss. 895.01-895.08, the term:

(8) “Racketeering activity” means to commit, to attempt to commit, to conspire to commit, or to solicit, coerce, or intimidate another person to commit:

(d) A violation of the Florida Election Code relating to irregularities or fraud involving issue petition activities.

Section 20. (1) To ensure uniformity and integrity in the initiative process, a signed petition form may not be verified between July 1, 2025, and September 30, 2025.

(2) A petition form gathered after July 1, 2025, must be delivered as provided in this act to the appropriate entity. The processing hold described in subsection (1) does not toll any timeframe requirements that petition circulators are required to meet and may not be used as a defense to any fine imposed for the late submission of any petition forms to the appropriate entity.

Section 21. Except as otherwise provided in this act, this act shall take effect upon becoming a law.

Approved by the Governor May 2, 2025.

Filed in Office Secretary of State May 2, 2025.