

IN THE CIRCUIT COURT OF THE FOURTH JUDICIAL CIRCUIT,
IN AND FOR DUVAL COUNTY, FLORIDA

REPUBLICAN EXECUTIVE
COMMITTEE OF DUVAL
COUNTY,

Case No.: 16-2026-CA-004155
Division: CV-H

Plaintiff,

v.

ADDISON LIBERTY PATRICK,
a candidate, and JERRY HOLLAND,
in his official capacity as Supervisor
of Elections for Duval County, Florida,

Defendants.

**DEFENDANT ADDISON LIBERTY PATRICK'S MOTION TO DISMISS VERIFIED
COMPLAINT OR, IN THE ALTERNATIVE, FOR A MORE DEFINITE STATEMENT
AND OTHER APPROPRIATE RELIEF**

Defendant ADDISON LIBERTY PATRICK (“Defendant” or “Patrick”), by and through the undersigned counsel, pursuant to Florida Rules of Civil Procedure 1.110, 1.140(b), and 1.140(e), hereby move to dismiss the Verified Complaint filed by Plaintiff, REPUBLICAN EXECUTIVE COMMITTEE OF DUVAL COUNTY (“Plaintiff” or “Duval GOP”) for failure to plead ultimate facts establishing statutory standing and for failure to state a claim. Alternatively, Patrick requests a more definite statement identifying the allegedly qualified candidate upon whom Plaintiff’s statutory standing depends and pleading facts showing that candidate is legally qualified for the office at issue. In support, Patrick states as follows:

INTRODUCTION

1. This case presents a first-use application of a newly enacted judicial enforcement provision governing Florida’s party-affiliation statement.

2. Plaintiff seeks the extraordinary remedy of removing Patrick from the ballot for Jacksonville City Council At-Large Group 1 in the 2026 Special Unitary Election Cycle.

3. Section 99.021(1)(g), Fla. Stat., limits the persons and entities authorized to bring such an action. A political party may sue only if it has a qualified candidate in the same race.

4. Plaintiff does not identify the candidate upon whom its standing depends. Nor does it plead facts establishing that the unidentified candidate satisfies the constitutional, statutory, and local qualifications for Jacksonville City Council At-Large Group 1.

5. Instead, the Complaint merely repeats the statutory conclusion that Plaintiff is “a political party with qualified candidates in the same race.”

6. That conclusory allegation is especially material because Plaintiff’s right to invoke § 99.021(1)(g), Fla. Stat., depends entirely on the existence of a legally qualified candidate in this particular race.

7. The Complaint also fails to adequately allege that Patrick is seeking “nomination” as a candidate of a political party within the meaning of § 99.021(1)(b)(2), Fla. Stat.,

8. Jacksonville’s Special Unitary Election is not a conventional closed party primary. All qualified electors participate, and a candidate receiving a majority in the first election is elected to office. The Complaint itself describes the contest as a “Special Unitary Election Cycle,” but then assumes, without analysis or supporting facts, that Patrick is seeking a party nomination.

9. Jacksonville’s Special Unitary Election is not a general election to which the requirements of § 99.021(g) apply.

10. Finally, Count II improperly presents temporary and permanent injunctive relief as an independent cause of action. An injunction is a remedy dependent upon an otherwise viable substantive claim, not a standalone cause of action.

11. The Complaint should therefore be dismissed. Alternatively, Plaintiff should be required to identify and establish the qualified candidate upon whom its standing depends before the Court reaches the merits of its effort to remove Patrick from the ballot.

BACKGROUND ALLEGED IN THE COMPLAINT

11. Plaintiff alleges that Patrick sought to qualify as a Libertarian Party candidate for Jacksonville City Council At-Large Group 1 in the 2026 Special Unitary Election Cycle.

12. Plaintiff alleges that the qualifying period began June 12, 2026.

13. Plaintiff further alleges that Patrick was registered with the Republican Party during a portion of the preceding 365-day period and became registered with the Libertarian Party on or about November 12, 2025.

14. Plaintiff seeks a declaration that Patrick did not satisfy § 99.021(1)(b)(2), Fla. Stat., and an injunction directing the Supervisor of Elections not to print or retain Patrick’s name on the ballot as a Libertarian Party candidate.

15. As its sole allegation of statutory standing, Plaintiff states that it “is a political party with qualified candidates in the same race.”

16. The Complaint does not identify the allegedly qualified candidate.

17. It does not state the residence address used by that candidate to qualify.

18. It does not allege that the candidate satisfied Jacksonville’s 183-consecutive-day residence-area requirement.

19. It does not otherwise allege ultimate facts establishing that the candidate is legally qualified for Jacksonville City Council At-Large Group 1.

STANDARD OF REVIEW

20. A complaint must plead ultimate facts showing that the plaintiff is entitled to relief. Legal conclusions and formulaic repetition of statutory language are insufficient when unsupported by the material facts necessary to establish the claim.

21. On a motion to dismiss, the Court ordinarily confines its review to the four corners of the complaint and any exhibits incorporated into it.

22. Although well-pleaded factual allegations are accepted as true, the Court is not required to accept legal conclusions or conclusory assertions concerning standing, statutory authority, or entitlement to relief.

23. Where a complaint is so vague or incomplete that a defendant cannot reasonably frame a responsive pleading concerning a material issue, the Court may require a more definite statement under Rule 1.140(e).

ARGUMENT

I. THE COMPLAINT FAILS TO PLEAD ULTIMATE FACTS ESTABLISHING PLAINTIFF'S STATUTORY STANDING

24. Section 99.021(1)(g) creates a limited statutory cause of action. It provides that compliance with the party-affiliation requirement may be challenged by a qualified candidate or by a political party with qualified candidates in the same race.

25. The statute further identifies this judicial action as the sole method of enforcing the specified requirements.

26. Plaintiff's possession of a qualified candidate in the same race is therefore not incidental. It is an essential statutory prerequisite to the action.

27. Paragraphs 6 and 35 of the Complaint merely recite that Plaintiff is "a political party with qualified candidates in the same race."

28. Those paragraphs do not identify any candidate and contain no ultimate facts showing that the candidate satisfies all the applicable qualifications for the office.

29. A party cannot establish statutory standing simply by repeating the operative phrase from the statute.

30. At minimum, Plaintiff was required to identify the candidate upon whom its standing depends and plead ultimate facts showing that the candidate qualified for the same office.

31. The omission prevents Patrick from meaningfully admitting or denying the standing allegation and conceals the factual predicate upon which Plaintiff's authority to sue rests.

32. This is particularly important because § 99.021(1), Fla. Stat., separately makes compliance with all constitutional and statutory qualifications judicially enforceable and provides an expedited procedure for determining whether a candidate is qualified.

33. Plaintiff cannot obtain ballot-removal relief while avoiding identification and judicial examination of the candidate whose presence allegedly authorizes Plaintiff to invoke § 99.021(1)(g), Fla. Stat.

34. The Complaint should therefore be dismissed for failure to plead statutory standing.

35. Alternatively, Plaintiff should be ordered to provide a more definite statement identifying its allegedly qualified candidate and the factual basis for claiming that the candidate satisfies all applicable qualifications.

II. THE COMPLAINT DOES NOT STATE A CLAIM UNDER SECTION 99.021(1)(b)(2) BECAUSE IT DOES NOT ADEQUATELY ALLEGE THAT PATRICK IS SEEKING A PARTY NOMINATION

36. Section 99.021(1)(b)(2), Fla. Stat., applies to a person "seeking to qualify for nomination as a candidate of any political party." Exhibit "A".

37. The Legislature did not write that subsection to apply, without distinction, to every candidate who identifies with a political party in every form of election.

38. The operative statutory term is “nomination.”

39. Jacksonville’s election code establishes a unitary system materially different from a conventional closed primary in which party voters choose a party nominee.

40. Under Jacksonville Ordinance Code (JOC) section 350.101, qualified electors of Duval County may vote in Consolidated Government elections. Exhibit “B”.

41. Under JOC section 350.102, a candidate who receives a majority in the first Consolidated Government election is declared elected. Only when no candidate receives a majority do the two candidates receiving the greatest number of votes proceed to the general election.

42. Under JOC section 350.103, the same structure applies when a special election is conducted in conjunction with the statewide election schedule.

43. Thus, the first special election is capable of electing the officeholder directly. It is not merely a process by which Libertarian voters nominate a Libertarian candidate for a later general election.

44. The Complaint acknowledges that Patrick is participating in a “Special Unitary Election Cycle,” but it does not allege that the Libertarian Party is conducting a nomination contest, that Libertarian voters alone are selecting a nominee, or that Patrick must win a Libertarian primary before advancing to another election.

45. The allegation that Patrick is a “Libertarian Party candidate” does not, standing alone, establish that she is seeking “nomination” within the meaning of § 99.021(1)(b)(2), Fla. Stat.

46. Ballot-exclusion statutes should not be expanded beyond their text, particularly where the requested construction removes a candidate from an election open to the entire electorate.

47. The Legislature knew how to refer separately to qualification for “nomination or election.” It used both terms elsewhere in §§ 99.021, 99.0211, Fla. Stat. Section 99.021(1)(b)(2), Fla. Stat. specifically addresses a person seeking party nomination.

48. The Court should give effect to that textual distinction.

49. Because the Complaint does not allege facts demonstrating that Patrick seeks a party nomination in this Special Unitary Election, it fails to state a cause of action under § 99.021(1)(b)(2), Fla. Stat. and should be dismissed with prejudice.

III. SECTION 99.021(1)(b)(2), Fla. Stat. DOES NOT APPLY TO A SPECIAL MUNICIPAL ELECTION BECAUSE THE STATUTE EXPRESSLY TIES THE 365-DAY REQUIREMENT TO QUALIFYING BEFORE A “GENERAL ELECTION”

50. Section 99.021(1)(b)(2), Fla. Sta. requires a party candidate to state that the candidate has been registered with the party “for at least 365 consecutive days preceding the beginning of qualifying before the general election for which the person seeks to qualify.”

51. The Legislature’s use of “general election” is controlling. The phrase “general election” is a defined term and is not synonymous with every election conducted in Florida.

52. Section 97.021 Fla. Stat. expressly provides that its definitions govern the Florida Election Code unless the context clearly indicates otherwise.

53. Section 97.021(13), Fla. Stat. broadly defines “election” to include a primary election, special primary election, special election, general election, or presidential preference primary election.

54. Section 97.021(17), Fla. Stat. specifically defines “general election” as the election held on the first Tuesday after the first Monday in November in even-numbered years for the

purpose of filling national, state, county and district offices and voting on constitutional amendments not otherwise provided for by law.

55. The Legislature knowingly distinguished the broad term “election” from the narrow term “general election” and recognized general elections separate and apart from special elections.

56. Section 100.031 Fla. Stat. likewise provides that a general election is held in November of each even-numbered year to choose successors to elective federal, state, county and district officers and to fill qualifying vacancies in those offices.

57. Section 100.061, Fla. Stat. similarly links statutory primary election to the general election and provides for the nomination of party candidates to be voted upon in that general election.

58. The Florida Constitution draws the same distinction. Article VI, section 5(a) establishes the November general election and then separately provides that “[s]pecial elections and referenda shall be held as provided by law.”

59. Article VI, section 6 separately provides that registration and elections in municipalities shall be provided by law.

60. These provisions clearly distinguish a statutory general election from both a special election and a municipal election.

61. The election challenged here is a special election to fill a vacancy in a municipal office, Jacksonville City Council At-Large Group 1. It is not an election to fill a national, state, county, or district office within the statutory definition of “general election.”

62. Had the Legislature intended the 365-day requirement to apply to a qualifying before every election, including a special municipal election, it would have used the term “election” which expressly includes special elections.

63. The Legislature, however, retained the narrower phrase “before the general election for which the person seeks to qualify.” Replacing that phrase with “before an election” would impermissibly ignore the word “general” and the distinctions established elsewhere in the Election Code.

64. Section 99.021(1)(g), Fla. Stat. supplies the exclusive mechanism for enforcing § (1)(b)(2), but it does not enlarge the substantive reach of § (1)(b)(2). Plaintiff may invoke paragraph (g) only where the candidate is participating in a general election.

65. Because Patrick is running in a special municipal election rather than in a statutory general election identified in § 99.021(1)(b)(2), Fla. Stat., § 99.021(1)(g) Fla. Stat. does not apply and the Complaint cannot allege an enforceable violation of that subsection.

66. Plaintiff, therefore, lacks statutory standing under paragraph (g) to maintain the asserted ballot-removal action, and the Complaint should be dismissed with prejudice.

IV. THE LEGISLATIVE MATERIALS SUPPORT A NARROW READING

67. The final staff analysis of CS/CS/HB 991 expressly states that it was prepared by nonpartisan committee staff and “does not constitute an official statement of legislative intent.” Exhibit “C”.

68. The enacted statutory language therefore controls.

69. Nevertheless, the staff analysis identifies the specific enforcement gap that prompted the amendment. It discusses *Jones v. Schiller*, 345 So. 3d 406 (Fla. 1st DCA 2022), in which the court stated that the absence of a judicial removal mechanism could allow bad actors to use false party-affiliation statements to inject chaos into a party’s primary.

70. That identified concern involved protecting a political party’s nomination process from candidates allegedly using false affiliation statements to enter or disrupt that party’s primary.

71. This case presents a materially different setting. The affected political party is not alleged to have brought this action or objected to Patrick’s candidacy. A rival party seeks to remove Patrick from an open Special Unitary Election in which all qualified voters participate.

72. The staff analysis does not establish that the Legislature intended § 99.021(1)(b)(2), Fla. Stat. to transform a unitary local election into a party nomination contest.

73. Nor can legislative history supply statutory language the Legislature did not enact.

74. At most, the legislative material reinforces the plain-text conclusion that subsection (1)(b)(2) addresses qualification for party nomination, not every direct election in which party labels appear.

V. COUNT II SHOULD BE DISMISSED BECAUSE INJUNCTIVE RELIEF IS A REMEDY, NOT AN INDEPENDENT CAUSE OF ACTION

75. Count II is styled “Temporary and Permanent Injunctive Relief.”

76. Florida law treats injunctive relief as a remedy based upon an established substantive cause of action, not as an independent cause of action.

77. A request for a temporary injunction must also comply with Fla. R. Civ. Pro. 1.610, including the procedural and evidentiary requirements applicable to extraordinary interim relief.

78. Plaintiff's substantive theory is contained in Count I, its claim for declaratory relief under § 99.021, Fla. Stat.

79. Count II merely repeats the same allegations and requests an injunction as a consequence of the declaration sought in Count I.

80. Count II should therefore be dismissed or stricken as a separate cause of action, without prejudice to Plaintiff requesting an available remedy based upon a legally sufficient substantive claim and proper motion under Rule 1.610.

VI. THE COURT SHOULD AVOID A CONSTRUCTION THAT CREATES SERIOUS FIRST AMENDMENT PROBLEMS

81. The Court must construe election statutes against unnecessary restrictions on ballot access, political association, and the voters' ability to cast their votes effectively. In *Reform Party v. Black*, the Florida Supreme Court emphasized that statutes affecting ballot access must be construed in light of "the important constitutional rights that are involved," including "[t]he right of individuals to associate for the advancement of political beliefs," and "the right of qualified voters, regardless of their political persuasion, to cast their votes effectively." 885 So. 2d 303, 311–12 (Fla. 2004) (quoting *Williams v. Rhodes*, 393 U.S. 23, 30 (1968)). Because those rights "rank among our most precious freedoms," any statutory burden on ballot access must be clearly delineated. *Id.*

82. Florida law likewise disfavors constructions that unnecessarily restrict ballot access or impose candidate disqualifications. As the Florida Supreme Court explained in *Reform Party v. Black*, "[e]ven if there were doubts or ambiguities as to his eligibility, they should be resolved in favor of a free expression of the people," because "[i]t is the sovereign right of the people to select

their own officers and the rule is against imposing disqualifications to run.” 885 So. 2d 303, 311-12 (Fla. 2004) (quoting *Ervin v. Collins*, 85 So. 2d 852, 858 (Fla. 1956)).

83. That principle applies with particular force here. “The people should have available opportunity to select their public officer from a multiple choice of candidates. Widening the field of candidates is the rule, not the exception, in Florida.” *Repub. Party v. Davis*, 18 So. 3d 1112, 1121 (Fla. 3d DCA 2009). Plaintiff’s construction would allow a rival political party to use § 99.021(1)(b)(2), Florida Statutes, to remove another party’s candidate from the ballot even though the affected party has not sought the candidate’s removal. Such a construction would burden not only Patrick’s candidacy, but also the associational rights of the affected political party, its members, and voters wishing to support her. Florida law disfavors that result. See *Jones v. Schiller*, 345 So. 3d 406, 409 (Fla. 1st DCA 2022) (citing *State ex rel. Siegendorf v. Stone*, 266 So. 2d 345, 347 (Fla. 1972)) (“[T]o remove [a candidate] from the people’s consideration, and his name from the election ballot, would be irremediable”).

84. Political parties also possess independent First Amendment rights of political association, including rights concerning their membership, internal governance, nomination processes, and selection of standard-bearers. See, e.g., *Tashjian v. Republican Party of Connecticut*, 479 U.S. 208 (1986); *Democratic Party of the United States v. Wisconsin ex rel. La Follette*, 450 U.S. 107 (1981); *Eu v. San Francisco County Democratic Central Committee*, 489 U.S. 214 (1989); and *California Democratic Party v. Jones*, 530 U.S. 567 (2000).

85. Plaintiff’s proposed reading would permit one political party to interfere with another party’s associational choices in an election that is not a closed party primary and under a statutory provision that is textually directed to persons seeking a party nomination.

86. This Court need not adopt that constitutionally problematic construction. "If there be doubt or ambiguity in the [applicable] provisions, the doubt or ambiguity must be resolved in favor of eligibility." *Repub. Party v. Davis*, 18 So. 3d 1112, 1121 (Fla. 3d DCA 2009). When a statute is reasonably susceptible to more than one construction, courts should adopt the interpretation that avoids serious constitutional questions. Here, the Court can avoid those constitutional concerns by holding that § 99.021(1)(b)(2), Fla. Stat. does not apply to Patrick's direct candidacy in Jacksonville's Special Unitary Election.

87. To the extent Patrick's defense is treated as a request to declare the statute unconstitutional as applied, Patrick will provide the notice required by Fla. R. Civ. Pro. 1.071 and § 86.091, Fla. Stat.

VII. ALTERNATIVELY, THE ACTION SHOULD BE ABATED UNTIL THE LIBERTARIAN PARTY OF FLORIDA IS JOINED OR PERMITTED TO INTERVENE

88. The relief requested would determine whether Patrick may appear and associate publicly as the Libertarian Party of Florida's (Libertarian Party) candidate.

89. It would therefore directly affect the Libertarian Party's interest in identifying, supporting, and presenting its candidate to voters.

90. The Complaint does not name the Libertarian Party as a party, despite seeking an order that would determine who may appear under the Libertarian Party's name.

91. Complete adjudication of the statutory and constitutional issues should not occur in the Libertarian Party's absence.

92. If the Court does not dismiss the Complaint, the Court should abate the action briefly and require joinder of the Libertarian Party or permit its expedited intervention before considering final or emergency relief.

VIII. IF THE COMPLAINT IS NOT DISMISSED, PLAINTIFF'S STATUTORY STANDING SHOULD BE RESOLVED BEFORE THE MERITS

93. Plaintiff cannot obtain relief under § 99.021(1)(g), Fla. Stat. unless it has a legally qualified candidate in the same race.

94. Patrick disputes that this statutory prerequisite has been established.

95. If the Court concludes that Plaintiff's conclusory allegation survives dismissal, the Court should permit expedited discovery directed to:

- a. The identity of the candidate upon whom Plaintiff relies;
- b. The candidate's qualifying documents;
- c. The candidate's compliance with constitutional, statutory, and Jacksonville residency requirements; and
- d. Any other facts necessary to determine Plaintiff's statutory standing.

96. The Court should decide that threshold issue before considering whether Plaintiff may invoke section 99.021(1)(g), Fla. Stat. to obtain ballot-removal relief against Patrick.

REQUESTED RELIEF

WHEREFORE, Defendant Addison Liberty Patrick respectfully requests that this Court:

- A. Dismiss the Verified Complaint with prejudice because section 99.021(1)(b)(2), Fla. Stat. does not apply to Patrick's candidacy in Jacksonville's Special Unitary Election;
- B. Alternatively, dismiss the Complaint without prejudice for failure to plead ultimate facts establishing Plaintiff's statutory standing;
- C. Alternatively, require Plaintiff to file a more definite statement identifying the qualified candidate upon whom its standing depends and pleading the factual basis for that candidate's qualification;

- D. Dismiss or strike Count II as an independent cause of action because injunctive relief is a remedy rather than a standalone claim;
- E. Abate the action, if necessary, until the Libertarian Party is joined or permitted to intervene;
- F. Deny any request for temporary injunctive relief that does not comply with Florida Rule of Civil Procedure 1.610;
- G. If dismissal is denied, permit expedited threshold discovery and determination of Plaintiff's statutory standing before the merits; and
- H. Grant such other relief as the Court deems just and proper.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that on this 26th day of June 2026, a true and correct copy of the foregoing Notice of Appearance was served through the Florida Courts E-Filing Portal upon the following: Luis Alfredo Montiel, Esq. Florida Bar No. 122072 6054 Arlington Expressway #7 Jacksonville, FL 32211 montiellaw@pm.me; Nancy Adair Cleaveland, Esq. Florida Bar No. 64694 10001 Gate Parkway North Jacksonville, FL 32246 legal@duval.gop.

Respectfully submitted,

s/Michael C. Minardi, Esq.

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A.

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CS/CS/HB 991, Engrossed 2

2026 Legislature

1
2 An act relating to elections; amending s. 97.021,
3 F.S.; revising definitions; defining the term
4 "document acceptable as evidence of United States
5 citizenship"; amending s. 97.052, F.S.; revising the
6 information the uniform statewide voter registration
7 application is designed to elicit from an applicant to
8 include a certain acknowledgment; amending s. 97.0525,
9 F.S.; requiring that the online voter registration
10 system transmit specified information to the
11 supervisor of elections under specified circumstances;
12 requiring that the applicant's legal status as a
13 United States citizen be recorded in the statewide
14 voter registration system; requiring that if the
15 records of the Department of Highway Safety and Motor
16 Vehicles indicate that an applicant is not a United
17 States citizen or has not provided acceptable evidence
18 of citizenship, the online voter registration system
19 must notify the supervisor of the applicant's legal
20 status and transmit the application to the supervisor;
21 providing that an applicant's digital signature
22 satisfies a certain requirement; providing that if an
23 applicant's name and date of birth cannot be verified,
24 the system must populate certain information into a
25 printable version of the registration application;

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2026 Legislature

26 requiring the applicant to print, complete, sign,
27 date, and deliver such application to the supervisor;
28 requiring that the online voter registration system
29 populate an applicant's information and direct the
30 applicant to perform specified actions under specified
31 conditions; conforming a cross-reference; amending s.
32 97.053, F.S.; specifying that the registration date
33 for certain valid applications is the date the
34 application was initially received once certain
35 evidence is verified; requiring an applicant to
36 provide certain evidence to the supervisor of
37 elections to prove the applicant's legal status under
38 specified circumstances; requiring supervisors to
39 verify a voter's legal status as a United States
40 citizen using specified sources and initiate a certain
41 notice if applicable; requiring that the voter's legal
42 status as United States citizen and the type of
43 document accepted as evidence of United States
44 citizenship be recorded in the statewide voter
45 registration system; amending s. 97.057, F.S.;

46 requiring that an agreement between the Department of
47 Highway Safety and Motor Vehicles and the Department
48 of State match information regarding the citizenship
49 status of voter registration applicants legal status
50 as a United States citizen of applicants applying to

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2026 Legislature

51 | vote; requiring the Department of State to include
52 | specified information in the statewide voter
53 | registration system; requiring the Department of
54 | Highway Safety and Motor Vehicles to assist the
55 | Department of State in identifying certain changes in
56 | information for persons who may be voters; deleting a
57 | provision requiring the Department of State to report
58 | certain changes to supervisors; amending s. 98.015,
59 | F.S.; authorizing the office of the supervisor of
60 | elections to close to observe certain holidays under a
61 | specified condition; amending s. 98.045, F.S.;
62 | requiring supervisors to verify the current
63 | eligibility of certain applicants within a specified
64 | timeframe by reviewing specified information provided
65 | by governmental entities to make a determination under
66 | specified conditions; requiring the supervisor to deny
67 | the application and notify the applicant if a certain
68 | determination is made; amending s. 98.075, F.S.;
69 | requiring the Department of State to identify certain
70 | voters by comparing or receiving information from
71 | specified sources; requiring the Department of State
72 | to review such information and make an initial
73 | determination; requiring the department to notify the
74 | supervisor if certain information is credible and
75 | reliable and provide a copy of specified documentation

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2026 Legislature

76 | to the supervisor; requiring the supervisor to adhere
77 | to specified procedures to remove the voter's name
78 | from the statewide voter registration system;
79 | requiring the supervisor to record in the statewide
80 | voter registration system the type of document
81 | provided as evidence of United States citizenship;
82 | revising the notice provided to potentially ineligible
83 | voters to conform to changes made by the act; amending
84 | s. 98.093, F.S.; revising the information that the
85 | Department of Highway Safety and Motor Vehicles is
86 | required to furnish weekly to the Department of State;
87 | requiring the Department of State to report certain
88 | information to supervisors within a specified
89 | timeframe and for supervisors to update the voter
90 | registration records; requiring that the Department of
91 | State use certain information from federal jury
92 | coordinators to identify voters and applicants who are
93 | potentially ineligible; amending s. 99.021, F.S.;
94 | specifying that a person seeking to qualify for office
95 | as a candidate must be a registered member of a
96 | political party, or registered without any party
97 | affiliation, for 365 consecutive days preceding the
98 | beginning of the qualifying before an election;
99 | authorizing qualified candidates or certain political
100 | parties to challenge compliance with specified

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2026 Legislature

101 provisions by filing an action for declaratory and
 102 injunctive relief in a specified circuit court;
 103 prohibiting a person from being qualified as a
 104 candidate for nomination or election and appearing on
 105 the ballot under specified circumstances; providing
 106 that compliance with specified requirements is
 107 mandatory; authorizing qualified candidates or certain
 108 political parties to challenge compliance with
 109 specified provisions by filing an action for
 110 declaratory and injunctive relief in a specified
 111 circuit court; prohibiting a person from being
 112 qualified as a candidate for nomination or election
 113 and appearing on the ballot under specified
 114 circumstances; requiring a candidate for federal
 115 office to state in writing whether he or she intends
 116 to trade stocks in a certain manner while serving in
 117 federal office; creating s. 99.0211, F.S.; requiring
 118 that candidates be able to satisfy statutory and
 119 constitutional requirements for office; authorizing
 120 certain candidates, political parties, and affiliated
 121 party committees to challenge compliance with such
 122 requirements in a specified manner; providing that a
 123 person may not qualify as a candidate or appear on the
 124 ballot if the court makes a certain determination;
 125 providing that candidates, political parties, and

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2026 Legislature

151 the canvassing boards, to report all early voting and
152 all tabulated vote-by-mail ballots to the department;
153 requiring that updated precinct election results be
154 uploaded to the department; conforming provisions to
155 changes made by the act; amending s. 102.166, F.S.;
156 conforming provisions to changes made by the act;
157 creating s. 104.042, F.S.; requiring that certain
158 prosecutions be commenced within a specified timeframe
159 after a specified violation is committed; amending s.
160 105.031, F.S.; requiring certain candidates to provide
161 to the filing officer a statement disclosing dual
162 citizenship for nomination and election to a judicial
163 office or to a district school board; amending s.
164 106.023, F.S.; requiring a candidate to provide a
165 certain oath or affirmation in writing at the time of
166 filing his or her statement of candidacy; amending s.
167 106.08, F.S.; prohibiting political parties, political
168 committees, electioneering communications
169 organizations, and candidates from knowingly and
170 willfully accepting or soliciting contributions from
171 foreign nationals in connection with elections;
172 creating s. 322.034, F.S.; requiring, by a specified
173 date, that Florida driver licenses and Florida
174 identification cards issued to qualified applicants
175 include the legal citizenship status of the applicant

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2026 Legislature

176 on the license or card; requiring the Department of
 177 Highway Safety and Motor Vehicles to issue, at no
 178 charge, renewal or replacement Florida driver licenses
 179 and Florida identification cards to certain licensees
 180 and cardholders; amending s. 895.02, F.S.; revising
 181 the definition of the term "racketeering activity";
 182 reenacting s. 98.065(6), F.S., relating to
 183 registration list maintenance programs, to incorporate
 184 the amendment made to s. 98.075, F.S., in a reference
 185 thereto; reenacting s. 99.012(1)(b), F.S., relating to
 186 definition of the term "qualify," to incorporate the
 187 amendments made to ss. 99.061 and 105.031, F.S., in
 188 references thereto; reenacting s. 101.69(2)(a), F.S.,
 189 relating to the offices of the supervisor of elections
 190 being open during elections to receive vote-by-mail
 191 ballots in secure ballot intake stations, to
 192 incorporate the amendment made to s. 98.015, F.S., in
 193 a reference thereto; providing effective dates.

194
 195 Be It Enacted by the Legislature of the State of Florida:
 196

197 Section 1. Present subsections (10) through (47) of
 198 section 97.021, Florida Statutes, are redesignated as
 199 subsections (11) through (48), respectively, a new subsection
 200 (10) is added to that section, and subsection (6) and present

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2026 Legislature

201 subsections (43) and (47) of that section are amended, to read:
 202 97.021 Definitions.—For the purposes of this code, except
 203 where the context clearly indicates otherwise, the term:

204 (6) "Ballot" or "official ballot" means a printed sheet of
 205 paper containing contests, including offices and candidates,
 206 constitutional amendments, and other public measures, upon which
 207 a voter's selections will be marked by using a pen compatible
 208 with or recommended for use with the voting system, for
 209 tabulation by the voting system. The term includes a voter-
 210 verifiable paper output upon which a voter's selections are
 211 marked by a voter interface device that meets voter
 212 accessibility requirements for individuals with disabilities
 213 under s. 301 of the federal Help America Vote Act of 2002 and s.
 214 101.56062 when used in reference to:

215 ~~(a) "Electronic or electromechanical devices" means a~~
 216 ~~ballot that is voted by the process of electronically~~
 217 ~~designating, including by touchscreen, or marking with a marking~~
 218 ~~device for tabulation by automatic tabulating equipment or data~~
 219 ~~processing equipment.~~

220 ~~(b) "Marksense ballots" means that printed sheet of paper,~~
 221 ~~used in conjunction with an electronic or electromechanical vote~~
 222 ~~tabulation voting system, containing the names of candidates, or~~
 223 ~~a statement of proposed constitutional amendments or other~~
 224 ~~questions or propositions submitted to the electorate at any~~
 225 ~~election, on which sheet of paper an elector casts his or her~~

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226 ~~vote.~~

227 (10) "Document acceptable as evidence of United States
 228 citizenship" means any of the following documents:

229 (a) An original or certified copy of a United States birth
 230 certificate.

231 (b) A valid, unexpired United States passport.

232 (c) A naturalization certificate issued by the United
 233 States Department of Homeland Security.

234 (d) A Consular Report of Birth Abroad provided by the
 235 United States Department of State.

236 (e) A current and valid Florida driver license or Florida
 237 identification card issued by the Department of Highway Safety
 238 and Motor Vehicles, if such license or identification card
 239 indicates United States citizenship.

240 (f) A current and valid photo identification issued by the
 241 Federal Government or the state which indicates United States
 242 citizenship.

243 (g) An order from a federal court granting United States
 244 citizenship.

245
 246 If the voter registration applicant's or the voter's legal name
 247 is different from the name that appears on the document,
 248 official legal documentation providing proof of legal name
 249 change is also required to constitute acceptable evidence of
 250 United States citizenship.

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251 ~~(44)-(43)~~ "Voter interface device" means any device that
252 communicates voting instructions and ballot information to a
253 voter and allows the voter to select and vote for candidates and
254 issues. A voter interface device may not be used to tabulate
255 votes. Any vote tabulation must be based upon a subsequent scan
256 of the marked ~~marksense~~ ballot or the voter-verifiable paper
257 output after the voter interface device process has been
258 completed.

259 ~~(48)-(47)~~ "Voting system" means a method of casting and
260 processing votes which ~~that functions wholly or partly by use of~~
261 ~~electromechanical or electronic apparatus or by use of marksense~~
262 ~~ballots and~~ includes, but is not limited to, the equipment,
263 hardware, firmware, and software; the ballots; the procedures
264 for casting and processing votes; and the programs, operating
265 manuals, and supplies; and the reports, printouts, and other
266 documentation ~~software~~ necessary for the system's operation.

267 Section 2. Present paragraphs (q) through (u) of
268 subsection (2) of section 97.052, Florida Statutes, are
269 redesignated as paragraphs (r) through (v), respectively, and a
270 new paragraph (q) is added to that subsection, to read:

271 97.052 Uniform statewide voter registration application.-

272 (2) The uniform statewide voter registration application
273 must be designed to elicit the following information from the
274 applicant:

275 (q) Acknowledgment, by providing a box for the applicant

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276 to check, that it is a third degree felony under state and
 277 federal law to falsely swear or affirm or otherwise submit false
 278 information on a voter registration application.

279 Section 3. Subsection (4) of section 97.0525, Florida
 280 Statutes, is amended to read:

281 97.0525 Online voter registration.—

282 (4) (a) The online voter registration system must ~~shall~~
 283 compare the Florida driver license number or Florida
 284 identification number submitted pursuant to s. 97.052(2)(n) with
 285 information maintained by the Department of Highway Safety and
 286 Motor Vehicles to confirm that the name and date of birth on the
 287 application are consistent with the records of the Department of
 288 Highway Safety and Motor Vehicles.

289 (b) If the applicant's name and date of birth are
 290 consistent with the records of the Department of Highway Safety
 291 and Motor Vehicles and the records of the Department of Highway
 292 Safety and Motor Vehicles indicate that the applicant has
 293 provided a document acceptable as evidence of United States
 294 citizenship, the online voter registration system must ~~shall~~
 295 transmit, using the statewide voter registration system
 296 maintained pursuant to s. 98.035, the applicant's registration
 297 application, along with the digital signature of the applicant
 298 on file with the Department of Highway Safety and Motor
 299 Vehicles, to the supervisor of elections. The applicant's
 300 digital signature satisfies the signature requirement of s.

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301 97.052(2)(r) ~~s. 97.052(2)(g)~~. The applicant's legal status as a
 302 United States citizen must be recorded in the statewide voter
 303 registration system.

304 (c) If the applicant's name and date of birth match the
 305 records of the Department of Highway Safety and Motor Vehicles,
 306 but the records of the Department of Highway Safety and Motor
 307 Vehicles indicate the applicant is not a United States citizen
 308 or has not provided a document acceptable as evidence of United
 309 States citizenship, the online voter registration system must
 310 notify the supervisor of elections that the applicant's legal
 311 status as a United States citizen could not be verified and
 312 transmit, using the statewide voter registration system
 313 maintained pursuant to s. 98.035, the applicant's registration
 314 application, along with the digital signature of the applicant
 315 on file with the Department of Highway Safety and Motor
 316 Vehicles, to the supervisor of elections. The applicant's
 317 digital signature satisfies the signature requirement of s.
 318 97.052(2)(r).

319 (d) If the applicant's name and date of birth cannot be
 320 verified by the records of the Department of Highway Safety and
 321 Motor Vehicles, ~~or if the applicant indicated that he or she has~~
 322 ~~not been issued a Florida driver license or Florida~~
 323 ~~identification card,~~ the online voter registration system must
 324 ~~shall~~ populate the applicant's information, except for the
 325 applicant's Florida driver license number, Florida

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326 identification card number, or social security number, into a
 327 printable voter registration application pursuant to s.
 328 97.052(2) which ~~and direct~~ the applicant may ~~to~~ print, complete,
 329 sign, and date, ~~the application~~ and deliver ~~the application~~ to
 330 the supervisor of elections for disposition pursuant to s.
 331 97.073.

332 (e) If the applicant indicates that he or she has not been
 333 issued a Florida driver license or identification card, or
 334 chooses to use the system to prepopulate an application to
 335 print, sign, date, and deliver to the supervisor, the online
 336 voter registration system must populate the applicant's
 337 information into a printable voter registration application
 338 pursuant to s. 97.052(2) and direct the applicant to print,
 339 sign, and date the application and deliver the application to
 340 the supervisor for disposition under s. 97.073.

341 Section 4. Subsections (2), (4), and (6) of section
 342 97.053, Florida Statutes, are amended to read:

343 97.053 Acceptance of voter registration applications.—

344 (2) A voter registration application is complete and
 345 becomes the official voter registration record of that applicant
 346 when all information necessary to establish the applicant's
 347 eligibility pursuant to s. 97.041 is received by a voter
 348 registration official and verified pursuant to subsection (6).
 349 Except as provided in subsection (6), if the applicant fails to
 350 complete his or her voter registration application on or before

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351 ~~prior to~~ the date of book closing for an election, ~~then~~ such
352 applicant is ~~shall~~ not be eligible to vote in that election.

353 (4) (a) The registration date for a valid initial voter
354 registration application that has been mailed to a driver
355 license office, a voter registration agency, an armed forces
356 recruitment office, the division, or the office of any
357 supervisor in the state and bears a clear postmark is the date
358 of that postmark. If an initial voter registration application
359 that has been mailed does not bear a postmark or if the postmark
360 is unclear, the registration date is the date the application is
361 received by any supervisor or the division, unless it is
362 received within 5 days after the closing of the books for an
363 election, excluding Saturdays, Sundays, and legal holidays, in
364 which case the registration date is the book-closing date.

365 (b) The registration date for a valid application to
366 update a voter's record with a change of address or name is the
367 date the application was initially received once the required
368 sufficient evidence is verified.

369 (c) The registration date for a valid application to
370 update a voter's record with a change of party affiliation is
371 the date the application was initially received, and the
372 registration is effective once the required sufficient evidence
373 is verified unless the registration books are closed for a
374 primary election, in which case the update is effective for the
375 subsequent general election.

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376 (6) (a) A voter registration application, including an
 377 application with a change in name, address, or party
 378 affiliation, may be accepted as valid only after the department
 379 has verified the authenticity or nonexistence of the Florida
 380 driver license number, the Florida identification card number,
 381 or the last four digits of the social security number provided
 382 by the applicant. If a completed voter registration application
 383 has been received by the book-closing deadline but the Florida
 384 driver license number, the Florida identification card number,
 385 or the last four digits of the social security number provided
 386 by the applicant cannot be verified, or if the records of the
 387 Department of Highway Safety and Motor Vehicles indicate that
 388 the applicant is not a United States citizen or has not provided
 389 a document acceptable as evidence of United States citizenship,
 390 the applicant must ~~shall~~ be notified and ~~that the number cannot~~
 391 ~~be verified and that the applicant~~ must provide evidence to the
 392 supervisor sufficient to verify the authenticity of the
 393 applicant's Florida driver license number, Florida
 394 identification card number, or last four digits of the social
 395 security number or, if applicable, must provide a document
 396 acceptable as evidence of United States citizenship. If the
 397 applicant provides the necessary evidence, the supervisor must
 398 ~~shall~~ place the applicant's name on the registration rolls as an
 399 active voter. If the applicant has not provided the necessary
 400 evidence or the number has not otherwise been verified prior to

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401 the applicant presenting himself or herself to vote, the
402 applicant must ~~shall~~ be provided a provisional ballot. The
403 provisional ballot must ~~shall~~ be counted only if the number is
404 verified by the end of the canvassing period or if the applicant
405 presents evidence to the supervisor of elections sufficient to
406 verify the authenticity of the applicant's Florida driver
407 license number, Florida identification card number, or last four
408 digits of the social security number or, if applicable, presents
409 a document acceptable as evidence of United States citizenship
410 no later than 5 p.m. of the second day following the election.

411 (b) Upon receipt of a voter registration application,
412 including an application with a change in name, address, or
413 party affiliation, which indicates that the applicant has not
414 been issued a current and valid Florida driver license, Florida
415 identification card, or social security number, or if the
416 records of the Department of Highway Safety and Motor Vehicles
417 indicate that the applicant is not a United States citizen or
418 has not provided a document acceptable as evidence of United
419 States citizenship, the supervisor of elections shall verify the
420 voter's legal status as a United States citizen using available
421 state and federal governmental sources and, if applicable,
422 initiate notice pursuant to s. 98.075(7). If the voter's legal
423 status as a United States citizen is verified, the status must
424 be recorded in the statewide voter registration system. If the
425 applicant provides a document acceptable as evidence of United

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426 States citizenship, the type of document presented must be
 427 recorded in the statewide voter registration system.

428 Section 5. Subsections (11) and (13) of section 97.057,
 429 Florida Statutes, are amended to read:

430 97.057 Voter registration by the Department of Highway
 431 Safety and Motor Vehicles.—

432 (11) The Department of Highway Safety and Motor Vehicles
 433 shall enter into an agreement with the department to match
 434 information in the statewide voter registration system with
 435 information in the database of the Department of Highway Safety
 436 and Motor Vehicles to the extent required to verify the accuracy
 437 of the Florida driver license number, Florida identification
 438 number, or last four digits of the social security number and
 439 the legal status as a United States citizen, provided on
 440 applications for voter registration as required in s. 97.053.
 441 The department shall also include in the statewide voter
 442 registration system the type of documentary proof that the
 443 licensee or cardholder provided as evidence of United States
 444 citizenship.

445 (13) Notwithstanding declinations to register or to update
 446 a voter registration pursuant to paragraph (2) (b), the
 447 Department of Highway Safety and Motor Vehicles, in accordance
 448 with s. 98.093(8), shall ~~must~~ assist the Department of State in
 449 ~~regularly~~ identifying changes in residence address on the
 450 Florida driver license or Florida identification card or changes

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451 in the Florida driver license or Florida identification card
 452 number of such persons who may be voters of a voter. The
 453 ~~Department of State must report each such change to the~~
 454 ~~appropriate supervisor of elections who must change the voter's~~
 455 ~~registration records in accordance with s. 98.065(4).~~

456 Section 6. Effective upon becoming a law, subsection (4)
 457 of section 98.015, Florida Statutes, is amended to read:

458 98.015 Supervisor of elections; election, tenure of
 459 office, compensation, custody of registration-related documents,
 460 office hours, successor, seal; appointment of deputy
 461 supervisors; duties.—

462 (4) (a) At a minimum, the office of the supervisor must be
 463 open Monday through Friday, ~~excluding legal holidays,~~ for a
 464 period of not less than 8 hours per day, beginning no later than
 465 9 a.m.

466 (b) The office of the supervisor may close to observe
 467 legal holidays and other federal, state, or county-approved
 468 holidays, if the office is not otherwise required to be open to
 469 fulfill official duties under the Florida Election Code.

470 Section 7. Subsection (1) of section 98.045, Florida
 471 Statutes, is amended to read:

472 98.045 Administration of voter registration.—

473 (1) ELIGIBILITY OF APPLICANT.—

474 (a) The supervisor shall ~~must~~ ensure that any eligible
 475 applicant for voter registration is registered to vote and that

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476 each application for voter registration is processed in
 477 accordance with law. The supervisor shall determine whether a
 478 voter registration applicant is ineligible based on any of the
 479 following:

480 1.~~(a)~~ The failure to complete a voter registration
 481 application as specified in s. 97.053.

482 2.~~(b)~~ The applicant is deceased.

483 3.~~(c)~~ The applicant has been convicted of a felony for
 484 which his or her voting rights have not been restored.

485 4.~~(d)~~ The applicant has been adjudicated mentally
 486 incapacitated with respect to the right to vote and such right
 487 has not been restored.

488 5.~~(e)~~ The applicant does not meet the age requirement
 489 pursuant to s. 97.041.

490 6.~~(f)~~ The applicant is not a United States citizen.

491 7.~~(g)~~ The applicant is a fictitious person.

492 8.~~(h)~~ The applicant has provided an address of legal
 493 residence that is not his or her legal residence.

494 9.~~(i)~~ The applicant has provided a Florida driver license
 495 number, Florida identification card number, or the last four
 496 digits of a social security number that is not verifiable by the
 497 department.

498 (b) If the latest voter registration records show that a
 499 new applicant was previously registered but subsequently removed
 500 for ineligibility pursuant to s. 98.075(7), the supervisor must

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501 verify the current eligibility of the applicant to register
 502 within 13 days after receipt of such records by reviewing the
 503 information provided by a governmental entity listed in s.
 504 98.075 or s. 98.093 to determine whether the applicant remains
 505 ineligible. If the supervisor determines that the applicant is
 506 ineligible, the supervisor must deny the application and notify
 507 the applicant pursuant to s. 97.073.

508 Section 8. Subsection (6) and paragraph (a) of subsection
 509 (7) of section 98.075, Florida Statutes, are amended to read:

510 98.075 Registration records maintenance activities;
 511 ineligibility determinations.—

512 (6) ELIGIBILITY.—

513 (a) *Citizenship.*—The department shall identify those
 514 registered voters who are potentially ineligible based on their
 515 legal status regarding United States citizenship by comparing or
 516 receiving information from other governmental entities as
 517 authorized by s. 98.093. Upon receipt of information from such
 518 other governmental entities indicating a voter may be ineligible
 519 based on his or her legal status regarding United States
 520 citizenship, the department shall review and make an initial
 521 determination as to whether the information is credible and
 522 reliable. If the department determines that the information is
 523 credible and reliable, the department must notify the supervisor
 524 and provide a copy of the supporting documentation indicating
 525 potential ineligibility of the voter to be registered. Upon

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526 receipt of the notice that the department has made a
527 determination of initial credibility and reliability, the
528 supervisor must adhere to the procedures set forth in subsection
529 (7) before the removal of a registered voter's name from the
530 statewide voter registration system. If the voter provides a
531 document acceptable as evidence of United States citizenship,
532 the supervisor must record the type of document in the statewide
533 voter registration system.

534 (b) Other bases for ineligibility ~~OTHER BASES FOR~~
535 ~~INELIGIBILITY.~~—Subsections (2)-(6) ~~(2)-(5)~~ do not limit or
536 restrict the department or the supervisor in his or her duty to
537 act upon direct receipt of, access to, or knowledge of
538 information from any governmental entity that identifies a
539 registered voter as potentially ineligible. If the department or
540 supervisor receives information from any governmental entity
541 other than those identified in subsections (2)-(6) ~~(2)-(5)~~ that
542 a registered voter is ineligible because the voter is deceased,
543 adjudicated a convicted felon without having had his or her
544 voting rights restored, adjudicated mentally incapacitated
545 without having had his or her voting rights restored, does not
546 meet the age requirement pursuant to s. 97.041, is not a United
547 States citizen, is a fictitious person, or has listed an address
548 that is not his or her address of legal residence, the
549 supervisor must adhere to the procedures set forth in subsection
550 (7) before the removal of the name of a registered voter who is

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551 | determined to be ineligible from the statewide voter
552 | registration system.

553 | (7) PROCEDURES FOR REMOVAL.—

554 | (a) If the supervisor receives notice or information
555 | pursuant to subsections (4)-(6), the supervisor of the county in
556 | which the voter is registered must:

557 | 1. Notify the registered voter of his or her potential
558 | ineligibility by mail within 7 days after receipt of notice or
559 | information. The notice must include:

560 | a. A statement of the basis for the registered voter's
561 | potential ineligibility and a copy of any documentation upon
562 | which the potential ineligibility is based. Such documentation
563 | must include any conviction from another jurisdiction determined
564 | to be a similar offense to murder or a felony sexual offense, as
565 | those terms are defined in s. 98.0751.

566 | b. A statement that failure to respond within 30 days
567 | after receipt of the notice may result in a determination of
568 | ineligibility and in removal of the registered voter's name from
569 | the statewide voter registration system.

570 | c. A return form that requires the registered voter to
571 | admit or deny the accuracy of the information underlying the
572 | potential ineligibility for purposes of a final determination by
573 | the supervisor.

574 | d. A statement that, if the voter is denying the accuracy
575 | of the information underlying the potential ineligibility, the

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576 voter has a right to request a hearing for the purpose of
577 determining eligibility.

578 e. Instructions for the registered voter to contact the
579 supervisor of elections of the county in which the voter is
580 registered if assistance is needed in resolving the matter.

581 f. Instructions for seeking restoration of civil rights
582 pursuant to s. 8, Art. IV of the State Constitution and
583 information explaining voting rights restoration pursuant to s.
584 4, Art. VI of the State Constitution following a felony
585 conviction, if applicable.

586 g. A list of the documents acceptable as evidence of
587 United States citizenship.

588 h. The following statement: "If you attempt to vote at an
589 early voting site or your normal election day polling place, you
590 will be required to vote a provisional ballot. If you vote by
591 mail, your ballot will be treated as a provisional ballot. In
592 either case, your ballot may not be counted until a final
593 determination of eligibility is made. If you wish for your
594 ballot to be counted, you must contact the supervisor of
595 elections office within 2 days after the election and present
596 evidence that you are eligible to vote."

597 2. If the mailed notice is returned as undeliverable, the
598 supervisor must, within 14 days after receiving the returned
599 notice, either publish notice once in a newspaper of general
600 circulation in the county in which the voter was last registered

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601 or publish notice on the county's website as provided in s.
602 50.0311 or on the supervisor's website, as deemed appropriate by
603 the supervisor. The notice must contain the following:

- 604 a. The voter's name and address.
- 605 b. A statement that the voter is potentially ineligible to
606 be registered to vote.
- 607 c. A statement that failure to respond within 30 days
608 after the notice is published may result in a determination of
609 ineligibility by the supervisor and removal of the registered
610 voter's name from the statewide voter registration system.
- 611 d. An instruction for the voter to contact the supervisor
612 no later than 30 days after the date of the published notice to
613 receive information regarding the basis for the potential
614 ineligibility and the procedure to resolve the matter.
- 615 e. An instruction to the voter that, if further assistance
616 is needed, the voter should contact the supervisor of elections
617 of the county in which the voter is registered.
- 618 f. A statement that, if the voter denies the accuracy of
619 the information underlying the potential ineligibility, the
620 voter has a right to request a hearing for the purpose of
621 determining eligibility.
- 622 g. The following statement: "If you attempt to vote at an
623 early voting site or your normal election day polling place, you
624 will be required to vote a provisional ballot. If you vote by
625 mail, your ballot will be treated as a provisional ballot. In

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626 | either case, your ballot may not be counted until a final
627 | determination of eligibility is made. If you wish for your
628 | ballot to be counted, you must contact the supervisor of
629 | elections office within 2 days after the election and present
630 | evidence that you are eligible to vote."

631 | 3. If a registered voter fails to respond to a notice
632 | pursuant to subparagraph 1. or subparagraph 2., the supervisor
633 | must make a final determination of the voter's eligibility
634 | within 7 days after expiration of the voter's timeframe to
635 | respond. If the supervisor determines that the voter is
636 | ineligible, the supervisor must remove the name of the
637 | registered voter from the statewide voter registration system
638 | within 7 days. The supervisor shall notify the registered voter
639 | of the supervisor's determination and action.

640 | 4. If a registered voter responds to the notice pursuant
641 | to subparagraph 1. or subparagraph 2. and admits the accuracy of
642 | the information underlying the potential ineligibility, the
643 | supervisor must, as soon as practicable, make a final
644 | determination of ineligibility and remove the voter's name from
645 | the statewide voter registration system. The supervisor shall
646 | notify the registered voter of the supervisor's determination
647 | and action.

648 | 5. If a registered voter responds to the notice issued
649 | pursuant to subparagraph 1. or subparagraph 2. and denies the
650 | accuracy of the information underlying the potential

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651 | ineligible but does not request a hearing, the supervisor
652 | must review the evidence and make a determination of eligibility
653 | no later than 30 days after receiving the response from the
654 | voter. If the supervisor determines that the registered voter is
655 | ineligible, the supervisor must remove the voter's name from the
656 | statewide voter registration system upon such determination and
657 | notify the registered voter of the supervisor's determination
658 | and action and that the removed voter has a right to appeal a
659 | determination of ineligibility pursuant to s. 98.0755. If such
660 | registered voter requests a hearing, the supervisor must send
661 | notice to the registered voter to attend a hearing at a time and
662 | place specified in the notice. The supervisor shall schedule and
663 | issue notice for the hearing within 7 days after receiving the
664 | voter's request for a hearing and shall hold the hearing no
665 | later than 30 days after issuing the notice of the hearing. A
666 | voter may request an extension upon showing good cause by
667 | submitting an affidavit to the supervisor as to why he or she is
668 | unable to attend the scheduled hearing. Upon hearing all
669 | evidence presented at the hearing, the supervisor shall make a
670 | determination of eligibility within 7 days. If the supervisor
671 | determines that the registered voter is ineligible, the
672 | supervisor must remove the voter's name from the statewide voter
673 | registration system and notify the registered voter of the
674 | supervisor's determination and action and that the removed voter
675 | has a right to appeal a determination of ineligibility pursuant

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676 | to s. 98.0755.

677 | Section 9. Present subsection (9) of section 98.093,
678 | Florida Statutes, is redesignated as subsection (10), a new
679 | subsection (9) is added to that section, and subsection (8) of
680 | that section is amended, to read:

681 | 98.093 Duty of officials to furnish information relating
682 | to deceased persons, persons adjudicated mentally incapacitated,
683 | persons convicted of a felony, and persons who are not United
684 | States citizens.—

685 | (8) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—The
686 | Department of Highway Safety and Motor Vehicles shall furnish
687 | weekly to the department the following information:

688 | (a) Information identifying those persons whose names have
689 | been removed from the Florida driver license or Florida
690 | identification card database during the preceding week because
691 | they have been licensed or been issued an identification card in
692 | another state. The information must contain the person's name,
693 | last known Florida address, date of birth, sex, last four digits
694 | of his or her social security number, and Florida driver license
695 | number or Florida identification card number and, if available,
696 | the address and the state in which the person is now licensed.

697 | (b) Information identifying those persons who during the
698 | preceding week presented evidence of non-United States
699 | citizenship upon being issued a new or renewed Florida driver
700 | license or Florida identification card. The information must

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701 contain the person's name; address; date of birth; last four
702 digits of the social security number, if applicable; Florida
703 driver license number or Florida identification card number, as
704 available; and alien registration number or other legal status
705 identifier.

706 (c) Information identifying those persons who during the
707 preceding week presented a document acceptable as evidence of
708 United States citizenship upon being issued a new, renewed, or
709 replacement Florida driver license or Florida identification
710 card. The information must contain the person's name; address;
711 date of birth; last four digits of the social security number,
712 if applicable; Florida driver license number or Florida
713 identification card number, as available; type of documentary
714 proof provided in support of citizenship; and, if applicable,
715 alien registration number or other legal status identifier.

716 (d) Information identifying a change in residence address
717 on the Florida driver license or Florida identification card of
718 any person who declined pursuant to s. 97.057(2) to register or
719 update his or her voter record. The information must contain the
720 person's name; date of birth; last four digits of the social
721 security number, if available; and Florida driver license number
722 or Florida identification card number, as available, in order to
723 identify a voter's registration record. The Department of State
724 must report each such change in residence address to the
725 appropriate supervisor, who must change the voter's registration

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726 records in accordance with s. 98.065(4).

727 (e) Information identifying new, renewed, or replacement
728 Florida driver license or Florida identification card numbers
729 issued to persons who declined pursuant to s. 97.057(2) to
730 register or update their voter record. The information must
731 contain the person's name; date of birth; last four digits of
732 the social security number, if available; and the prior, if
733 applicable, and current Florida driver license number or Florida
734 identification card number in order to identify a voter's
735 registration record. Within 7 days, the Department of State
736 shall report such information to the appropriate supervisor, who
737 must update the voter registration records.

738 (f) Information identifying those persons for which it has
739 received official information during the preceding week that the
740 person is deceased. The information must contain the name,
741 address, date of birth, last four digits of the social security
742 number, Florida driver license number or Florida identification
743 card number, and date of death of each such person.

744 (9) FEDERAL COURTS.—Upon receipt of information from a
745 jury coordinator that a person was disqualified or potentially
746 disqualified as a prospective juror from jury service due to not
747 having United States citizenship, being convicted of a felony,
748 being deceased, being a nonresident of this state, or being a
749 nonresident of the county, the department shall use such
750 information to identify registered voters or applicants for

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751 voter registration who may be potentially ineligible based on
 752 information provided in accordance with s. 98.075.

753 Section 10. Effective upon this act becoming a law,
 754 paragraphs (b), (c), and (d) of subsection (1) of section
 755 99.021, Florida Statutes, are amended, and paragraphs (f) and
 756 (g) are added to that subsection, to read:

757 99.021 Form of candidate oath.—

758 (1)

759 (b) In addition, any person seeking to qualify for
 760 nomination as a candidate of any political party shall, at the
 761 time of subscribing to the oath or affirmation, state in
 762 writing:

763 1. The party of which the person is a member.

764 2. That the person has been a registered member of the
 765 political party for which he or she is seeking nomination as a
 766 candidate for at least 365 consecutive days preceding ~~before~~ the
 767 beginning of qualifying before ~~preceding~~ the general election
 768 for which the person seeks to qualify.

769 3. That the person has paid the assessment levied against
 770 him or her, if any, as a candidate for said office by the
 771 executive committee of the party of which he or she is a member.

772 4. That the person has not legally changed his or her name
 773 through a petition pursuant to s. 68.07 during the 365-day
 774 period preceding the beginning of qualifying. This subparagraph
 775 does not apply to any change of name in proceedings for

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776 dissolution of marriage or adoption of children or based on a
777 change of name conducted with a marriage certificate.

778 (c) In addition, any person seeking to qualify for office
779 as a candidate with no party affiliation shall, at the time of
780 subscribing to the oath or affirmation, state in writing that he
781 or she is registered without any party affiliation and that he
782 or she has not:

783 1. Been a registered member of any political party for at
784 least 365 consecutive days preceding ~~before~~ the beginning of
785 qualifying ~~before~~ preceding the general election for which the
786 person seeks to qualify.

787 2. Legally changed his or her name through a petition
788 pursuant to s. 68.07 during the 365-day period preceding the
789 beginning of qualifying. This subparagraph does not apply to any
790 change of name in proceedings for dissolution of marriage or
791 adoption of children or based on a change of name conducted with
792 a marriage certificate.

793 (d)1. In addition, each candidate, whether a party
794 candidate, a candidate with no party affiliation, or a write-in
795 candidate, shall, at the time of subscribing to the oath or
796 affirmation, state in writing whether he or she owes any
797 outstanding fines, fees, or penalties that cumulatively exceed
798 \$250 for any violations of s. 8, Art. II of the State
799 Constitution; the Code of Ethics for Public Officers and
800 Employees under part III of chapter 112; any local ethics

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801 ordinance governing standards of conduct and disclosure
802 requirements; or chapter 106. If the candidate owes any
803 outstanding fines, fees, or penalties exceeding the threshold
804 amount specified in this paragraph, he or she must also specify
805 the amount owed and each entity that levied such fine, fee, or
806 penalty. For purposes of this paragraph, any such fines, fees,
807 or penalties that have been paid in full at the time of
808 subscribing to the oath or affirmation are not deemed to be
809 outstanding.

810 2. In addition, each candidate seeking federal office,
811 whether a party candidate, a candidate with no party
812 affiliation, or a write-in candidate, shall, at the time of
813 subscribing to the oath or affirmation, state in writing whether
814 he or she intends to trade stocks, if elected, in a manner other
815 than through a trust or similar mechanism which strictly limits
816 his or her ability to influence or exercise control over
817 decisions regarding the management of assets.

818 (f) The statements in subparagraphs (b)4. and (c)2.
819 constitute substantive requirements for the person completing
820 the statement, and compliance with those requirements is
821 mandatory. The sole method to enforce compliance with such
822 requirements is contained in this paragraph. Compliance with
823 subparagraphs (b)4. and (c)2. may be challenged by a qualified
824 candidate or a political party with qualified candidates in the
825 same race by filing an action in the circuit court for the

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826 county in which the qualifying officer is headquartered. A
 827 person may not be qualified as a candidate for nomination or
 828 election and his or her name may not appear on the ballot if in
 829 an order that has become final, the court determines that the
 830 person seeking to qualify has legally changed his or her name
 831 through a petition pursuant to s. 68.07 during the 365-day
 832 period preceding the beginning of qualifying, unless such change
 833 of name occurred in proceedings for dissolution of marriage or
 834 adoption of children or was based on a change of name conducted
 835 with a marriage certificate.

836 (g) The statements in subparagraphs (b)2. and (c)1.
 837 constitute substantive requirements for the person completing
 838 the statement, and compliance with those requirements is
 839 mandatory. The sole method to enforce compliance with such
 840 requirements is contained in this paragraph. Compliance with
 841 subparagraphs (b)2. and (c)1. may be challenged by a qualified
 842 candidate or a political party with qualified candidates in the
 843 same race by filing an action in the circuit court for the
 844 county in which the qualifying officer is headquartered. A
 845 person may not be qualified as a candidate for nomination or
 846 election, and his or her name may not appear on the ballot, if,
 847 in an order that has become final, the court determines that:

848 1. The person seeking to qualify for nomination as a
 849 candidate of any political party has not been a registered
 850 member of that party for the 365-day period preceding the

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851 beginning of qualifying; or

852 2. The person seeking to qualify for office as a candidate
853 with no party affiliation has not been registered without party
854 affiliation for, or has been a registered member of any
855 political party during, the 365-day period preceding the
856 beginning of qualifying.

857 Section 11. Effective upon becoming a law, section
858 99.0211, Florida Statutes, is created to read:

859 99.0211 Challenging candidacy.—

860 (1) A candidate must be able to satisfy all statutory and
861 constitutional requirements for the office for which he or she
862 is seeking nomination or election.

863 (2) A candidate or a political party with a candidate in
864 the same race, or an affiliated party committee as authorized by
865 s. 103.092, may challenge a candidate's compliance with
866 subsection (1) by filing an action for declaratory and
867 injunctive relief in the circuit court for the county in which
868 the filing officer is headquartered.

869 (3) A person may not be qualified as a candidate for
870 nomination or election, and his or her name may not appear on
871 the ballot, if, in an order that has become final, the court
872 determines that the candidate will not, at the time of
873 qualification, election, or assumption of office, as applicable,
874 satisfy all statutory and constitutional requirements for the
875 office for which he or she is seeking nomination or election.

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876 (4) A candidate, a political party, or an affiliated party
 877 committee bringing an action for declaratory and injunctive
 878 relief under subsection (2) is entitled to an expedited final
 879 hearing, and any appeal of a final hearing must receive
 880 expedited consideration by the appellate court. Upon a final
 881 order of the circuit court which contains the determination
 882 under subsection (3), the supervisor of elections in each county
 883 affected by such candidacy shall remove the name of the
 884 candidate from the ballot or, if the ballots have already been
 885 printed, include a notice with each vote-by-mail ballot, and
 886 post a notice at each early voting location and polling
 887 precinct, stating that a vote for such candidate will not be
 888 counted.

889 Section 12. Effective upon becoming a law, paragraph (a)
 890 of subsection (7) of section 99.061, Florida Statutes, is
 891 amended to read:

892 99.061 Method of qualifying for nomination or election to
 893 federal, state, county, or district office.—

894 (7) (a) In order for a candidate to be qualified, the
 895 following items must be received by the filing officer by the
 896 end of the qualifying period:

897 1. A properly executed check drawn upon the candidate's
 898 campaign account payable to the person or entity as prescribed
 899 by the filing officer in an amount not less than the fee
 900 required by s. 99.092, unless the candidate obtained the

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901 required number of signatures on petitions pursuant to s.
902 99.095. The filing fee for a special district candidate is not
903 required to be drawn upon the candidate's campaign account. If a
904 candidate's check is returned by the bank for any reason, the
905 filing officer shall immediately notify the candidate and the
906 candidate shall have until the end of qualifying to pay the fee
907 with a cashier's check purchased from funds of the campaign
908 account. Failure to pay the fee as provided in this subparagraph
909 shall disqualify the candidate.

910 2. The candidate's oath required by s. 99.021, which must
911 contain the name of the candidate as it is to appear on the
912 ballot; the office sought, including the district or group
913 number if applicable; and the signature of the candidate, which
914 must be verified under oath or affirmation pursuant to s.
915 92.525(1)(a).

916 3. If the office sought is partisan, the written statement
917 of political party affiliation required by s. 99.021(1)(b); or
918 if the candidate is running without party affiliation for a
919 partisan office, the written statement required by s.
920 99.021(1)(c).

921 4. If the office sought is federal, the written statement
922 required by s. 99.021(1)(d)2.

923 5. The completed form for the appointment of campaign
924 treasurer and designation of campaign depository, as required by
925 s. 106.021.

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926 ~~6.5.~~ The full and public disclosure or statement of
927 financial interests required by subsection (5). A public officer
928 who has filed the full and public disclosure or statement of
929 financial interests with the Commission on Ethics before
930 qualifying for office may file a copy of that disclosure or a
931 verification or receipt of electronic filing as provided in
932 subsection (5) at the time of qualifying.

933 7. An oath or affirmation in writing that states whether
934 the candidate is a citizen of another country in addition to
935 being a citizen of the United States, and, if so, discloses any
936 other country of which the candidate is also a citizen.

937 8. For a candidate seeking federal office, whether a party
938 candidate, a candidate with no party affiliation, or a write-in
939 candidate, an oath or affirmation in writing which states
940 whether the candidate previously held a federal office and, if
941 so, discloses whether the candidate traded stocks while in such
942 office in a manner other than through a trust or similar
943 mechanism which strictly limited his or her ability to influence
944 or exercise control over decisions regarding the management of
945 assets.

946 Section 13. Subsection (1) of section 101.043, Florida
947 Statutes, is amended to read:

948 101.043 Identification required at polls.—

949 (1) (a) The precinct register, as prescribed in s. 98.461,
950 must ~~shall~~ be used at the polls for the purpose of identifying

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951 the elector at the polls before allowing him or her to vote. The
 952 clerk or inspector shall require each elector, upon entering the
 953 polling place, to present one of the following current and valid
 954 picture identifications:

- 955 1. Florida driver license.
- 956 2. Florida identification card issued by the Department of
 957 Highway Safety and Motor Vehicles.
- 958 3. United States passport or passport card.
- 959 4. ~~Debit or credit card.~~
- 960 5. United States uniformed services or Merchant Marine
 961 Military identification.
- 962 6. ~~Student identification.~~
- 963 7. ~~Retirement center identification.~~
- 964 8. ~~Neighborhood association identification.~~
- 965 9. ~~Public assistance identification.~~
- 966 5.10. Veteran health identification card issued by the
 967 United States Department of Veterans Affairs.
- 968 6.11. A license to carry a concealed weapon or firearm
 969 issued pursuant to s. 790.06.
- 970 7.12. Any other ~~Employee~~ identification card issued by any
 971 branch, department, agency, or entity of the Federal Government,
 972 the state, a county, or a municipality, excluding identification
 973 cards issued by an educational institution.

974 (b) If the picture identification does not contain the
 975 signature of the elector, an additional identification that

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976 provides the elector's signature is ~~shall be~~ required. The
 977 address appearing on the identification presented by the elector
 978 may not be used as the basis to challenge an elector's legal
 979 residence. The elector must ~~shall~~ sign his or her name in the
 980 space provided on the precinct register or on an electronic
 981 device provided for recording the elector's signature. The clerk
 982 or inspector shall compare the signature with that on the
 983 identification provided by the elector and enter his or her
 984 initials in the space provided on the precinct register or on an
 985 electronic device provided for that purpose and allow the
 986 elector to vote if the clerk or inspector is satisfied as to the
 987 identity of the elector.

988 Section 14. Paragraph (d) of subsection (6) of section
 989 101.048, Florida Statutes, is amended to read:

990 101.048 Provisional ballots.—

991 (6)

992 (d) Instructions must accompany the cure affidavit in
 993 substantially the following form:

994
 995 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 996 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 997 BALLOT NOT TO COUNT.

998 1. In order to cure the missing signature or the signature
 999 discrepancy on your Provisional Ballot Voter's Certificate and
 1000 Affirmation, your affidavit should be completed and returned as

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1001 soon as possible so that it can reach the supervisor of
 1002 elections of the county in which your precinct is located no
 1003 later than 5 p.m. on the 2nd day after the election.

1004 2. You must sign your name on the line above (Voter's
 1005 Signature).

1006 3. You must make a copy of one of the following forms of
 1007 identification:

1008 a. Tier 1 identification.—Current and valid identification
 1009 that includes your name and photograph: Florida driver license;
 1010 Florida identification card issued by the Department of Highway
 1011 Safety and Motor Vehicles; United States passport or passport
 1012 card; United States uniformed services or Merchant Marine; ~~debit~~
 1013 ~~or credit card; military identification; student identification;~~
 1014 ~~retirement center identification; neighborhood association~~
 1015 ~~identification; public assistance identification; veteran health~~
 1016 identification card issued by the United States Department of
 1017 Veterans Affairs; Florida license to carry a concealed weapon or
 1018 firearm; or any other employee identification card issued by any
 1019 branch, department, agency, or entity of the Federal Government,
 1020 the state, a county, or a municipality, excluding identification
 1021 cards issued by an educational institution; or

1022 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
 1023 FORM OF IDENTIFICATION, identification that shows your name and
 1024 current residence address: current utility bill; bank statement;
 1025 government check; paycheck; or government document (excluding

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1026 voter information card).

1027 4. Place the envelope bearing the affidavit into a mailing
1028 envelope addressed to the supervisor. Insert a copy of your
1029 identification in the mailing envelope. Mail (if time permits),
1030 deliver, or have delivered the completed affidavit along with
1031 the copy of your identification to your county supervisor of
1032 elections. Be sure there is sufficient postage if mailed and
1033 that the supervisor's address is correct. Remember, your
1034 information MUST reach your county supervisor of elections no
1035 later than 5 p.m. on the 2nd day following the election or your
1036 ballot will not count.

1037 5. Alternatively, you may fax or e-mail your completed
1038 affidavit and a copy of your identification to the supervisor of
1039 elections. If e-mailing, please provide these documents as
1040 attachments.

1041 6. Submitting a provisional ballot affidavit does not
1042 establish your eligibility to vote in this election or guarantee
1043 that your ballot will be counted. The county canvassing board
1044 determines your eligibility to vote through information provided
1045 on the Provisional Ballot Voter's Certificate and Affirmation,
1046 written evidence provided by you, including information in your
1047 cure affidavit along with any supporting identification, and any
1048 other evidence presented by the supervisor of elections or a
1049 challenger. You may still be required to present additional
1050 written evidence to support your eligibility to vote.

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1051 Section 15. Subsection (1) of section 101.151, Florida
 1052 Statutes, is amended to read:

1053 101.151 Specifications for ballots.—

1054 (1) (a) ~~Marksense~~ Ballots must ~~shall~~ be printed on paper of
 1055 such thickness that the printing cannot be distinguished from
 1056 the back and must ~~shall~~ meet the specifications of the voting
 1057 system that will be used to tabulate the ballots.

1058 (b) Polling places and early voting sites may employ a
 1059 ballot-on-demand production system to print individual ~~marksense~~
 1060 ballots, including provisional ballots, for eligible voters
 1061 ~~electors~~. Ballot-on-demand technology may be used to produce
 1062 ~~marksense~~ vote-by-mail, early voting, and election-day ballots.

1063 Section 16. Subsection (4) of section 101.5606, Florida
 1064 Statutes, is amended to read:

1065 101.5606 Requirements for approval of systems.—No
 1066 electronic or electromechanical voting system shall be approved
 1067 by the Department of State unless it is so constructed that:

1068 (4) ~~For systems using marksense ballots,~~ It accepts a
 1069 rejected ballot pursuant to subsection (3) if a voter chooses to
 1070 cast the ballot, but records no vote for any office that has
 1071 been overvoted or undervoted.

1072 Section 17. Section 101.56075, Florida Statutes, is
 1073 amended to read:

1074 101.56075 Voting methods.—For the purpose of designating
 1075 ballot selections, all voting must be by official ~~marksense~~

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1076 | ballot, using a pen compatible with or recommended for use with
 1077 | the voting system, unless a voter requests to vote using marking
 1078 | ~~device or~~ a voter interface device that produces a voter-
 1079 | verifiable paper output and meets the voter accessibility
 1080 | requirements for individuals with disabilities under s. 301 of
 1081 | the federal Help America Vote Act of 2002 and s. 101.56062.

1082 | Section 18. Section 101.5608, Florida Statutes, is amended
 1083 | to read:

1084 | 101.5608 Voting at the polls ~~by electronic or~~
 1085 | ~~electromechanical method~~; procedures.-

1086 | (1) Each voter ~~elector~~ desiring to vote must ~~shall~~ be
 1087 | identified to the clerk or inspector of the election as a duly
 1088 | qualified voter ~~elector~~ of such election and must ~~shall~~ sign his
 1089 | or her name on the precinct register or other form or device
 1090 | provided by the supervisor. The inspector shall compare the
 1091 | signature with the signature on the identification provided by
 1092 | the voter ~~elector~~. If the inspector is reasonably sure that the
 1093 | person is entitled to vote, the inspector must ~~shall~~ provide the
 1094 | person with a ballot.

1095 | (2) When an electronic or electromechanical voting system
 1096 | utilizes a ballot ~~card or marksense ballot~~, the following
 1097 | procedures must ~~shall~~ be followed to vote:

1098 | (a) After receiving a ballot from an inspector, the voter
 1099 | ~~elector~~ shall, without leaving the polling place, retire to a
 1100 | booth or compartment and mark the ballot. After marking his or

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1101 her ballot, the voter must ~~elector shall~~ place the ballot in a
 1102 secrecy envelope so that the ballot will be deposited in the
 1103 tabulator without exposing the voter's choices.

1104 (b) Any voter who spoils his or her ballot or makes an
 1105 error may return the ballot to the election official and secure
 1106 another ballot, except that in no case shall a voter be
 1107 furnished more than three ballots. If the vote tabulation device
 1108 has rejected a ballot, the ballot must ~~shall~~ be considered
 1109 spoiled and a new ballot must ~~shall~~ be provided to the voter
 1110 unless the voter chooses to cast the rejected ballot. The
 1111 election official, without examining the original ballot, shall
 1112 state the possible reasons for the rejection and ~~shall~~ provide
 1113 instruction to the voter pursuant to s. 101.5611. A spoiled
 1114 ballot must ~~shall~~ be preserved, without examination, in an
 1115 envelope provided for that purpose. ~~The stub shall be removed~~
 1116 ~~from the ballot and placed in an envelope.~~

1117 (c) The supervisor of elections shall prepare for each
 1118 polling place at least one ballot box to contain the ballots of
 1119 a particular precinct, and each ballot box must ~~shall~~ be plainly
 1120 marked with the name of the precinct for which it is intended.

1121 (3) The Department of State shall promulgate rules
 1122 regarding voting procedures to be used when an electronic or
 1123 electromechanical voting system is of a type which does not
 1124 utilize a ballot ~~card or marksense ballot~~.

1125 (4) In any election in which a write-in candidate has

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1126 | qualified for office, the supervisor of elections shall provide
 1127 | for write-in voting pursuant to rules adopted by the Division of
 1128 | Elections.

1129 | Section 19. Subsection (5) of section 101.5612, Florida
 1130 | Statutes, is amended to read:

1131 | 101.5612 Testing of tabulating equipment.—

1132 | (5) Any tests involving ~~marksense~~ ballots pursuant to this
 1133 | section must ~~shall~~ employ test ballots created by the supervisor
 1134 | of elections using actual ballots that have been printed for the
 1135 | election. If ballot-on-demand ballots will be used in the
 1136 | election, the supervisor must ~~shall~~ also create test ballots
 1137 | using the ballot-on-demand technology that will be used to
 1138 | produce ballots in the election, using the same paper stock as
 1139 | will be used for ballots in the election.

1140 | Section 20. Paragraph (d) of subsection (4) of section
 1141 | 101.68, Florida Statutes, is amended to read:

1142 | 101.68 Canvassing of vote-by-mail ballot.—

1143 | (4)

1144 | (d) Instructions must accompany the cure affidavit in
 1145 | substantially the following form:

1146 |
 1147 | READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 1148 | AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 1149 | BALLOT NOT TO COUNT.

1150 |

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1151 1. In order to ensure that your vote-by-mail ballot will
 1152 be counted, your affidavit should be completed and returned as
 1153 soon as possible so that it can reach the supervisor of
 1154 elections of the county in which your precinct is located no
 1155 later than 5 p.m. on the 2nd day after the election.

1156 2. You must sign your name on the line above (Voter's
 1157 Signature).

1158 3. You must make a copy of one of the following forms of
 1159 identification:

1160 a. Tier 1 identification.—Current and valid identification
 1161 that includes your name and photograph: Florida driver license;
 1162 Florida identification card issued by the Department of Highway
 1163 Safety and Motor Vehicles; United States passport or passport
 1164 card; United States uniformed services or Merchant Marine; ~~debit~~
 1165 ~~or credit card~~; ~~military identification~~; ~~student identification~~;
 1166 ~~retirement center identification~~; ~~neighborhood association~~
 1167 ~~identification~~; ~~public assistance~~ identification; veteran health
 1168 identification card issued by the United States Department of
 1169 Veterans Affairs; a Florida license to carry a concealed weapon
 1170 or firearm; or any ~~an~~ ~~employee~~ identification card issued by any
 1171 branch, department, agency, or entity of the Federal Government,
 1172 the state, a county, or a municipality, excluding identification
 1173 cards issued by an educational institution; or

1174 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
 1175 FORM OF IDENTIFICATION, identification that shows your name and

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1176 | current residence address: current utility bill, bank statement,
 1177 | government check, paycheck, or government document (excluding
 1178 | voter information card).

1179 | 4. Place the envelope bearing the affidavit into a mailing
 1180 | envelope addressed to the supervisor. Insert a copy of your
 1181 | identification in the mailing envelope. Mail (if time permits),
 1182 | deliver, or have delivered the completed affidavit along with
 1183 | the copy of your identification to your county supervisor of
 1184 | elections. Be sure there is sufficient postage if mailed and
 1185 | that the supervisor's address is correct. Remember, your
 1186 | information MUST reach your county supervisor of elections no
 1187 | later than 5 p.m. on the 2nd day after the election, or your
 1188 | ballot will not count.

1189 | 5. Alternatively, you may fax or e-mail your completed
 1190 | affidavit and a copy of your identification to the supervisor of
 1191 | elections. If e-mailing, please provide these documents as
 1192 | attachments.

1193 | Section 21. Subsection (2) of section 101.6923, Florida
 1194 | Statutes, is amended to read:

1195 | 101.6923 Special vote-by-mail ballot instructions for
 1196 | certain first-time voters.—

1197 | (2) A voter covered by this section must be provided with
 1198 | printed instructions with his or her vote-by-mail ballot in
 1199 | substantially the following form:

1200 |

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1201 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
1202 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
1203 BALLOT NOT TO COUNT.

1204

1205 1. In order to ensure that your vote-by-mail ballot will
1206 be counted, it should be completed and returned as soon as
1207 possible so that it can reach the supervisor of elections of the
1208 county in which your precinct is located no later than 7 p.m. on
1209 the date of the election. However, if you are an overseas voter
1210 casting a ballot in a presidential preference primary or general
1211 election, your vote-by-mail ballot must be postmarked or dated
1212 no later than the date of the election and received by the
1213 supervisor of elections of the county in which you are
1214 registered to vote no later than 10 days after the date of the
1215 election. Note that the later you return your ballot, the less
1216 time you will have to cure signature deficiencies, which is
1217 authorized until 5 p.m. local time on the 2nd day after the
1218 election.

1219 2. Mark your ballot in secret as instructed on the ballot.
1220 You must mark your own ballot unless you are unable to do so
1221 because of blindness, disability, or inability to read or write.

1222 3. Mark only the number of candidates or issue choices for
1223 a race as indicated on the ballot. If you are allowed to "Vote
1224 for One" candidate and you vote for more than one, your vote in
1225 that race will not be counted.

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- 1226 4. Place your marked ballot in the enclosed secrecy
 1227 envelope and seal the envelope.
- 1228 5. Insert the secrecy envelope into the enclosed envelope
 1229 bearing the Voter's Certificate. Seal the envelope and
 1230 completely fill out the Voter's Certificate on the back of the
 1231 envelope.
- 1232 a. You must sign your name on the line above (Voter's
 1233 Signature).
- 1234 b. If you are an overseas voter, you must include the date
 1235 you signed the Voter's Certificate on the line above (Date) or
 1236 your ballot may not be counted.
- 1237 c. A vote-by-mail ballot will be considered illegal and
 1238 will not be counted if the signature on the Voter's Certificate
 1239 does not match the signature on record. The signature on file at
 1240 the start of the canvass of the vote-by-mail ballots is the
 1241 signature that will be used to verify your signature on the
 1242 Voter's Certificate. If you need to update your signature for
 1243 this election, send your signature update on a voter
 1244 registration application to your supervisor of elections so that
 1245 it is received before your vote-by-mail ballot is received.
- 1246 6. Unless you meet one of the exemptions in Item 7., you
 1247 must make a copy of one of the following forms of
 1248 identification:
- 1249 a. Identification which must include your name and
 1250 photograph: United States passport or passport card; United

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1251 States uniformed services or Merchant Marine; ~~debit or credit~~
 1252 ~~card; military identification; student identification;~~
 1253 ~~retirement center identification; neighborhood association~~
 1254 ~~identification; public assistance~~ identification; veteran health
 1255 identification card issued by the United States Department of
 1256 Veterans Affairs; a Florida license to carry a concealed weapon
 1257 or firearm; or any an ~~employee~~ identification card issued by any
 1258 branch, department, agency, or entity of the Federal Government,
 1259 the state, a county, or a municipality, excluding identification
 1260 cards issued by an educational institution; or

1261 b. Identification which shows your name and current
 1262 residence address: current utility bill, bank statement,
 1263 government check, paycheck, or government document (excluding
 1264 voter information card).

1265 7. The identification requirements of Item 6. do not apply
 1266 if you meet one of the following requirements:

1267 a. You are 65 years of age or older.

1268 b. You have a temporary or permanent physical disability.

1269 c. You are a member of a uniformed service on active duty
 1270 who, by reason of such active duty, will be absent from the
 1271 county on election day.

1272 d. You are a member of the Merchant Marine who, by reason
 1273 of service in the Merchant Marine, will be absent from the
 1274 county on election day.

1275 e. You are the spouse or dependent of a member referred to

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1276 in paragraph c. or paragraph d. who, by reason of the active
 1277 duty or service of the member, will be absent from the county on
 1278 election day.

1279 f. You are currently residing outside the United States.

1280 8. Place the envelope bearing the Voter's Certificate into
 1281 the mailing envelope addressed to the supervisor. Insert a copy
 1282 of your identification in the mailing envelope. DO NOT PUT YOUR
 1283 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
 1284 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
 1285 BALLOT WILL NOT COUNT.

1286 9. Mail, deliver, or have delivered the completed mailing
 1287 envelope. Be sure there is sufficient postage if mailed.

1288 10. FELONY NOTICE. It is a felony under Florida law to
 1289 accept any gift, payment, or gratuity in exchange for your vote
 1290 for a candidate. It is also a felony under Florida law to vote
 1291 in an election using a false identity or false address, or under
 1292 any other circumstances making your ballot false or fraudulent.

1293 Section 22. Subsection (2) of section 102.111, Florida
 1294 Statutes, is amended to read:

1295 102.111 Elections Canvassing Commission.—

1296 (2) The Elections Canvassing Commission shall meet at 9 &
 1297 a.m. on the 9th day after a primary election and at 9 & a.m. on
 1298 the 14th day after a general election to certify the returns of
 1299 the election for each federal, state, and multicounty office and
 1300 for each constitutional amendment. On days the Legislature

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1301 convenes for organizational session pursuant to s. 3(a), Art.
 1302 III of the State Constitution, such meeting will begin at 8 a.m.
 1303 If a member of a county canvassing board that was constituted
 1304 pursuant to s. 102.141 determines, within 5 days after the
 1305 certification by the Elections Canvassing Commission, that a
 1306 typographical error occurred in the official returns of the
 1307 county, the correction of which could result in a change in the
 1308 outcome of an election, the county canvassing board must certify
 1309 corrected returns to the Department of State within 24 hours,
 1310 and the Elections Canvassing Commission must correct and
 1311 recertify the election returns as soon as practicable.

1312 Section 23. Subsections (3) through (7) of section
 1313 102.141, Florida Statutes, are amended to read:

1314 102.141 County canvassing board; duties.—

1315 (3) The canvass, except the canvass of returned vote-by-
 1316 mail ballots ~~absent electors' returns~~ and the canvass of
 1317 provisional ballots, must ~~shall~~ be made from the returns and
 1318 certificates of the inspectors as signed and filed by them with
 1319 the supervisor, and the county canvassing board may ~~shall~~ not
 1320 change the number of votes cast for a candidate, nominee,
 1321 constitutional amendment, or other measure submitted to the
 1322 electorate of the county, respectively, in any polling place, as
 1323 shown by the returns. All returns must ~~shall~~ be made to the
 1324 board on or before 2 a.m. of the day following any primary,
 1325 general, or other election. If the returns from any precinct are

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1326 missing, if there are any omissions on the returns from any
1327 precinct, or if there is an obvious error on any such returns,
1328 the canvassing board must ~~shall~~ order a retabulation of the
1329 returns from such precinct. Before canvassing such returns, the
1330 canvassing board shall examine the tabulation of the ballots
1331 cast in such precinct and determine whether the returns
1332 correctly reflect the votes cast. If there is a discrepancy
1333 between the returns and the tabulation of the ballots cast, the
1334 tabulation of the ballots cast must ~~shall~~ be presumed correct
1335 and such votes must ~~shall~~ be canvassed accordingly.

1336 (4) (a) The supervisor of elections shall upload into the
1337 county's election management system by 7 p.m. local time on the
1338 day before the election the results of all early voting and
1339 vote-by-mail ballots that have been canvassed and tabulated by
1340 the end of the early voting period. Pursuant to ss. 101.5614(8),
1341 101.657, and 101.68(2), the tabulation of votes cast or the
1342 results of such uploads may not be made public before the close
1343 of the polls on election day.

1344 (b) The supervisor of elections, on behalf of the
1345 canvassing board, shall report all early voting and all
1346 tabulated vote-by-mail results to the Department of State within
1347 30 minutes after the polls close. Thereafter, ~~the canvassing~~
1348 ~~board shall report,~~ with the exception of provisional ballot
1349 results, updated precinct election results shall be uploaded to
1350 the department at least every 45 minutes until all results are

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1351 completely reported. The supervisor of elections shall notify
 1352 the department immediately of any circumstances that do not
 1353 permit periodic updates as required. Results must ~~shall~~ be
 1354 submitted in a format prescribed by the department.

1355 (5) The canvassing board shall submit on forms or in
 1356 formats provided by the division unofficial returns to the
 1357 Department of State for each federal, statewide, state, or
 1358 multicounty office or ballot measure no later than noon on the
 1359 third day after any primary election and no later than noon on
 1360 the fourth day after any general or other election. Such returns
 1361 must ~~shall~~ include the canvass of all ballots, including write-
 1362 in votes, as required by subsection (2).

1363 (6) If the county canvassing board determines that the
 1364 unofficial returns may contain a counting error in which the
 1365 vote tabulation system failed to count votes that were properly
 1366 marked in accordance with the instructions on the ballot, the
 1367 county canvassing board must ~~shall~~:

1368 (a) Correct the error and retabulate the affected ballots
 1369 with the vote tabulation system; or

1370 (b) Request that the Department of State verify the
 1371 tabulation software. When the Department of State verifies such
 1372 software, the department shall compare the software used to
 1373 tabulate the votes with the software filed with the department
 1374 pursuant to s. 101.5607 and check the election parameters.

1375 (7) If the unofficial returns reflect that a candidate for

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1376 any office was defeated or eliminated by one-half of a percent
 1377 or less of the votes cast for such office, that a candidate for
 1378 retention to a judicial office was retained or not retained by
 1379 one-half of a percent or less of the votes cast on the question
 1380 of retention, or that a measure appearing on the ballot was
 1381 approved or rejected by one-half of a percent or less of the
 1382 votes cast on such measure, a recount shall be ordered of the
 1383 votes cast with respect to such office or measure. The Secretary
 1384 of State is responsible for ordering recounts in races that are
 1385 federal or, state races that are, ~~and~~ multicounty and any other
 1386 multicounty races. The county canvassing board or the local
 1387 board responsible for certifying the election is responsible for
 1388 ordering recounts in all other races. A recount need not be
 1389 ordered with respect to the returns for any office, however, if
 1390 the candidate or candidates defeated or eliminated from
 1391 contention for such office by one-half of a percent or less of
 1392 the votes cast for such office request in writing that a recount
 1393 not be made.

1394 (a) Each canvassing board responsible for conducting a
 1395 recount shall put each ~~marksense~~ ballot through automatic
 1396 tabulating equipment and determine whether the returns correctly
 1397 reflect the votes cast. If any ~~marksense~~ ballot is physically
 1398 damaged so that it cannot be properly counted by the automatic
 1399 tabulating equipment during the recount, a true duplicate shall
 1400 be made of the damaged ballot pursuant to the procedures in s.

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1401 101.5614(4). Immediately before the start of the recount, a test
1402 of the tabulating equipment shall be conducted as provided in s.
1403 101.5612. If the test indicates no error, the recount tabulation
1404 of the ballots cast shall be presumed correct and such votes
1405 shall be canvassed accordingly. If an error is detected, the
1406 cause therefor shall be ascertained and corrected and the
1407 recount repeated, as necessary. The canvassing board shall
1408 immediately report the error, along with the cause of the error
1409 and the corrective measures being taken, to the Department of
1410 State. No later than 11 days after the election, the canvassing
1411 board shall file a separate incident report with the Department
1412 of State, detailing the resolution of the matter and identifying
1413 any measures that will avoid a future recurrence of the error.
1414 If the automatic tabulating equipment used in a recount is not
1415 part of the voting system and the ballots have already been
1416 processed through such equipment, the canvassing board is not
1417 required to put each ballot through any automatic tabulating
1418 equipment again.

1419 (b) Each canvassing board responsible for conducting a
1420 recount where touchscreen ballots were used shall examine the
1421 counters on the precinct tabulators to ensure that the total of
1422 the returns on the precinct tabulators equals the overall
1423 election return. If there is a discrepancy between the overall
1424 election return and the counters of the precinct tabulators, the
1425 counters of the precinct tabulators shall be presumed correct

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1426 | and such votes shall be canvassed accordingly.

1427 | (c) The canvassing board shall submit on forms or in
 1428 | formats provided by the division a second set of unofficial
 1429 | returns to the Department of State for each federal, statewide,
 1430 | state, or multicounty office or ballot measure. The returns
 1431 | shall be filed no later than 3 p.m. on the 5th day after any
 1432 | primary election and no later than 3 p.m. on the 9th day after
 1433 | any general election in which a recount was ordered by the
 1434 | Secretary of State. If the canvassing board is unable to
 1435 | complete the recount prescribed in this subsection by the
 1436 | deadline, the second set of unofficial returns submitted by the
 1437 | canvassing board shall be identical to the initial unofficial
 1438 | returns and the submission shall also include a detailed
 1439 | explanation of why it was unable to timely complete the recount.
 1440 | However, the canvassing board shall complete the recount
 1441 | prescribed in this subsection, along with any manual recount
 1442 | prescribed in s. 102.166, and certify election returns in
 1443 | accordance with the requirements of this chapter.

1444 | (d) The Department of State shall adopt detailed rules
 1445 | prescribing additional recount procedures for each certified
 1446 | voting system, which shall be uniform to the extent practicable.

1447 | Section 24. Subsection (1) of section 102.166, Florida
 1448 | Statutes, is amended to read:

1449 | 102.166 Manual recounts of overvotes and undervotes.—

1450 | (1) If the second set of unofficial returns pursuant to s.

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1451 102.141 indicates that a candidate for any office was defeated
 1452 or eliminated by one-quarter of a percent or less of the votes
 1453 cast for such office, that a candidate for retention to a
 1454 judicial office was retained or not retained by one-quarter of a
 1455 percent or less of the votes cast on the question of retention,
 1456 or that a measure appearing on the ballot was approved or
 1457 rejected by one-quarter of a percent or less of the votes cast
 1458 on such measure, a manual recount of the overvotes and
 1459 undervotes cast in the entire geographic jurisdiction of such
 1460 office or ballot measure must ~~shall~~ be ordered unless:

1461 (a) The candidate or candidates defeated or eliminated
 1462 from contention by one-quarter of 1 percent or fewer of the
 1463 votes cast for such office request in writing that a recount not
 1464 be made; or

1465 (b) The number of overvotes and undervotes is fewer than
 1466 the number of votes needed to change the outcome of the
 1467 election.

1468
 1469 The Secretary of State is responsible for ordering a manual
 1470 recount for federal ~~or~~ state races that are multicounty, and
 1471 any other multicounty races. The county canvassing board or
 1472 local board responsible for certifying the election is
 1473 responsible for ordering a manual recount for all other races. A
 1474 manual recount consists of a recount of ~~marksense~~ ballots or of
 1475 digital images of those ballots by a person.

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1476 Section 25. Effective July 1, 2026, section 104.042,
 1477 Florida Statutes, is created to read:
 1478 104.042 Time limitation; election fraud.—A prosecution for
 1479 a felony violation under the Florida Election Code must be
 1480 commenced within 5 years after the date the violation is
 1481 committed.

1482 Section 26. Effective upon becoming a law, paragraph (a)
 1483 of subsection (5) of section 105.031, Florida Statutes, is
 1484 amended to read:

1485 105.031 Qualification; filing fee; candidate's oath; items
 1486 required to be filed.—

1487 (5) ITEMS REQUIRED TO BE FILED.—

1488 (a) In order for a candidate for judicial office or the
 1489 office of school board member to be qualified, the following
 1490 items must be received by the filing officer by the end of the
 1491 qualifying period:

1492 1. Except for candidates for retention to judicial office,
 1493 a properly executed check drawn upon the candidate's campaign
 1494 account in an amount not less than the fee required by
 1495 subsection (3) or, in lieu thereof, the copy of the notice of
 1496 obtaining ballot position pursuant to s. 105.035. If a
 1497 candidate's check is returned by the bank for any reason, the
 1498 filing officer shall immediately notify the candidate and the
 1499 candidate shall, the end of qualifying notwithstanding, have 48
 1500 hours from the time such notification is received, excluding

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1501 Saturdays, Sundays, and legal holidays, to pay the fee with a
 1502 cashier's check purchased from funds of the campaign account.
 1503 Failure to pay the fee as provided in this subparagraph shall
 1504 disqualify the candidate.

1505 2. The candidate's oath required by subsection (4), which
 1506 must contain the name of the candidate as it is to appear on the
 1507 ballot; the office sought, including the district or group
 1508 number if applicable; and the signature of the candidate, duly
 1509 acknowledged.

1510 3. The loyalty oath required by s. 876.05, signed by the
 1511 candidate and duly acknowledged.

1512 4. The completed form for the appointment of campaign
 1513 treasurer and designation of campaign depository, as required by
 1514 s. 106.021. In addition, each candidate for judicial office,
 1515 including an incumbent judge, shall file a statement with the
 1516 qualifying officer, within 10 days after filing the appointment
 1517 of campaign treasurer and designation of campaign depository,
 1518 stating that the candidate has read and understands the
 1519 requirements of the Florida Code of Judicial Conduct. Such
 1520 statement shall be in substantially the following form:

1521
 1522 Statement of Candidate for Judicial Office

1523
 1524 I, ...(name of candidate)..., a judicial candidate, have
 1525 received, read, and understand the requirements of the Florida

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1526 Code of Judicial Conduct.

1527 ... (Signature of candidate)...

1528 ... (Date)...

1529

1530 5. The full and public disclosure of financial interests
 1531 required by s. 8, Art. II of the State Constitution or the
 1532 statement of financial interests required by s. 112.3145,
 1533 whichever is applicable. A public officer who has filed the full
 1534 and public disclosure or statement of financial interests with
 1535 the Commission on Ethics or the supervisor of elections prior to
 1536 qualifying for office may file a copy of that disclosure at the
 1537 time of qualifying.

1538 6. An oath or affirmation in writing that states whether
 1539 the candidate is a citizen of another country in addition to
 1540 being a citizen of the United States, and, if so, discloses any
 1541 other country of which the candidate is also a citizen.

1542 Section 27. Effective upon becoming a law, subsection (3)
 1543 is added to section 106.023, Florida Statutes, to read:

1544 106.023 Statement of candidate.—

1545 (3) At the time of filing the statement of candidacy, a
 1546 candidate must also provide an oath or affirmation in writing
 1547 that states that he or she meets, or will meet at the time of
 1548 election for the office sought or at the time of assuming the
 1549 office, as applicable, all statutory and constitutional
 1550 qualifications for the office sought.

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1551 Section 28. Effective July 1, 2026, subsection (12) of
 1552 section 106.08, Florida Statutes, is amended to read:
 1553 106.08 Contributions; limitations on.—
 1554 (12)(a)1. For purposes of this subsection, the term
 1555 "foreign national" means:
 1556 a. A foreign government;
 1557 b. A foreign political party;
 1558 c. A foreign corporation, partnership, association,
 1559 organization, or other combination of persons organized under
 1560 the laws of or having its principal place of business in a
 1561 foreign country;
 1562 d. A person with foreign citizenship; or
 1563 e. A person who is not a citizen or national of the United
 1564 States and is not lawfully admitted to the United States for
 1565 permanent residence.
 1566 2. The term does not include:
 1567 a. A person who is a dual citizen or dual national of the
 1568 United States and a foreign country.
 1569 b. A domestic subsidiary of a foreign corporation,
 1570 partnership, association, organization, or other combination of
 1571 persons organized under the laws of or having its principal
 1572 place of business in a foreign country if:
 1573 (I) The donations and disbursements used toward a
 1574 contribution or an expenditure are derived entirely from funds
 1575 generated by the subsidiary's operations in the United States;

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1576 | and

1577 | (II) All decisions concerning donations and disbursements
 1578 | used toward a contribution or an expenditure are made by
 1579 | individuals who either hold United States citizenship or are
 1580 | permanent residents of the United States. For purposes of this
 1581 | sub-sub-subparagraph, decisions concerning donations and
 1582 | disbursements do not include decisions regarding the
 1583 | subsidiary's overall budget for contributions or expenditures in
 1584 | connection with an election.

1585 | (b) A foreign national may not make or offer to make,
 1586 | directly or indirectly, a contribution or expenditure in
 1587 | connection with any election held in the state.

1588 | (c) A political party, a political committee, an
 1589 | electioneering communications organization, or a candidate may
 1590 | not knowingly and willfully accept or solicit, directly or
 1591 | indirectly, a contribution from a foreign national in connection
 1592 | with any election held in this state.

1593 | Section 29. Section 322.034, Florida Statutes, is created
 1594 | to read:

1595 | 322.034 Legal status designation on state-issued driver
 1596 | licenses and identification cards.—

1597 | (1) By July 1, 2027, a Florida driver license or Florida
 1598 | identification card issued to a qualified applicant who is a
 1599 | United States citizen as last recorded in the system must
 1600 | include his or her legal citizenship status at the time of new

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1601 issuance, renewal, or replacement.

1602 (2) Notwithstanding any other law, the department must, at
 1603 no charge, issue a renewal or replacement driver license or
 1604 identification card if a licensee or cardholder timely updates
 1605 his or her legal status upon becoming a citizen of the United
 1606 States as required in s. 322.19.

1607 Section 30. Effective July 1, 2026, paragraphs (a) and (d)
 1608 of subsection (8) of section 895.02, Florida Statutes, are
 1609 amended to read:

1610 895.02 Definitions.—As used in ss. 895.01-895.08, the
 1611 term:

1612 (8) "Racketeering activity" means to commit, to attempt to
 1613 commit, to conspire to commit, or to solicit, coerce, or
 1614 intimidate another person to commit:

1615 (a) Any crime that is chargeable by petition, indictment,
 1616 or information under the following provisions of the Florida
 1617 Statutes:

1618 1. Section 104.155(2), relating to aiding or soliciting a
 1619 noncitizen in voting.

1620 2. Section 104.185, s. 104.186, s. 104.187, or s. 104.188,
 1621 relating to issue petition activities.

1622 ~~3.2.~~ Section 210.18, relating to evasion of payment of
 1623 cigarette taxes.

1624 ~~4.3.~~ Section 316.1935, relating to fleeing or attempting
 1625 to elude a law enforcement officer and aggravated fleeing or

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1626 eluding.

1627 5.4. Chapter 379, relating to the illegal sale, purchase,

1628 collection, harvest, capture, or possession of wild animal life,

1629 freshwater aquatic life, or marine life, and related crimes.

1630 6.5. Section 403.727(3)(b), relating to environmental

1631 control.

1632 7.6. Section 409.920 or s. 409.9201, relating to Medicaid

1633 fraud.

1634 8.7. Section 414.39, relating to public assistance fraud.

1635 9.8. Section 440.105 or s. 440.106, relating to workers'

1636 compensation.

1637 10.9. Section 443.071(4), relating to creation of a

1638 fictitious employer scheme to commit reemployment assistance

1639 fraud.

1640 11.10. Section 465.0161, relating to distribution of

1641 medicinal drugs without a permit as an Internet pharmacy.

1642 12.11. Section 499.0051, relating to crimes involving

1643 contraband, adulterated, or misbranded drugs.

1644 13.12. Part IV of chapter 501, relating to telemarketing.

1645 14.13. Chapter 517, relating to sale of securities and

1646 investor protection.

1647 15.14. Section 550.235 or s. 550.3551, relating to

1648 dogracing and horseracing.

1649 16.15. Chapter 550, relating to jai alai frontons.

1650 17.16. Section 551.109, relating to slot machine gaming.

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1651 ~~18.17.~~ Chapter 552, relating to the manufacture,
 1652 distribution, and use of explosives.
 1653 ~~19.18.~~ Chapter 560, relating to money transmitters, if the
 1654 violation is punishable as a felony.
 1655 ~~20.19.~~ Chapter 562, relating to beverage law enforcement.
 1656 ~~21.20.~~ Section 624.401, relating to transacting insurance
 1657 without a certificate of authority, s. 624.437(4)(c)1., relating
 1658 to operating an unauthorized multiple-employer welfare
 1659 arrangement, or s. 626.902(1)(b), relating to representing or
 1660 aiding an unauthorized insurer.
 1661 ~~22.21.~~ Section 655.50, relating to reports of currency
 1662 transactions, when such violation is punishable as a felony.
 1663 ~~23.22.~~ Chapter 687, relating to interest and usurious
 1664 practices.
 1665 ~~24.23.~~ Section 721.08, s. 721.09, or s. 721.13, relating
 1666 to real estate timeshare plans.
 1667 ~~25.24.~~ Section 775.13(5)(b), relating to registration of
 1668 persons found to have committed any offense for the purpose of
 1669 benefiting, promoting, or furthering the interests of a criminal
 1670 gang.
 1671 ~~26.25.~~ Section 777.03, relating to commission of crimes by
 1672 accessories after the fact.
 1673 ~~27.26.~~ Chapter 782, relating to homicide.
 1674 ~~28.27.~~ Chapter 784, relating to assault and battery.
 1675 ~~29.28.~~ Chapter 787, relating to kidnapping, human

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1676 | smuggling, or human trafficking.
 1677 | ~~30.29.~~ Chapter 790, relating to weapons and firearms.
 1678 | ~~31.30.~~ Chapter 794, relating to sexual battery, but only
 1679 | if such crime was committed with the intent to benefit, promote,
 1680 | or further the interests of a criminal gang, or for the purpose
 1681 | of increasing a criminal gang member's own standing or position
 1682 | within a criminal gang.
 1683 | ~~32.31.~~ Former s. 796.03, former s. 796.035, s. 796.04, s.
 1684 | 796.05, or s. 796.07, relating to prostitution.
 1685 | ~~33.32.~~ Chapter 806, relating to arson and criminal
 1686 | mischief.
 1687 | ~~34.33.~~ Chapter 810, relating to burglary and trespass.
 1688 | ~~35.34.~~ Chapter 812, relating to theft, robbery, and
 1689 | related crimes.
 1690 | ~~36.35.~~ Chapter 815, relating to computer-related crimes.
 1691 | ~~37.36.~~ Chapter 817, relating to fraudulent practices,
 1692 | false pretenses, fraud generally, credit card crimes, and
 1693 | patient brokering.
 1694 | ~~38.37.~~ Chapter 825, relating to abuse, neglect, or
 1695 | exploitation of an elderly person or disabled adult.
 1696 | ~~39.38.~~ Section 827.071, relating to commercial sexual
 1697 | exploitation of children.
 1698 | ~~40.39.~~ Section 828.122, relating to fighting or baiting
 1699 | animals.
 1700 | ~~41.40.~~ Chapter 831, relating to forgery and

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1701 counterfeiting.

1702 42.41. Chapter 832, relating to issuance of worthless

1703 checks and drafts.

1704 43.42. Section 836.05, relating to extortion.

1705 44.43. Chapter 837, relating to perjury.

1706 45.44. Chapter 838, relating to bribery and misuse of

1707 public office.

1708 46.45. Chapter 843, relating to obstruction of justice.

1709 47.46. Section 847.011, s. 847.012, s. 847.013, s. 847.06,

1710 or s. 847.07, relating to obscene literature and profanity.

1711 48.47. Chapter 849, relating to gambling, lottery,

1712 gambling or gaming devices, slot machines, or any of the

1713 provisions within that chapter.

1714 49.48. Chapter 874, relating to criminal gangs.

1715 50.49. Chapter 893, relating to drug abuse prevention and

1716 control.

1717 51.50. Chapter 896, relating to offenses related to

1718 financial transactions.

1719 52.51. Sections 914.22 and 914.23, relating to tampering

1720 with or harassing a witness, victim, or informant, and

1721 retaliation against a witness, victim, or informant.

1722 53.52. Sections 918.12, 918.125, and 918.13, relating to

1723 tampering with or harassing court official, retaliating against

1724 court official, and tampering with evidence.

1725 ~~(d) A violation of the Florida Election Code relating to~~

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1726 ~~irregularities or fraud involving issue petition activities.~~

1727 Section 31. For the purpose of incorporating the amendment
 1728 made by this act to section 98.075, Florida Statutes, in a
 1729 reference thereto, subsection (6) of section 98.065, Florida
 1730 Statutes, is reenacted to read:

1731 98.065 Registration list maintenance programs.—

1732 (6) The supervisor shall, at a minimum, conduct an annual
 1733 review of voter registration records to identify registration
 1734 records in which a voter is registered at an address that may
 1735 not be an address of legal residence for the voter. For those
 1736 registration records with such addresses that the supervisor has
 1737 reasonable belief are not legal residential addresses, the
 1738 supervisor shall initiate list maintenance activities pursuant
 1739 to s. 98.075(6) and (7).

1740 Section 32. For the purpose of incorporating the
 1741 amendments made by this act to sections 99.061 and 105.031,
 1742 Florida Statutes, in references thereto, paragraph (b) of
 1743 subsection (1) of section 99.012, Florida Statutes, is reenacted
 1744 to read:

1745 99.012 Restrictions on individuals qualifying for public
 1746 office.—

1747 (1) As used in this section:

1748 (b) "Qualify" means to fulfill the requirements set forth
 1749 in s. 99.061(7) (a) or s. 105.031(5) (a).

1750 Section 33. For the purpose of incorporating the amendment

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1751 made by this act to section 98.015, Florida Statutes, in a
 1752 reference thereto, paragraph (a) of subsection (2) of section
 1753 101.69, Florida Statutes, is reenacted to read:
 1754 101.69 Voting in person; return of vote-by-mail ballot.—
 1755 (2) (a) The supervisor shall allow an elector who has
 1756 received a vote-by-mail ballot to physically return a voted
 1757 vote-by-mail ballot to the supervisor by placing the return mail
 1758 envelope containing his or her marked ballot in a secure ballot
 1759 intake station. Secure ballot intake stations shall be placed at
 1760 the main office of the supervisor, at each permanent branch
 1761 office of the supervisor which meets the criteria set forth in
 1762 s. 101.657(1) (a) for branch offices used for early voting and
 1763 which is open for at least the minimum number of hours
 1764 prescribed by s. 98.015(4), and at each early voting site.
 1765 Secure ballot intake stations may also be placed at any other
 1766 site that would otherwise qualify as an early voting site under
 1767 s. 101.657(1). Secure ballot intake stations must be
 1768 geographically located so as to provide all voters in the county
 1769 with an equal opportunity to cast a ballot, insofar as is
 1770 practicable. Except for secure ballot intake stations at an
 1771 office of the supervisor, a secure ballot intake station may
 1772 only be used during the county's early voting hours of operation
 1773 and must be monitored in person by an employee of the
 1774 supervisor's office. A secure ballot intake station at an office
 1775 of the supervisor must be continuously monitored in person by an

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1776 | employee of the supervisor's office when the secure ballot
1777 | intake station is accessible for deposit of ballots.

1778 | Section 34. Except as otherwise expressly provided in this
1779 | act and except for this section, which shall take effect upon
1780 | this act becoming a law, this act shall take effect January 1,
1781 | 2027.

B.

Sec. 350.101. - General Consolidated Government elections.

- (a) *When held; offices to be voted upon.* General Consolidated Government elections shall be held in the year 1979 and quadrennially thereafter. All officers who are required by the Charter to be elected, except as provided elsewhere in this Chapter, shall be elected at the general Consolidated Government elections as set forth in Section 350.102.
- (b) *Who may vote.* All qualified electors of Duval County are entitled to vote in a general Consolidated Government election. Where officers are required by the Charter to be elected from districts, only the qualified voters in a district shall be entitled to vote for candidates from such district.
- (c) *Majority vote required.* All officers shall be elected by a majority of the votes cast for the office.

(Ord. 78-367-148, § 2; Ord. 83-591-400, § 1; Ord. 93-1267-1332, § 2)

Note— Former § 202.101.

C.

FLORIDA HOUSE OF REPRESENTATIVES FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [CS/CS/HB 991](#)

COMPANION BILL: [CS/CS/SB 1334](#) (Grall)

TITLE: Elections

LINKED BILLS: None

SPONSOR(S): Persons-Mulicka and Trabulsy

RELATED BILLS: None

FINAL HOUSE FLOOR ACTION: 77 Y's 28 N's **GOVERNOR'S ACTION:** Approved

SUMMARY

Effect of the Bill:

The bill makes various revisions to the Florida Election Code, including:

- Revising the voter registration and list maintenance process to elicit additional citizenship information from voters and verify such information.
- Requiring that the Department of Highway Safety and Motor Vehicles to include a person's legal status on any new, replacement, or renewal driver license or identification card.
- Requiring a candidate to disclose whether he or she has dual citizenship.
- Prohibiting a person from qualifying as a candidate if the person legally changed his or her name during the 365-day period before qualifying and providing for judicial enforcement.
- Requiring a candidate for federal office to state in writing whether he or she intends to trade or has traded stock while serving in federal office in a specified manner.
- Revising the list of valid identification required at the polls and for certain other circumstances.
- Creating a five-year statute of limitations for the prosecution of a felony violation under the Florida Election Code.
- Providing that the term "racketeering activity" under the Florida Racketeer Influenced and Corrupt Organization Act includes certain issue petition activities.
- Prohibiting political parties, political committees, and electioneering communications organizations from accepting or soliciting contributions from foreign nationals in connection with an election.

Fiscal or Economic Impact:

The bill will likely result in a negative fiscal impact to state and local governments.

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ANALYSIS

EFFECT OF THE BILL:

Voter Registration

Uniform Statewide Voter Registration Application

The bill requires the [uniform statewide voter registration application](#) to solicit from a voter applicant acknowledgement, by providing a box for the applicant to check, that it is a third degree felony under state and federal law¹ to falsely swear or affirm or otherwise submit false information on a voter registration application. (Section [2](#))

Online Voter Registration System

The bill requires the Department of State's (DOS's) [online voter registration system](#) to:

- Transmit the registration application to the supervisor of elections (supervisor) if the Department of Highway Safety and Motor Vehicles (DHSMV) records indicate that an applicant has provided a document

¹ Under federal law, felonies are separated by classes and not degrees. Therefore, a third degree felony under federal law does not exist. Federal law contains the following felony classifications: Class A; Class B; Class C; Class D; and Class E. See 18 U.S.C s. 3559.

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DATE: 4/2/2026

acceptable as evidence of United States citizenship² (along with the existing requirement that the applicant's name and date of birth be consistent with information provided on the application).

- Notify the supervisor that the applicant's status as a U.S. citizen could not be verified and transmit to the supervisor the applicant's registration application, along with the digital signature on file with DHSMV, if the applicant's name and date of birth match DHSMV records but such records indicate the applicant is not a U.S. citizen or has not provided a document acceptable as evidence of U.S. citizenship.
- Populate the applicant's information into a printable voter registration application and direct the applicant to print, sign, and date the application and deliver it to the supervisor for disposition if the:
 - Applicant indicates he or she has not been issued a Florida driver license or identification card or chooses to use the system to prepopulate an application to print, sign, and deliver to the supervisor.
 - Applicant's name and date of birth cannot be verified by DHSMV. (Section [3](#))

The bill requires that the applicant's legal status be recorded in the statewide voter registration system. (Section [3](#))

Acceptance of Voter Registration Application

The bill provides that upon receipt of a voter registration application, including an application with a change in name, address, or party affiliation, that indicates the applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number—or if DHSMV records indicate the applicant is not a U.S. citizen or has not provided acceptable evidence of citizenship—the supervisor must verify the voter's legal status as a U.S. citizen using available state and federal governmental sources. Then depending on the evidence, the supervisor may be required to initiate list maintenance removal proceedings. (Section [4](#))

A supervisor is required to notify a voter registration applicant if a completed voter registration application has been received by the book-closing deadline, but the applicant's legal status as a U.S. citizen cannot be verified. Such applicant must provide sufficient evidence to the supervisor to verify his or her legal status as a U.S. citizen before voting. If an applicant has not provided proof of U.S. citizenship before the applicant appears to vote, then the applicant must be provided a provisional ballot. The provisional ballot is counted only if the applicant's legal status as a U.S. citizen is verified by the end of the canvassing period or if the applicant presents evidence to the supervisor sufficient to verify the applicant's legal status as a U.S. citizen no later than 5 p.m. of the second day following the election. (Section [4](#))

The bill makes the following additional changes to the voter registration application process:

- Provides that the application must be completed on or before the date of book closing for an election to be eligible to vote in that election, instead of the previous requirement that the application be completed before the date of book closing.
- Provides that the registration date for a valid application to update a voter's record with a change of address or name is the date the application was initially received once the required sufficient evidence is verified.
- Provides that the registration date for a valid application to update a voter's record with a change of party affiliation is the date the application was initially received, and the registration is effective once the required sufficient evidence is verified unless the registration books are closed for a primary election, in which case the update is effective for the subsequent general election. (Section [4](#))

Eligibility of a Voter Registration Applicant

² The bill provides that a document acceptable as evidence of U.S. citizenship documentation includes any of the following: an original or certified copy of a U.S. birth certificate; a valid, unexpired U.S. passport; a naturalization certificate issued by the U.S. Department of Homeland Security; a consular Report of Birth Abroad provided by the U.S. Department of State; a current and valid Florida driver license or Florida identification card issued by DHSMV, if such license or card indicates U.S. citizenship; a current and valid photo identification issued by the federal government or the state which indicates U.S. citizenship; and an order from a federal court granting U.S. citizenship. If the voter registration applicant's or the voter's legal name is different from the name that appears on one of the acceptable documents, official legal documentation providing proof of the legal name change is also required to constitute acceptable evidence of U.S. citizenship.

The bill provides that if the latest voter registration records show that a new applicant was previously registered, but subsequently removed from the statewide voter registration system for ineligibility pursuant to [s. 98.075\(7\), F.S.](#)³, then the supervisor must verify applicant voting eligibility within 13 days of receiving such application. To determine and verify eligibility, the supervisor must review information provided by a governmental entity listed in [s. 98.075, F.S.](#), or [s. 98.093, F.S.](#)⁴ The supervisor must deny the voter registration application and notify the applicant if the supervisor determines that the applicant is ineligible. (Section [7](#))

List Maintenance

Identifying Ineligible Voters

The bill expands the categories of potentially ineligible voters that DOS must take affirmative action to identify to specifically include persons who may not be U.S. citizens. To do so, DOS must use information from other specified governmental entities.⁵ DOS must review such information and make an initial determination as to whether the information is credible and reliable. If DOS determines that the information is credible and reliable, it must notify the relevant supervisor and provide a copy of the supporting documentation indicating potential ineligibility of the voter to be registered. (Section [8](#))

Upon receipt of the notice that DOS has made a determination of initial credibility and reliability, the supervisor must adhere to the existing [list maintenance](#) process prescribed before removing a registered voter's name from the statewide voter registration system. The type of document provided or used to verify citizenship must be recorded in the statewide voter registration system. (Section [8](#))

DHSMV Responsibilities

The bill provides that, by July 1, 2027, a driver license or Florida identification card, whether a new issuance or a renewal, to a qualified applicant that is a U.S. citizen must include the legal status of the licensee as last recorded in the system at the time of issuance or renewal. The bill requires DHSMV, at no charge, to issue a new or replacement card if a licensee or cardholder timely updates his or her legal status upon becoming a U.S. citizen. (Section [29](#))

The bill requires DHSMV, on a weekly basis, to provide DOS with information identifying:

- Persons who, during the preceding week, presented a document acceptable as evidence of U.S. citizenship⁶ upon being issued a new, renewed, or replacement driver license or identification card. The information must contain the person's:
 - Name.
 - Address.
 - Date of birth.
 - Last four digits of the social security number.
 - Driver license number or identification card number (if applicable).
 - Type of documentary proof provided in support of citizenship.
 - Alien registration number or other legal status identifier (if applicable).
- A change in residence address on the driver license or identification card of any person who declined to register or update his or her voter registration record. The information must contain the person's:
 - Name.
 - Date of birth.
 - Last four digits of his or her social security number.

³ [Section 98.075\(7\), F.S.](#), provides procedures for removal from a voting list due to adjudication of mental incapacity; felony conviction; and other bases for ineligibility.

⁴ Such governmental entities include, in part: United States Social Security Administration, Department of Health, clerk of circuit court, U.S. attorneys, Department of Law Enforcement, Florida Commission on Offender Review, Department of Corrections, and DHSMV.

⁵ Such governmental entities include: Department of Health, clerk of the circuit court, U.S. attorneys, Department of Law Enforcement, Florida Commission on Offender Review, Department of Corrections, federal courts, and DHSMV.

⁶ *Supra* note 2.

- Driver license or identification card number.
- New, renewed, or replacement driver license or identification card numbers issued to persons who declined to register or update his or her voter's registration record. The information must contain the person's:
 - Name.
 - Date of birth.
 - Last four digits of his or her social security number.
 - Former and current driver license or identification card number. (Sections [1](#) and [9](#))

From the information received by DOS related to a person's change in address, DOS must report such change to the appropriate supervisor who is responsible for changing the voter registration records. This reporting requirement applies, with a seven-day timeline, to the information received by DOS relating to persons who decline to register or update their voter registration record, but are issued a new, renewed, or replacement driver license or identification card. (Section [9](#))

Federal Courts

The bill adds federal courts to the specified types of governmental entities from which information identifying potentially ineligible voters may be received by DOS. Specifically, the bill provides that upon receipt of information from a federal jury coordinator that a person was disqualified or potentially disqualified from jury service due to not having U.S. citizenship, being convicted of a felony, being deceased, being a nonresident of Florida, or being a nonresident of the county, DOS must use such information to identify registered voters or voter registration applicants who may be potentially ineligible. (Section [9](#))

Candidate Qualification Requirements

Party Affiliation Requirements and Candidate Name-change Prohibition

The bill provides that any person seeking to qualify for nomination as a candidate of any political party or as no party affiliation, at the time of subscribing to the candidate oath or affirmation, must state in writing that such person has not legally changed his or her name through the general statutory petition process during the 365-day period preceding the beginning of qualifying. This requirement does not apply if such person legally changed his or her name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate. (Section [10](#))

The bill provides a method to challenge the following two parts of a candidate's qualification paperwork:

- A person's compliance with the Florida Election Code's [365-day party affiliation requirement](#).
- A person's compliance with the statement that the person has not legally changed his or her name during the same 365-day period. (Section [10](#))

Only a qualified candidate or a political party with a qualified candidate in the same race may challenge a candidate's qualification. To initiate the challenge, such candidate or political party must file an action in the circuit court for the county in which the qualifying officer is headquartered. The court may order that a candidate's name not appear on the ballot if the court determines, upon a final order, that the person seeking to qualify for nomination or election as a candidate:

- Has legally changed his or her name through the general petition process during the 365-day period; or
- Has not been a registered member of the party for which he or she is seeking nomination during the 365 days preceding the beginning of qualification or, in the case of a no-party-affiliation candidate, not registered with any party for that period. (Section [10](#))

The bill clarifies that the 365 days have to be consecutive days preceding the beginning of the qualifying period and provides that compliance with the requirement is mandatory. (Section [10](#))

The provision takes effect upon becoming a law. (Section [10](#))

Federal Candidate Stock Trading Disclosure

The bill requires each candidate seeking federal office, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, at the time of subscribing to the oath or affirmation, state in writing whether he or she:

- Intends to trade stocks, if elected, in a manner other than through a trust or similar mechanism that strictly limits his or her ability to influence or exercise control over decisions regarding the management of assets.
- Previously held a federal office and, if so, whether he or she traded stocks while in such office in a manner other than through a trust or similar mechanism that strictly limited his or her ability to influence or exercise control over decisions regarding the management of assets. (Sections [10](#) and [12](#))

The provision takes effect upon becoming a law. (Sections [10](#) and [12](#))

Dual Citizenship Disclosure

The bill requires candidates seeking to [qualify for nomination or election](#) to federal, state, county, multicounty, district, or judicial office, or to a district school board, to provide to the filing officer an oath or affirmation affirming U.S. citizenship and disclosing any other country the candidate is a citizen of. The provision takes effect upon becoming a law. (Sections [12](#) and [26](#))

Enforcement of Statutory and Constitutional Requirements

The bill requires a candidate to satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election, and provides a method to challenge whether the candidate has satisfied those requirements. A candidate or a political party with a candidate in the same race, or an affiliated party committee, may initiate the challenge by filing an action for declaratory and injunctive relief in the circuit court for the county in which the filing officer is headquartered. The circuit court must then expedite a final hearing on the matter. If the court determines, in a final order, that the person seeking to qualify for nomination or election as a candidate will not, at the time of qualification, election, or assumption of office, satisfy all statutory and constitutional requirements for the office for which he or she is seeking nomination or election, then the supervisor in each county affected by such candidacy must remove the name of the candidate from the ballot. If the ballots have already been printed, then the supervisor must post a notice to be included with each vote-by-mail (VBM) ballot, and at each early voting location and polling precinct that a vote for such candidate will not be counted. If the circuit court's final order is appealed in the meantime, the bill provides that the relevant District Court of Appeal must receive expedited consideration. The provision takes effect upon becoming a law. (Section [11](#))

Identification Required for Polls, Provisional Ballot Cure Affidavits, and VBM Cure Affidavits

The bill revises the list of valid picture identifications required at the polls, for first time voters who are using a VBM ballot, and for the submission of a provisional ballot cure affidavit or a VBM cure affidavit by:

- Authorizing a passport card as an acceptable form of identification.
- Authorizing any other identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality.
- Eliminating the following as acceptable forms of identification:
 - Debit or credit card.
 - Student identification.
 - Retirement center identification.
 - Neighborhood association identification.
 - Public assistance identification.
- Specifying that a U.S. Uniformed Services or Merchant Marine identification is authorized. (Sections [13](#), [14](#), [20](#), and [21](#))

The bill clarifies that a valid picture identification does not include a government issued identification if such identification is issued by an educational institution. (Sections [13](#), [14](#), [20](#), and [21](#))

Limitations on Actions for Election Fraud

The bill creates a specific statute of limitations for the prosecution for a felony violation under the Florida Election Code that requires the prosecution be commenced within five years after the date the violation was committed. In effect, this expands the time the state has to bring a felony prosecution under the Florida Election Code as those crimes currently operate under the default three-year statute of limitations. This provision takes effect on July 1, 2026. (Section [25](#))

Florida Racketeer Influenced and Corrupt Organizations (RICO) Act

The bill provides that specified issue petition activity violations⁷ can be prosecuted as racketeering activity under the [RICO Act](#). The provision takes effect on July 1, 2026. (Section [30](#))

Campaign Contributions and Limits on Foreign Nationals

The bill prohibits a political party, a political committee, an electioneering communications organization, or a candidate from knowingly and willfully accepting or soliciting, directly or indirectly, a contribution from a [foreign national](#) in connection with any election held in this state. (Section [28](#))

The provision takes effect on July 1, 2026. (Section [28](#))

Office Hours of Supervisors

The bill authorizes an office of the supervisor to close for federal, state, or county-approved holidays, in addition to legal holidays, if the supervisor's duties do not otherwise require the office to remain open to fulfill official duties under the Florida Election Code. This provision is effective upon becoming a law. (Section [6](#))

Elections Canvassing Commission

The bill changes the time the [Elections Canvassing Commission](#) meets from 8 a.m. to 9 a.m., except for meetings during organization sessions. (Section [22](#))

Early Voting and Vote-by-mail

The bill clarifies that the supervisor must use local time when following the requirement in current law to upload the results of all early voting and VBM ballots that have been canvassed and tabulated by the end of the early voting period in the county's election management system by 7 p.m. on the day before the election. (Section [23](#))

The bill requires the supervisor, instead of the CCB, to report all early voting and all tabulated VBM results to DOS within 30 minutes after the polls close. (Section [23](#))

Ballots

The bill redefines the term "ballot" to mean a printed sheet of paper containing contests including offices and candidates, constitutional amendments, and other public measures upon which a voter's selections will be marked by using a pen compatible with or recommended for use with the voting system, for tabulation by the voting system. A ballot includes a voter-verifiable paper output upon which a voter's selections are marked by a voter interface device that meets voter accessibility requirements for individuals with disabilities. The bill eliminates the terms "marksense ballots" and "electronic or electromechanical device." The bill revises the term "voting system" to mean a method of casting and processing votes that includes the:

- Equipment, including hardware, firmware, and software.
- Ballots.

⁷ Sections [104.185](#), [104.186](#), [104.187](#), and [104.188, F.S.](#), provide such issue petition activities. Such prohibited activities include knowingly signing a petition more than once; signing another person's name or a fictitious name on a petition; compensating a petition circulator based on the number of forms gathered; and collecting, delivering, or otherwise possessing 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 (if not registered as a petition circulator).

- Procedures for casting and processing votes.
- Programs, operating manuals, supplies.
- Reports, printouts, and other documentation necessary for the system's operation. (Section [1](#))

Additionally, the bill provides that ballot-on-demand technology may be used to produce early voting ballots. (Section [15](#))

Effective Date

The bill was approved by the Governor on April 1, 2026, ch. 2026-26, L.O.F., and will become effective on January 1, 2027, except as otherwise provided. (Section [34](#))

RULEMAKING:

The Florida Election Code currently grants the Secretary of State general rulemaking authority over most of the provisions being amended in the bill.⁸

Lawmaking is a legislative power; however, the Legislature may delegate a portion of such power to executive branch agencies to create rules that have the force of law. To exercise this delegated power, an agency must have a grant of rulemaking authority and a law to implement.

FISCAL OR ECONOMIC IMPACT:

STATE GOVERNMENT:

The bill will likely have an indeterminate, negative fiscal impact on DOS as it requires DOS to revise voter registration requirements that may involve programming.

The bill will likely have an indeterminate, but significant, fiscal impact on DHSMV as it requires it to, without charging applicants a fee for renewal, include on any new or renewal of a Florida driver license or identification card, the legal status of the applicant. A renewal and replacement identification card costs \$25 and a renewal driver license costs \$48. A replacement driver license costs \$25.

The state general revenue fund may see an increase in revenues to the extent that entities or individuals violate the prohibitions related to accepting or soliciting contributions from foreign nationals.

LOCAL GOVERNMENT:

The bill will have an indeterminate, negative fiscal impact on local governments for the provisions relating to list maintenance.

RELEVANT INFORMATION

SUBJECT OVERVIEW:

Office of Election Crimes and Security

The Office of Election Crimes and Security (OECS) within the Department of State (DOS) aids the Secretary of State in the following duties:⁹

- Maintaining a voter fraud hotline.¹⁰
- Providing election fraud education to the public.¹¹
- Conducting preliminary investigations into any irregularities or fraud involving voter registration, voting, candidate petition, or issue petition activities and reporting his or her findings to the statewide prosecutor

⁸ S. [97.012\(1\), F.S.](#)

or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution, if warranted.¹²

OECS employs nonsworn investigators¹³ and has authority to review complaints and conduct preliminary investigations into alleged violations of the Florida Election Code or any related rule and any election irregularities.¹⁴ After preliminary investigation, OECS refers all evidence of potential election crimes to the Florida Department of Law Enforcement, the Office of Statewide Prosecution, or the local state attorney for the judicial circuit in which the alleged violation occurred.¹⁵

DOS is required to submit a report by January 15 of each year to the Governor and Legislature that details information on investigations of alleged election law violations or election irregularities conducted during the prior calendar year. The report must include the total number of:¹⁶

- Complaints received.
- Independent investigations initiated.
- Complaints referred to another agency for further investigation or prosecution, including the total number of those matters sent to a special officer.¹⁷

For each alleged violation or irregularity investigated, the report must include:

- The source of the alleged violation or irregularity.
- The law allegedly violated or the nature of the irregularity reported.
- The county in which the alleged violation or irregularity occurred.
- Whether the alleged violation or irregularity was referred to another agency for further investigation or prosecution and, if so, to which agency.
- The current status of the investigation or resulting criminal case.¹⁸

The most recent report submitted provides that in 2025 OECS:

- Received 3,478 complaints.
- Initiated 695 independent investigations.
- Referred 867 cases to another agency.
- Referred 497 cases to a special officer.¹⁹

Campaign Contributions and Limits on Foreign Nationals

Current law prohibits a foreign national from making or offering to make, directly or indirectly, a contribution or expenditure in connection with any election held in the state.²⁰ A “foreign national” is defined to mean:

- A foreign government.
- A foreign political party.

⁹ S. [97.022\(1\), F.S.](#)

¹⁰ S. [97.012\(12\), F.S.](#)

¹¹ *Id.*

¹² S. [97.012\(15\), F.S.](#)

¹³ S. [97.022\(4\), F.S.](#)

¹⁴ S. [97.022\(2\), F.S.](#)

¹⁵ Department of State, [Election Crimes and Security](#) (last visited Jan. 16, 2026).

¹⁶ S. [97.022\(7\), F.S.](#)

¹⁷ S. [102.091\(2\), F.S.](#), provides that the Governor, in consultation with the executive director of the Department of Law Enforcement, appoints special officers to investigate alleged violations of the election laws to see that violators of the election laws are apprehended and punished. A special officer is required to be a sworn special agent employed by the Department of Law Enforcement.

¹⁸ S. [97.022\(7\), F.S.](#)

¹⁹ Department of State, Office of Election Crimes and Security, [Annual OECS Report to Governor and Legislature \(2026\)](#) (last visited Jan. 16, 2026).

²⁰ S. [106.08\(12\)\(b\), F.S.](#)

- A foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.
- A person with foreign citizenship.
- A person who is not a citizen or national of the U.S. and is not lawfully admitted to the U.S. for permanent residence.²¹

The term “foreign national” does not include:

- A person who is a dual citizen or dual national of the U.S. and a foreign country.
- A domestic subsidiary of a foreign corporation, partnership, association, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country if:
 - The donations and disbursements used toward a contribution or an expenditure are derived entirely from funds generated by the subsidiary’s operations in the U.S.; and
 - All decisions concerning donations and disbursements used toward a contribution or an expenditure are made by individuals who either hold U.S. citizenship or are permanent residents of the U.S.²²

Voter Registration and List Maintenance

Voter Applicant Oath

A person registering to vote must subscribe to an oath where he or she:

- Solemnly swears or affirms to protect and defend the Constitution of the United States and the Constitution of the State of Florida.
- Affirms to be qualified to register as a voter under the Constitution and laws of the State of Florida.
- Affirms that all information provided in the voter registration application is true.²³

Uniform Statewide Voter Registration Application

Florida has adopted a uniform statewide voter application²⁴ that must be accepted for any one or more of the following purposes:

- Initial registration.
- Change of address.
- Change of party affiliation.
- Change of name.
- Replacement of a voter information card.
- Signature update.²⁵

The application is available through the online voter registration system (OVRs), DOS website, any supervisor of elections (supervisor) office, any tax collector’s office that issues driver licenses, any voter registration agency, and any entity that issues fishing or hunting licenses.²⁶

The uniform statewide voter application must be designed to elicit specified information, including:

- Last, first, and middle name.
- Date of birth.
- Address of legal residence.
- Mailing address, if different from address of legal residence.

²¹ S. [106.08\(12\)\(a\), F.S.](#)

²² *Id.* Decisions concerning donations and disbursements do not include decisions regarding the subsidiary's overall budget for contributions or expenditures in connection with an election.

²³ S. [97.051, F.S.](#); *see also* Art. VI, s. 3, FLA. CONST.

²⁴ S. [97.052\(1\), F.S.](#); R. [1S-2.040, F.A.C.](#)

²⁵ S. [97.052\(1\)\(a\), F.S.](#)

²⁶ R. [1S-2.040, F.A.C.](#)

- E-mail address and whether the applicant wishes to receive sample ballots by e-mail (optional).
- County of legal residence.
- Race or ethnicity that best describes the applicant.
- State or country of birth.
- Sex.
- Party affiliation.
- Whether the applicant needs assistance in voting.
- Name and address where last registered.
- Last four digits of the applicant's social security number.
- Florida driver license number or the identification number.
- An indication, if applicable, that the applicant has not been issued a Florida driver license, a Florida identification card, or a social security number.
- Telephone number (optional).
- Signature of applicant under penalty for false swearing by which the person subscribes to the oath and swears or affirms that the information contained in the registration application is true.
- Whether the application is being used for initial registration, to update a voter registration record, or to request a replacement voter information card.
- Whether the applicant is a U.S. citizen.
- Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored.
- Whether the applicant has been adjudicated mentally incapacitated with respect to voting or, if so adjudicated, has had his or her right to vote restored.²⁷

The voter registration application form prescribed by the Election Assistance Commission²⁸ or the federal postcard application²⁹ must be accepted as an application for registration if the completed application or postcard application contains the information required by the constitution and Florida law.³⁰

Acceptance of Voter Registration Application

A voter registration application is complete and becomes the official voter registration record of that applicant when all information necessary to establish the applicant's eligibility³¹ is received by a voter registration official and verified. If the applicant fails to complete his or her voter registration application before the date of book closing for an election,³² then such applicant is not be eligible to vote in that election.³³ If an applicant completes his or her voter registration application and it is received before the book-closing deadline, but the driver license number, identification card number, or last four digits of the social security number provided by the applicant cannot be verified, then the applicant is notified that the number cannot be verified and that the applicant must provide evidence to the supervisor sufficient to verify the authenticity of such information. If the applicant

²⁷ [S. 97.052\(2\), F.S.](#)

²⁸ U.S. Election Assistance Commission (EAC), [About the EAC](#) (last visited Jan. 18, 2026). The EAC was established by the Help America Vote Act of 2002 (HAVA) and is an independent, bipartisan commission that develops guidance to meet HAVA requirements, adopts voluntary voting system guidelines, and serves as a national clearinghouse of information on election administration. The EAC has four commissioners appointed by the President of the U.S. and confirmed by the U.S. Senate.

²⁹ EAC, [Register To Vote In Your State By Using This Postcard Form and Guide](#) (last visited Jan. 18, 2026).

³⁰ [S. 97.052\(5\), F.S.](#)

³¹ Section [97.053\(5\), F.S.](#), provides that voter registration application is complete if it contains the following information of an applicant: name; address of legal residence; date of birth; affirmation of U.S. citizenship; current and valid Florida driver license, identification card, or last four digits of social security number; affirmation of no felony convictions or that voting rights have been restored; affirmation of not being adjudicated mentally incapacitated with respect to voting or that voting rights have been restored; and original signature or digital signature transmitted to DHSMV swearing under the penalty of false swearing.

³² Book closing is day that occurs before an election after which a person may not register to vote for the upcoming election. Florida's book closing deadline is 29 days before each election. [S. 97.055, F.S.](#)

³³ [S. 97.053\(2\), F.S.](#)

provides the necessary evidence, the supervisor is required to place the applicant's name on the registration rolls as an active voter. If the voter registration applicant has not provided the necessary evidence or if his or her information has not otherwise been verified before presenting himself or herself to vote, the applicant is provided a provisional ballot. The provisional ballot is counted only if the voter registration applicant's information is verified by the end of the canvassing period or evidence is presented to the supervisor that is sufficient to verify the authenticity of the applicant's information by the second day following the election at 5 p.m..³⁴

Eligibility of an Applicant for Voter Registration

A person may become registered to vote only if that person:

- Is at least 18 years of age.
- Is a U.S. citizen.
- Is a legal resident of the State of Florida.
- Is a legal resident of the county in which that person seeks to be registered.
- Registers pursuant to the Florida Election Code.³⁵

The following persons, who might be otherwise qualified, are not entitled to register or vote:

- A person who has been adjudicated mentally incapacitated with respect to voting in this or any other state and who has not had his or her right to vote restored.
- A person who has been convicted of any felony by any court of record and who has not had his or her right to vote restored.³⁶

Online Voter Registration System

The OVRs is the internet website supported by DOS where an applicant may submit a voter registration application, update his or her voting record, and submit information necessary to establish his or her eligibility to vote.³⁷ The OVRs has the capability to compare a Florida driver license number or Florida identification number with information maintained by the Department of Highway Safety and Motor Vehicles (DHSMV) to confirm that the name and date of birth on the application is consistent with the records of DHSMV.³⁸ If the applicant's name and date of birth are consistent with DHSMV records, the OVRs transmits the applicant's registration application, along with the digital signature of the applicant on file with DHSMV, to the supervisor.³⁹ If the applicant's name and date of birth cannot be verified by DHSMV records, or if the applicant indicated that he or she has not been issued a Florida driver license or Florida identification card, the OVRs must populate the applicant's information into a printable voter registration application and direct the applicant to print, sign, and date the application and deliver it to the supervisor for disposition.⁴⁰ Upon submission of a completed OVRs application, the website must generate an immediate electronic confirmation that the supervisor has received the application and provide instructions regarding the ability of a registrant to check the status of the application.⁴¹

Department of Highway Safety and Motor Vehicles Responsibilities

Current law does not require driver licenses or identification cards to include the legal status of the licensee or card-holder on the physical copy of such identification. But a driver licensee must update his or her driver license within 30 days of becoming a U.S. citizen, and current law provides that an unauthorized alien or undocumented immigrant cannot be issued a driver license or identification card. As such, applicants of driver licenses and identification cards must provide sufficient REAL ID compliant documentation that supports their legal status.⁴²

³⁴ [S. 97.053\(6\), F.S.](#)

³⁵ [S. 97.041\(1\)\(a\), F.S.](#)

³⁶ [S. 97.041\(2\), F.S.; see also Art. VI, s. 4\(a\)-\(b\), FLA. CONST.](#)

³⁷ [S. 97.0525\(2\), F.S.](#)

³⁸ [S. 97.0525\(4\)\(a\), F.S.](#)

³⁹ [S. 97.0525\(4\)\(b\), F.S.](#)

⁴⁰ [S. 97.0525\(4\)\(c\), F.S.](#)

⁴¹ [S. 97.0525\(5\), F.S.](#)

⁴² [Ch. 2025-1, L.O.F.](#)

A renewal and replacement fee for an identification card is \$25.⁴³ A renewal driver license costs \$48⁴⁴ and a replacement driver license costs \$25.⁴⁵

On a weekly basis, DHSMV must report to DOS identifying information on persons who have:

- Acquired driver licenses or identification cards in another state.
- Presented evidence of non-U.S. citizenship upon being issued a new or renewed driver license or identification card.⁴⁶

List Maintenance

Supervisors must conduct general registration list maintenance to protect the integrity of the electoral process by ensuring the maintenance of accurate and current voter registration records in the statewide voter registration system.⁴⁷ As part of this required registration list maintenance program, the supervisor must incorporate one or more of the following procedures:

- Use change-of-address information supplied by the U.S. Postal Service through its licensees to identify registered voters whose addresses might have changed.
- Identify change-of-address information from returned nonforwardable return-if-undeliverable address confirmation requests sent to all registered voters in the county.⁴⁸

The supervisor must, at a minimum, conduct an annual review of voter registration records to identify registration records in which a voter is registered at an address that may not be an address of legal residence for the voter.⁴⁹

During its list maintenance procedures DOS must identify the following ineligible voters:

- Voters who are registered more than once (duplicate registrations).
- Voters who are deceased persons.
- Voters who have been adjudicated mentally incapacitated with respect to voting and who have not had their voting rights restored.
- Voters who have been convicted of a felony and whose voting rights have not been restored.⁵⁰

Before a registered voter who is determined to be ineligible is removed from the statewide voter registration system, the following procedures must occur:

- *Information Received:* DOS must notify the supervisor of the county in which the voter is registered of the potential ineligibility of the voter.
- *Initial Notice:* The supervisor must notify the registered voter of his or her potential ineligibility by mail within seven days after receiving the information. The notice explains the basis of potential ineligibility, provides a form to respond, offers a hearing option if the voter denies ineligibility, and provides the supervisor's contact information.
- *Voter Response:* The voter must respond to the notice within 30 days, either confirming or denying ineligibility. If the mailed notice is returned undeliverable, the supervisor must publish notice in a local newspaper or on a county website.
- *Final Determination and Removal:* If the voter does not resolve the issue or respond to the published notice, the supervisor makes a final determination of ineligibility and the name is removed from the statewide voter registration system.
- *Appeal:* A voter may appeal the ineligibility determination.
- *Re-registration:* A removed voter is required to re-register to vote again.⁵¹

⁴³ S. [322.21\(1\)\(f\), F.S.](#)

⁴⁴ S. [322.21\(1\)\(c\), F.S.](#)

⁴⁵ S. [322.21\(1\)\(e\), F.S.](#)

⁴⁶ S. [98.093\(8\), F.S.](#)

⁴⁷ S. [98.065\(1\), F.S.](#)

⁴⁸ S. [98.065\(2\), F.S.](#)

⁴⁹ S. [98.065\(6\), F.S.](#)

⁵⁰ S. [98.075, F.S.](#)

League of United Latin American Citizens v. Executive Office of the President

In 2025, the U.S. District Court for the District of Columbia granted partial summary judgment to the League of United Latin American Citizens, permanently blocking a provision of President Donald Trump’s executive order that sought to add a requirement to provide documentary proof of citizenship when registering to vote with the federal mail voter registration form. The court held that the President cannot unilaterally mandate such action by Executive Order as it usurps power over the federal election procedure that is vested in Congress and the States.⁵²

Federal Jury Notice

Currently, federal courts use a state’s voter registration lists to select prospective jurors.⁵³ To be qualified for Federal Jury Service, an individual juror must:

- Be an 18-year-old citizen of the U.S. who has resided for one year within the judicial district.
- Be able to read, write, and understand the English language with a degree of proficiency to complete the juror qualification form.
- Be able to speak the English language.
- Be both mentally and physically capable of rendering satisfactory jury service.
- Not have a pending charge or state or federal conviction for a crime punishable by imprisonment for more than one year.⁵⁴

Qualify for Nomination or Election

Generally, a person seeking to qualify⁵⁵ for nomination or election to public office must ensure that the filing officer receives the following items by the end of the qualifying period:

- Qualifying fee paid by check drawn on the campaign account, if applicable.
- Candidate oath, if applicable.
- Written statement of party affiliation or no party affiliation if the office is partisan.
- Completed form that designates the campaign treasurer and depository.
- Financial disclosure (the full and public disclosure of financial interests or the statement of financial interests, whichever is applicable).
- Loyalty oath, if applicable.
- Statement of Candidate for Judicial Office, if applicable.⁵⁶

The filing officer reviews the qualifying papers to determine whether all items required for candidate qualification have been properly filed and whether each item is complete on its face, including whether items that must be verified have been properly verified. If all required items are complete, then the filing officer must deem the candidate qualified. The filing officer serves a ministerial role and is prohibited from determining whether the contents of the qualifying papers are accurate.⁵⁷

Candidate Oath

Current law requires each candidate, whether a party candidate, a candidate with no party affiliation, or a write-in candidate, in order to qualify for nomination or election to any office other than a judicial office or a federal office, to take and subscribe to an oath or affirmation in writing. This is required before placement on the ballot. This oath

⁵¹ [S. 98.075\(7\), F.S.](#)

⁵² [League of United Latin American Citizens v. Executive Office of the President, 1:25-cv-00946-CKK, 218 \(D.D.C. Oct. 31, 2025\)](#)

⁵³ U.S. Courts, [Juror Selection Process](#) (last visited Jan. 18, 2026).

⁵⁴ [28 U.S.C. §1865\(b\)](#).

⁵⁵ “Qualify” means to fulfill the requirements required of the candidate in the Florida Election Code. [S. 99.012\(1\)\(b\), F.S.](#)

⁵⁶ [Ss. 99.061\(7\)\(a\) and 105.031\(5\)\(a\), F.S.](#)

⁵⁷ *Jones v. Schiller*, 345 So. 3d 406 (Fla. 1st DCA 2022). Because the filing officer performs a ministerial function, there is no enforcement mechanism to remove a person from the ballot if the person submits false information. However, there could be criminal and financial consequences for lying under oath. *See* Ss. [99.061\(7\)\(c\) and 837.012, F.S.](#)

is not required for the nomination of presidential electors or presidential preference primaries.⁵⁸ The oath for state or local candidates is required to be in substantially the following form:⁵⁹

State of Florida

County of _____

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

(Signature of candidate)

(Address of legal residence)

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

(Signature and title of officer administering oath)

365-day Party Affiliation Requirement

Current law provides that any person seeking to qualify for nomination as a candidate of any political party must, at the time of subscribing to the candidate oath or affirmation,⁶⁰ state in writing, that the person has been a registered member of the political party for which he or she is seeking nomination as a candidate for 365 days before the beginning of qualifying preceding the general election for which the person seeks to qualify.⁶¹ Similarly, any person seeking to qualify for office as a candidate with no party affiliation must state in writing that he or she is currently registered without any party affiliation and has not been registered with any political party for 365 days before the same qualifying period.⁶²

Jones v. Schiller

In 2022, the First District Court of Appeal (DCA) held that, while the Florida Election Code requires a candidate to fill out an oath attesting that he or she has been a member of a party for the previous 365 days, it provides no enforcement mechanism to remove a person from the ballot who gives a false attestation.⁶³ The First DCA noted that the ruling “could invite bad actors to qualify for the ballot using false party affiliation statements to inject chaos into a party's primary.”⁶⁴ However, the court noted that while there is no remedy permitting a court to

⁵⁸ Section [99.021\(1\)\(a\) and \(3\)](#), F.S., provides that, in part, the form of the oath must include an affirmation that the person seeking nomination or candidacy is qualified under the State Constitution to hold the office to which he or she desires to be nominated or elected.

⁵⁹ S. [99.021\(1\)\(a\)1](#), F.S.

⁶⁰*Id.*

⁶¹ S. [99.021\(1\)\(b\)](#), F.S.

⁶² S. [99.021\(1\)\(c\)](#), F.S.

⁶³ *Jones v. Schiller*, 345 So. 3d 406 (Fla. 1st DCA 2022).

⁶⁴ *Id.*

remove a person from the ballot on those grounds, there could be criminal and financial consequences to lying under oath.⁶⁵

Candidate Name Requirements

Current law requires each candidate to designate in his or her candidate oath or affirmation the name he or she wishes to have printed on the ballot, or, in the case of a write-in candidate, the name he or she wishes to have voters write in on a ballot. Such designation must include the candidate's legal given name or names, a shortened form of the candidate's legal given name, an initial or initials of the candidate's legal given name or names, or a bona fide nickname customarily related to the candidate and by which the candidate is commonly known, immediately followed by the candidate's legal surname.⁶⁶

If a candidate wishes to designate a nickname, the candidate must file an affidavit that must be verified under oath or affirmation, attesting that the nickname complies with the statutory requirements. A designated nickname may not:

- Be used to mislead voters.
- Imply the candidate is some other person.
- Constitute a political slogan or otherwise associate the candidate with a cause or an issue.
- Be obscene or profane.⁶⁷

Current law grants Florida's circuit courts jurisdiction to change the name of any person residing in Florida on petition of the person filed in the county in which he or she resides. Before the court hearing on such a petition, the petitioner must submit fingerprints submitted for a state and national criminal history records check, except if a former name is being restored. In addition, the petition must show specified information, including, residence, date and place of birth, occupation, and any criminal history.⁶⁸

Elections Canvassing Commission

The Elections Canvassing Commission (ECC) consists of the Governor and two members of the Cabinet selected by the Governor, all of whom serve ex officio.⁶⁹ The ECC is required to meet at 8 a.m. on the ninth 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.⁷⁰

⁶⁵ *Id.*; see s. [837.012, F.S.](#)

⁶⁶ [S. 99.0215\(1\), F.S.](#)

⁶⁷ [S. 99.0215\(2\), F.S.](#)

⁶⁸ [S. 68.07, F.S.](#)

⁶⁹ [S. 102.111\(1\), F.S.](#)

⁷⁰ [S. 102.111\(2\), F.S.](#)

Identification Required for Voting

Throughout the Florida Election Code, there are requirements for voters to present valid, photo identification—when voting in person, when completing a provisional ballot⁷¹ or vote-by-mail (VBM) cure affidavit,⁷² and for first-time voters using a VBM ballot.⁷³ The following are the acceptable forms of identification so long as they are valid and contain a picture identification:

- Florida driver license or identification card issued by DHSMV.
- U.S. passport.
- Debit or credit card.
- Military identification.
- Student identification.
- Retirement center identification.
- Neighborhood association identification.
- Public assistance identification.
- Veteran health identification card issued by the U.S. Department of Veterans Affairs.
- A license to carry a concealed weapon or firearm.
- Employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality.⁷⁴

Office Hours of Supervisors

Current law requires an office of the supervisor to be open Monday through Friday, excluding legal holidays, for a period of not less than eight hours per day, beginning no later than 9 a.m.⁷⁵ In addition, each supervisor must conduct early voting beginning on the 10th day before an election that contains state or federal races and ending on the third day before the election, for no less than eight hours and no more than 12 hours a day.⁷⁶ Other duties of the supervisor, such as those related to qualifying periods and special elections, may also require offices to be open on specified days.

Limitations on Actions for Election Fraud

The length of time the State can charge a person for a felony (statute of limitations) varies by crime, but generally, in Florida, prosecutions for felony offenses are subject to the following periods of limitation:

- A prosecution for a felony of the first degree must be commenced within four years after it is committed.
- A prosecution for any other felony must be commenced within three years after it is committed.⁷⁷

Examples of actions that are punishable as felony violations in the Florida Election Code include:

- A person who willfully submits any false voter registration information.⁷⁸
- A person who alters the voter registration application of any other person, without the other person's knowledge and consent.⁷⁹
- Any person perpetrating or attempting to perpetrate or aid in the perpetration of any fraud in connection with any vote cast, to be cast, or attempted to be cast.⁸⁰
- Any person, knowing he or she is not a qualified voter, who willfully votes at any election.⁸¹

⁷¹ S. [101.043\(1\)\(a\), F.S.](#)

⁷² Section [101.68\(4\), F.S.](#), provides for VBM Ballot Cure Affidavit is used to allow a voter to fix a signature deficiency on his or her VBM ballot.

⁷³ S. [101.6923\(2\), F.S.](#)

⁷⁴ S. [101.043\(1\)\(a\), F.S.](#)

⁷⁵ S. [98.015\(4\), F.S.](#)

⁷⁶ S. [101.657\(1\)\(d\), F.S.](#)

⁷⁷ S. [775.15\(2\), F.S.](#)

⁷⁸ S. [104.011\(1\), F.S.](#)

⁷⁹ S. [104.012\(4\), F.S.](#)

⁸⁰ S. [104.041, F.S.](#)

⁸¹ S. [104.15, F.S.](#)

Current law does not provide a specific time in which a prosecution of a felony violation under the Florida Election Code must be commenced.

Florida Racketeer Influenced and Corrupt Organizations (RICO) Act

The Florida RICO Act provides that a person commits “racketeering activity” when he or she commits, attempts to commit, conspires to commit, or solicits, coerces, or intimidates another person to commit any offense listed in [s. 895.02\(8\), F.S.](#)⁸²

The Florida RICO Act provides that it is unlawful for any person:

- With criminal intent to receive any proceeds derived, directly or indirectly, from a pattern of racketeering activity⁸³ or through the collection of an unlawful debt⁸⁴ to use or invest, whether directly or indirectly, any part of such proceeds, or the proceeds derived from the investment or use thereof, in the acquisition of any title to, or any right, interest, or equity in, real property or in the establishment or operation of any enterprise.⁸⁵
- Through a pattern of racketeering activity or through the collection of an unlawful debt, to acquire or maintain, directly or indirectly, any interest in or control of any enterprise or real property.
- Employed by, or associated with, any enterprise to conduct or participate, directly or indirectly, in such enterprise through a pattern of racketeering activity or the collection of an unlawful debt.
- To conspire or endeavor to violate any of the previously-described activities.

A person convicted of any of those activities commits a first-degree felony,⁸⁶ and may be subject to civil remedies including forfeiture to the state of all property, including money, if the property is intended for use in the course of, derived from, or realized through acts in violation of the Florida RICO Act.⁸⁷

Florida Decides Healthcare, Inc. v. Byrd

In 2025, the Legislature passed HB 1205 (2025) that provided that a violation of the Florida Election Code relating to irregularities or fraud involving petition activities can be prosecuted as a racketeering activity under the Florida RICO Act.⁸⁸ Soon after the passage of HB 1205, the law was challenged in the U.S. District Court for the Northern District of Florida. The court granted a preliminary injunction against the bill’s RICO provision, holding that the provision was unconstitutionally vague, especially as it relates to phrase “irregularities...involving issue petition activity.” The court noted that the vagueness allows for arbitrary and discriminatory enforcement and is inconsistent with the Fourteenth Amendment. Further, the court noted “if the Florida legislature intended for law

⁸² S. [895.02, F.S.](#) The offenses listed under [s. 895.02\(8\), F.S.](#), include violations of specified Florida laws (e.g., Medicaid fraud, workers’ compensation fraud, human trafficking, kidnapping, and drug offenses), as well as any conduct defined as “racketeering activity” in 18 U.S.C. § 1961.

⁸³ A “pattern of racketeering activity” means engaging in at least two incidents of racketeering conduct having the same or similar intents, results, accomplices, victims, or methods of commission or that otherwise are interrelated by distinguishing characteristics and are not isolated incidents. S. [895.02\(7\), F.S.](#)

⁸⁴ “Unlawful debt” means any money or other thing of value constituting principal or interest of a debt that is legally unenforceable in this state in whole or in part because the debt was incurred or contracted in violation of specified Florida laws (e.g., various gambling offenses) as well as any gambling activity in violation of federal law or in the business of lending money at a rate usurious under state or federal law. S. [895.02\(12\), F.S.](#)

⁸⁵ “Enterprise” means any individual, sole proprietorship, partnership, corporation, business trust, union chartered under the laws of this state, or other legal entity, or any unchartered union, association, or group of individuals associated in fact although not a legal entity; and it includes illicit as well as licit enterprises and governmental, as well as other, entities. A criminal gang as defined in [s. 874.03, F.S.](#), constitutes an enterprise. S. [895.02\(5\), F.S.](#)

⁸⁶ S. [895.04, F.S.](#) A first degree felony is punishable by up to 30 years imprisonment and a \$10,000 fine. Ss. [775.082](#) and [775.083, F.S.](#)

⁸⁷ S. [895.05\(2\), F.S.](#)

⁸⁸ [Ch. 2025-21, L.O.F.](#)

enforcement to prosecute RICO violations predicated only on fraud relating to issue petitions or those already delineated by statute, it would have said so.”⁸⁹

⁸⁹ *Florida Decides Healthcare, Inc. v. Byrd*, 4:25-cv-00211-MW-MAF (N.D. Fla. 2025) (Order on Motion for First Preliminary Injunction).