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To keep you informed of legislative changes resulting from the 2011 Florida Regular Legislative Session, Carlton Fields' **Government Law and Consulting** practice group is pleased to provide you with our latest legislative news alert concerning changes to Florida's Election Law enacted by the 2011 Florida Legislature. As of this writing, the bill discussed below is awaiting review by the Governor and is subject to his veto authority. The reader is encouraged to check the ultimate status of the bill by visiting the Legislature's web site (www.leg.state.fl.us). Please select the "Enrolled" (ER) version of the bill.

**Committee Substitute for Committee Substitute for House Bill 1355
Comprehensive Changes to Florida Election Law**

Committee Substitute for Committee Substitute for House Bill 1355 (CS/CS/HB 1355) alters many of the procedures in place since the Florida Election Reform Act of 2001. In 158 pages of legislation, the Legislature has decreased the number of early voting days, altered the way voter registration drives can be done, including the potential of levying fines on third party groups, changes the way courts can review constitutional amendments proposed by the legislatures, and made many other procedural changes.

Specifically, CS/CS/HB 1355:

- Reduces the number of early voting days to 8 from 14 days.
- Alters the definition of "minor political party."
- Increases the authority of the Secretary of State over the locally elected Supervisors of Elections.
- Provides extensive regulation of third-party voter registration organizations and imposes penalties for violations.
- Mandates that voter registration organizations turn in voter registration applications within 48 hours of delivery or the organization is fined.
- Requires that a voter's polling place address be listed on their Voter Information Card.
- Requires that local Supervisors of Elections notify voters within 5 days of entering their voter registration information into the State database of the status of their application.

- Increases the time requirement for switching political parties before qualifying to run for office from 6 months to 1 year.
- For petition gathering organizations, if any person is paid to collect signatures, then the group cannot file an undue burden oath seeking not to be charged by the local Supervisor of Elections for verifying the petitions.
- Moves up Primary elections from 10 weeks before the general election to 12 weeks before.
- Increases the amount of data that the local Supervisors must supply to the state on voting patterns.
- Requires that voters who have changed addresses vote by provisional ballot instead of only having to fill out an affidavit at the polls.
- Made changes related to court review of ballot statements put on the ballot by the Legislature.
- Extends the length of validity for a request to receive absentee ballots from one election cycle to two.
- Potentially alters the standard for review of the signature on an absentee ballot.
- Gives the Supervisor of Elections the discretion to use early voting for non-state or non-federal elections.
- Increases the number of reports required from local canvassing boards to the State during the ballot counting process.
- Defines “[e]xpenditures related to potential candidate polls” to not be contributions or expenditures under campaign finance law.
- Makes other definitional and procedural changes to campaign finance law.

If signed by the Governor, the changes made by CS/CS/HB 1355 are subject to preclearance review under Section 5 of the Federal Voting Rights Act.

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