

Notice of Development of Rulemaking

DEPARTMENT OF STATE

Division of Elections

RULE NO.: RULE TITLE:

[1S-2.009](#): Constitutional Amendment by Initiative Petition

[1S-2.0091](#): Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

PURPOSE AND EFFECT: The purpose of rulemaking is to conform the rules to statutory changes in HB 5 (Chapter 2019-64, Laws of Florida) which amends sections 97.021 and 100.371, Florida Statutes. The bill, among other things, requires paid petition circulators to register with the Secretary of State; requires petition forms to be made available to constitutional amendment initiative petition sponsors; requires the Secretary to maintain a paid petition circulator database; requires supervisors of elections to provide specified information to the division of elections; provides requirements for gathering petition forms; provides for the imposition of fines for failure to deliver petition forms within a specified time period and provides for defenses; allows the Secretary of State to refer petition form violations to the Attorney General for enforcement; requires the division of elections to adopt rules; and provides that the date the elector signs a petition form is presumed to be the date the sponsor collected the form. The changes to the rules are to incorporate these various changes in the law.

SUBJECT AREA TO BE ADDRESSED: Constitutional amendment by initiative petition and related processes for petition circulators, supervisors, and the division of elections.

RULEMAKING AUTHORITY: [20.10](#), [97.012\(1\)](#), [\(2\)](#), [97.052](#)

LAW IMPLEMENTED: [97.021](#), [100.371](#)

IF REQUESTED IN WRITING AND NOT DEEMED UNNECESSARY BY THE AGENCY HEAD, A RULE DEVELOPMENT WORKSHOP WILL BE NOTICED IN THE NEXT AVAILABLE FLORIDA ADMINISTRATIVE REGISTER.

Pursuant to the provisions of the Americans with Disabilities Act, any person requiring special accommodations to participate in this workshop/meeting is asked to advise the agency at least 3 days before the workshop/meeting by contacting: Candice Edwards at (850) 245-6536 or Candice.edwards@dos.myflorida.com If you are hearing or speech impaired, please contact the agency using the Florida Relay Service, 1(800)955-8771 (TDD) or 1(800)955-8770 (Voice).

THE PERSON TO BE CONTACTED REGARDING THE PROPOSED RULE DEVELOPMENT AND A COPY OF THE PRELIMINARY DRAFT, IF AVAILABLE, IS: Colleen O'Brien, Assistant General Counsel, at Colleen.OBrien@dos.myflorida.com or (850) 245-6519.

THE PRELIMINARY TEXT OF THE PROPOSED RULE DEVELOPMENT IS NOT YET AVAILABLE.

