2021 - 2022 Initiative Petition Handbook

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Division of Elections
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(Updated 12/2021)

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Chapter 1: Introduction

This handbook explains the process for collecting signatures to have a proposed amendment to the Florida Constitution placed on the general election ballot. The information contained herein only applies to the initiative petition process for amendments to the Florida Constitution. It does not apply to candidate petitions or petitions for local measures.

This handbook is a quick reference guide. This publication is not a substitute for the Florida Election Code or applicable constitutional and rule provisions, the text of which controls.

See Appendix G: Legal References for applicable laws and rules.

For questions not addressed by this handbook or reference to the laws and rules, please direct questions to Initiatives@dos.myflorida.com; 850.245.6200.

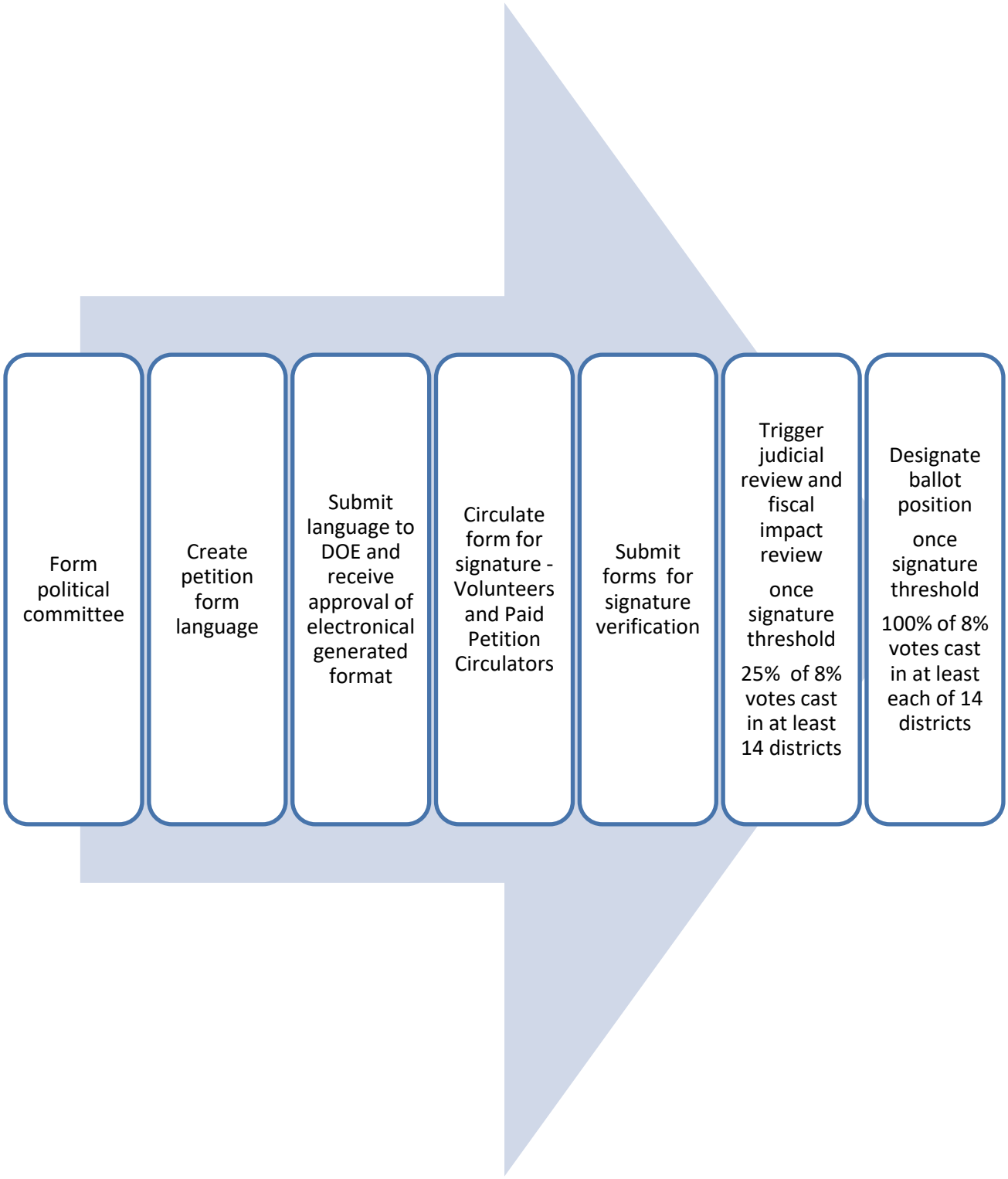
Overview

In Florida, the people have a right to propose amendments to the Florida Constitution through an initiative petition process. In addition to other requirements, this process requires a number of petitions to be signed by registered Florida voters before the proposed amendment can appear on the ballot. The number of signatures needed is based on eight percent of the voters who cast votes in the last presidential election. In addition, the signatures must also come from voters in at least one-half of the congressional districts of the state.

In order to get a proposed amendment by initiative on the 2020 General Election ballot, a petition must be signed by 891,589 voters and the signatures must come from at least 14 of Florida's 27 congressional districts. For a breakdown by congressional district, please see Appendix A: Congressional District Requirements and Appendix B: Congressional District Map.

Information on currently active and former initiatives can be found on the Division's Initiatives/Amendments/Revisions Database.

Petition Roadmap



Chapter 2: Forms

What initiative petition form should be used to obtain signatures from registered voters?

A sponsoring political committee must first submit language for approval to the Division of Elections. The sponsoring committee must first email a written request that includes the proposed language to Initiatives@dos.myflorida.com. The committee must include in the email the following:

1. The ballot title, which shall not exceed 15 words.

2. The ballot summary, which shall not exceed 75 words.

3. The article and section being created or amended in the Florida State Constitution. For each existing article and/or section being amended, the language shall be in the format "Amends Article [insert number], Section [insert number]." The article and section number provided must correspond to an existing section of the Constitution and must correspond with the full text of the proposed amendment. For each article and/or section being created, the language shall be in the format, "Creates Article [insert], New Section".

4. The full text of the amendment being proposed. If the proposed constitutional amendment amends an existing section or sections, the full text shall include the entire existing text of the section or sections being amended. Text that is being inserted into the Constitution shall be notated with an underline, and text that is being deleted shall be notated with a strike through.

The Division will then populate the language into the electronic petition templates set forth by rule and provided to the sponsoring political committee accordingly. See forms below:

- Form DS-DE 155A (http://www.flrules.org/Gateway/reference.asp?No=Ref-13556, effective 10/2021) entitled "Constitutional Amendment Initiative Petition Form – Volunteer",
- Form DS-DE 155B (http://www.flrules.org/Gateway/reference.asp?No=Ref-13557, effective 10/2021) entitled "Constitutional Amendment Initiative Petition Form – Circulator" supplemental
- Form DS-DE 156 (http://www.flrules.org/Gateway/reference.asp?No=Ref-13558, effective 10/2021) entitled "Constitutional Amendment Full Text." Paid petition circulators, will obtain their forms, directly online in PDF format once they are registered with the Division

The Division will ask the sponsoring political committee to review the electronically generated forms to ensure that it has properly populated the forms. The Division will then complete the review within seven days of receipt and either approve the format of the form or notify the political committee of the submitted form's deficiencies. Note that the Division

does not review the proposed amendment language for legal sufficiently, only the format of the form itself. Upon successful completion of a review, the Division will assign the petition form a serial number. The serial number must be printed in the lower right hand corner of the approved petition form. The proposed amendment and form will be viewable on the Division's online Initiatives/Amendments/Revisions Database.

Must the proposed form come from a political committee?

Yes. An individual or group that seeks to sponsor a proposed amendment by initiative must be registered as a political committee with the Division of Elections prior to submission of the proposed initiative. For details on how to register a political committee, refer to the Political Committee Handbook.

Is there a limit on the length of the ballot title or summary?

Yes. Ballot titles are limited to 15 words or less. Ballots summaries are limited to 75 words or less. Rule 1S-2.009, F.A.C. provides rules for determining word count.

Is there a filing fee for submitting an initiative petition form for review?

No filing fee exists to submit an initiative for review. There is a fee to validate signed petitions as verified. See Chapter 5.

Who is responsible for reproducing the petition form?

The sponsoring political committee is responsible for reproducing the approved form, an electronic copy of which is provided to the committee.

Can the petition form be altered?

Any changes to a previously approved petition must be submitted to the Division for review. Any material change constitutes a request for approval of a new petition form and the political committee must start over with the collection of signatures. A material change includes changes to the text, ballot title, ballot summary, punctuation, layout, or the name of the political committee.

Can the petition form be translated?

Yes. A translation does not constitute a material change to an initiative petition form. A translation cannot add or subtract from the approved English language, the format of the petition, or its blank entries. The sponsoring political committee is responsible for any translation.

How long can an initiative petition remain active?

No time limit exists for a political committee to circulate a petition to obtain signatures. See chapter 3 for how long signed petitions are valid. Each signature is valid from the date signed until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met.

How many initiative petitions can one political committee sponsor and support?

No limit exists. However, when circulating the petitions, each petition must be separate. Petitions cannot be attached or bundled together.

Can a political committee change Florida's statutes with an initiative petition?

No. The initiative process is only for proposed amendments to the Florida Constitution. Only the Florida Legislature can make changes to Florida Statutes.

Can a political committee change the U. S. Constitution with an initiative petition?

No. For information on amending the U.S. Constitution, please refer to Article 5 of the U.S. Constitution.

Can a political committee change a county charter or municipal code with an initiative petition filed with the Division of Elections?

No. For information on how to change a county charter or municipal code, please contact the county or city attorney's office, respectively.

Chapter 3: Collecting Signatures

When can a sponsoring political committee start collecting signatures on petitions?

After the Division assigns the serial number to an initiative petition, the sponsoring political committee can begin to circulate petitions for signature by registered Florida voters.

How long are signed petitions valid?

Each signature is valid from the date signed until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. After that date, the signature no longer is included in the current count of valid verified signatures for determining if an initiative petition has achieved ballot placement unless the petition has achieved ballot position.

Where can a sponsoring political committee collect signatures on petitions?

Prior to collecting signatures at a particular property, the political committee should first check with the owner or administrator of the property in question.

Absent a local prohibition, a committee can collect petition signatures in any public place including government-owned buildings. Section 106.15(4), Florida Statutes, is often misconstrued to prohibit collecting petition signatures in a government-owned building. However, this prohibition only applies to soliciting or knowingly accepting contributions. Therefore, soliciting petition signatures would not be prohibited in a government-owned building unless the petition form is part of a larger document that includes a request for a political contribution or unless a local prohibition precludes petition signature gathering in local government-owned or occupied buildings. Section 104.31(2), Florida Statutes, prohibits employees of the state or any political subdivision from participating in a political campaign for an elective office while on duty.

Whether a person is prohibited from collecting petitions on private property, including a church is not addressed in the Election Code. Section 100.371(7), Florida Statutes, is applicable only to collecting petitions for initiative petitions. It states, “No provision of this code shall be deemed to prohibit a private person exercising lawful control over privately owned property, including property held open to the public for the purposes of a commercial enterprise, from excluding from such property persons seeking to engage in activity supporting or opposing initiative amendments.”

In the case of a church, a committee should check with the presiding church official. A

church's involvement in political campaigns may threaten the loss of the church's IRS tax-exempt status.

Can a sponsoring political committee pay someone to collect petitions?

Yes. Nothing in the Election Code prohibits a political committee from paying any person to collect petitions. However, paid petition circulators must first register online with the Division of Elections before circulating petitions. Visit the Division of Elections' webpage at: https://initiativepetitions.elections.myflorida.com/ for more information about paid versus volunteer petition circulators and how to register as a paid petition circulator. The Online User Guide for Paid and Volunteer Petition Circulators is available to guide a user. Also, refer to Chapter 5 for information on the interaction between the use of paid petition circulators and the filing of an Affidavit of Undue Burden.

How does someone register as Paid Petition Circulator?

By law (section 100.371, Florida Statutes), any person who is or will be paid to collect initiative petitions must first register with the Department of State before collecting petitions. To register as a paid petition circulator, complete an online application. Once registered, you will be able to manage your own account and assign yourself the initiative(s) for which you plan to collect. Information submitted to register as a paid petition circulator becomes public record, subject to any applicable exemptions under Florida law.
Online User Guide for Paid and Volunteer Petition Circulators

Who pays a paid petition circulator?

The Department of State is not involved in payment for paid petition circulators. It is the circulator's responsibility to make arrangements with each sponsoring political committee for the applicable initiative(s) to ensure that they will be paid for collecting petitions.

Do I have to register as a volunteer petition circulator?

No, you do not have to register if you are a volunteer petition circulator. Forms and the full text of constitutional amendments can be viewed/downloaded here. No login is required.

Can a voter revoke their signature on a petition after receipt of the petition by the supervisor of elections?

No authority exists for a voter who has signed a petition to revoke their signature on the petition after it has been received by the supervisor of elections.

Chapter 4: Verifying Petitions

Where are petitions submitted?

A sponsoring political committee must submit collected petition forms to the supervisor of elections of the county in which the voter is registered.

It is the committee's responsibility to properly and timely file collected petitions with the supervisor of elections of the county in which the signee is a registered voter. In the case of a misfiled petition, the filing date of the petition is the date such petition is filed with the proper county. If the supervisor determines that the signer of the petition is not registered in their county, the supervisor shall notify the committee that the petition has been misfiled, and shall return the petition to the committee so that it can be refiled.

When is the deadline for submitting petitions to the supervisor of elections?

A sponsoring political committee must ensure that any petition its collects or that is entrusted to any petition circulator its uses to collect petitions promptly delivers the forms no later than 30 days from the date of the signed petition. See also Chapter 6 for information on ballot placement.

When is the deadline for supervisors of elections to verify signatures?

Supervisors of Elections have 60 days from the date of receipt and advance payment to verify signatures. However, within 60 days of the February 1 deadline to make ballot position, a supervisor of elections has 30 days from the date of the signed petition form to verify the submission and submit signature counts to the Division. See also Chapter 6 for information on ballot placement. See Rule 1S-2.0091, Florida Administrative Code, for signature verification process.

Is this petition valid?

. . . if the petition is signed and dated before the petition is assigned a serial number?

A petition signed and dated before the assignment of a serial number is invalid.

. . . if the petition is not on the approved form?

The signed form must match the approved version of the petition form, which may include an approved translation of the form. Signatures on unapproved changed versions are not valid.

. . . if the petition is signed by a person who is not registered to vote?

If a petition is signed by a person who is not registered to vote, at both the time of signing and at the time of verification of the petition, it is not valid.

. . . if the petition is signed by an inactive voter?

Absent any other issues, a petition signed by an inactive voter is valid.

. . . if the petition does not have the voter's original signature?

The petition form must contain the voter's original signature. Thus, copies of petitions, electronic submission (such as email), or a petition with an electronic signature are not valid.

. . . if there is more than one petition per voter?

Only one petition per voter per initiative may be verified as valid.

Note: Under Section 104.185, Florida Statutes, a person who knowingly signs a petition more than one time commits a misdemeanor of the first degree.

When a supervisor is confronted with a situation where the same voter signs two or more initiative petitions for the same initiative, only one petition may be validated. For example, if the first petition submitted by the voter is valid, it remains valid even if a second petition by the same voter is submitted contrary to the above statute; however, the second petition may not be validated. Conversely, if the first petition is incomplete and not validated, the second petition may be counted as valid. The supervisor must ensure that only one petition per voter per initiative is counted as valid. If the supervisor believes the voter or sponsoring committee violated the above statute by the submission of more than one petition per voter per initiative, the supervisor may file an elections fraud complaint with the Division of Elections or refer the matter to the local state attorney.

. . . if the petition form is incomplete?

Per Rule 1S-2.0091, F.A.C., in order for a supervisor of elections to verify a petition as valid, the petition form must contain the following information:

- The voter's name,
- The voter's address (including city and county),
- The voter's date of birth or voter registration number,
- The voter's original signature,
- The date the voter signed the petition, as recorded by the voter, , and
- For forms circulated by a paid petition circulator, a signed Petition Circulator's Affidavit as required by Section 100.371(5), F.S. Additionally, the paid petition

circulator must have been registered with the Division of Elections to collect petitions on the date of the voter's signature..

. . . if a voter with a public records exemption signs the petition?

No special process applies when a voter with a public records exemption on file signs a petition form. Like any other voter, if the voter with a public records exemption wants to sign a petition, the voter may elect to place a business address or some other address on the form. If the voter lists an address other than the legal residence where the voter is registered, the supervisor must treat the signature as if the voter had listed the address where the voter is registered.

If a supervisor of elections office receives a public records request to view or copy petition forms in their possession, the supervisor must take care to redact confidential and exempt information from the records to prevent disclosure of the exempt information. Note that signatures on petition forms from all voters can only be viewed, not copied.

Chapter 5: Fees and Undue Burden Oath

What is the verification fee?

- Each supervisor shall post the actual cost of signature verification on his or her website and may increase such cost, as necessary, on February 2 of each even-numbered year. The Division of Elections also publishes signature verification cost by county spreadsheet on its website https://www.dos.myflorida.com/elections/laws-rules/constitutional-amendmentsinitiatives/
- A sponsoring political committee must pay the Supervisor of Elections in advance the fees to verify collected petitions unless an Affidavit of Undue Burden has been filed with the county or the Division.

Who is responsible for the verification fee?

The sponsoring political committee is required to pay the Supervisor of Elections in advance to verify petition signatures. See section 99.097(4), Florida Statutes. Two ways exist to pay for the verification fees:

- The verification fee is paid with a check from the committee; or
- Someone else pays for the verification fees and is reimbursed by the committee.

Because the statute specifically states that the committee shall pay the verification fee, ultimately, the committee is responsible for paying the fee. If someone else pays the verification fee, it is the committee's responsibility to ensure that the person is reimbursed by the campaign.

What is an Affidavit of Undue Burden (oath)?

If a sponsoring political committee cannot pay the signature verification fee without imposing an undue burden on the committee's resources, the committee may file DS-DE 19D an Affidavit of Undue Burden with the Supervisor of Elections or the Division, which shall notify supervisors of elections when the oath is filed.

If any person is paid to solicit signatures on a petition, a committee may not subsequently file an Affidavit of Undue Burden in lieu of paying the fee to have signatures verified for that petition.

If an Affidavit of Undue Burden has been filed and payment is subsequently made to any person to solicit signatures on a petition, the affidavit is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any that are submitted thereafter shall be paid by the committee who submitted the oath.

If a committee receives monetary contributions, as defined in Section 106.011, Florida Statutes, after the committee has filed an undue burden oath and subsequently paid a signature gatherer, the monetary contributions must first be used to reimburse the supervisor of elections for any signature verifications fees that were not paid because of the filing of the oath.

Chapter 6: Signature Certification/Ballot Placement

How many signatures are needed to trigger Supreme Court review and the creation of a fiscal impact statement?

Once a sponsoring political committee obtains verified signatures on petitions equal to 25% of the number of signatures required for ballot placement (which is 8% of the votes cast) and in at least 50% of Florida's congressional districts, the Secretary of State will send the petition to the Attorney General.

Within 30 days of receipt, the Attorney General will petition the Florida Supreme Court for an advisory opinion as to whether the text of the proposed amendment complies with s. 3, Art. XI of the State Constitution and whether the proposed ballot title and summary comply with Section 101.161, Florida Statutes.

Concurrently, the Secretary of State also sends a copy of the petition to the Financial Impact Estimating Conference (FIEC). The FIEC reviews the proposed amendment and completes an analysis and financial impact statement, which is also submitted to the Florida Supreme Court for review. If the proposed amendment obtains ballot position, the financial impact statement will appear on the ballot under the ballot summary.

How many signatures are needed for ballot placement?

In order to place a proposed amendment by initiative on the general election ballot, the requirement is to obtain signatures from eight percent of the number of voters voting in the last presidential election. Based upon official voter history data submitted by county Supervisors of Elections for the 2020 General Election, eight percent of the number of voters voting in the 2020 election was 891,589. That number must also come from at least 14 of Florida's 27 congressional districts (see Appendix B: Congressional District Requirements and Appendix C: Florida Congressional District Map).

How does the petition achieve ballot position?

The Secretary of State determines whether the constitutionally required number of signatures and distribution of signatures by congressional districts has been obtained no later than February 1 of the year of the general election. The Secretary issues a certificate of ballot position to the sponsoring political committee. No later than the next day, the Director of the Division of Elections assigns and posts the designating number for the amendment in accordance with Rule 1S-2.0011 – Constitutional Amendment Ballot Position.

How do I confirm the number of signatures for each petition certified to the Division of Elections?

To check the number of signatures certified to the Division of Elections, visit the Division's Initiatives/Amendment/Revisions database, located at: https://dos.elections.myflorida.com/initiatives/

FLORIDA DIVISION OF ELECTIONS

Initiatives / Amendments / Revisions Database

The table below defaults to a list of amendments or initiatives that have made ballot position (indicated by a ballot #), and currently active initiatives (indicated by a serial #). Use the toolbar at the top of the table to search the database by year, status, title and sponsor.

Year: 2022	Status: Active	Made Ballot: ☐	Title:	Sponsor: ALL

RUN QUERY

Elec Year	Status	Date	Title	Serial # (Ballot #)	Sponsor
2022 GEN	Active	05/18/2021	Abolishing the Constitution Revision Commission	(2)	The Florida Legislature/Senate (SJR 204)
2022 GEN	Active	06/11/2021	Affordable Housing - Protects affordable housing funds from being used for non-housing purposes.	21-11	Floridians For Housing
2022 GEN	Active	01/29/2019	All drivers may complete community service in lieu of paying traffic and parking ticket fines	19-02	Drivers Ready to Improve, Vote and Empower (D.R.I.V.E)
2022 GEN	Active	04/16/2015	All tolls shall be approved by voters	15-07	Drivers Ready to Improve, Vote and Empower (D.R.I.V.E)
2022 GEN	Active	05/16/2016	All traffic citations must be issued without use of red light cameras or speed cameras	16-04	Drivers Ready to Improve, Vote and Empower (D.R.I.V.E)
2022 GEN	Active	03/14/2019	All Voters Vote in Primary Elections for United States Senate and House of Representatives	19-06	All Voters Vote, Inc.
2022 GEN	Active	07/15/2021	Authorizes a Limited Number of New Casinos.	21-15	Florida Voters in Charge
2022 GEN	Active	06/23/2021	Authorizes sports and event betting; if betting revenues are taxed, taxes must supplement public education.	21-13	Florida Education Champions
2022 GEN	Active	06/11/2021	Cabinet Reorganization Amendment; Commissioner of Education.	21-12	Let Florida Vote
2022 GEN	Active	05/20/2021	CAPTIVE WILDLIFE HUNTING BAN	21-07	FL5.org

Click on the name of the initiative for which you seek information.

Screen shot of initiative webpage below: The page will display information regarding the initiative, including the number of currently valid verified signatures.

FLORIDA DIVISION OF ELECTIONS

n to home page

CAPTIVE WILDLIFE HUNTING BAN
21-07

Reference:
ARTICLE X, SECTION 35

Summary:
View Full Text (pdf)
Prohibits captive wildlife hunting in the state of Florida to prevent animal cruelty, preserve and protect Florida native lands, limit disease transmission, protect the public health of Florida citizens, and preserve and protect wildlife species.

Sponsor:
FL5.org
555 Winderley Place, Suite 300
Maitland, FL 32751-
(407) 399-3228

Contact: Charles W. O'Neal, Chairperson

Signatures:

Statewide total needed for judicial and financial impact review:	222,898
Statewide total needed to make ballot position:	891,589
Statewide total currently valid:	992*
Congressional district totals needed for judicial and economic reviews and ballot placement, with currently valid signatures:	View by District by County

***Statewide and congressional district totals for ballot position are NOT OFFICAL until an initiative petition is certified to have made ballot. Once an initiative petition is certified for ballot position, total currently valid may exceed the official totals at time of certification. For status on ballot position, see Status Table below.**

Two signature thresholds must first be met for ballot position: 1) statewide total [8 percent of the votes cast in the last presidential election], and 2) Congressional District signature totals in at least 14 of Florida's 27 Congressional Districts [8 percent of the votes cast in each Congressional District in the last presidential election]. See section 3, Article XI, Fla. Const., section 100.371, Fla. Stat.

A Congressional District may consist of one or more counties and a county may be part of more than one congressional district. To find out the signature threshold required in each Congressional District for review and ballot position, the current number of verified signatures in each Congressional District by county, and how many Congressional Districts may have met or exceeded signature thresholds, click the link above titled "View by District by County".

Status: Active

Approval Date:	05/20/2021
Undue Burden:	04/23/2021
Made Review:	
Attorney General:	
Sent to Supreme Court:	
Supreme Court Ruling:	
SC Ruling Date:	
Financial Impact Statement Date:	
SC Approval of Financial Impact Statement:	
Made Ballot:	
Ballot Number:	0
Election Year:	2022

Signatures:

Statewide total needed for judicial and financial impact review:	222,898
Statewide total needed to make ballot position:	891,589
Statewide total currently valid:	992*
Congressional district totals needed for judicial and economic reviews and ballot placement, with currently valid signatures:	View by District by County

Click on "**View by District by County**" for a breakout of signatures by district and county. The page will display the total required signatures, total verified and the last date petitions were verified from a county to the Division of Elections.

Screenshot of the View by District by County webpage below

FLORIDA DIVISION OF ELECTIONS

CAPTIVE WILDLIFE HUNTING BAN
Sponsor: FL5.org

Currently Verified Totals are UNOFFICIAL until the Initiative receives certification and a ballot number.

Valid Petition Signatures

DISTRICT 1
Needed for Review **8,919**
Needed for Ballot **35,676**

COUNTY	Valid Signatures
Escambia (as of 11/02/2021)	6
Holmes	0
Okaloosa (as of 10/27/2021)	9
Santa Rosa (as of 10/11/2021)	3
Walton (as of 11/23/2021)	6
TOTAL	**24**

DISTRICT 2
Needed for Review **7,913**
Needed for Ballot **31,651**

COUNTY	Valid Signatures
Bay (as of 10/21/2021)	2

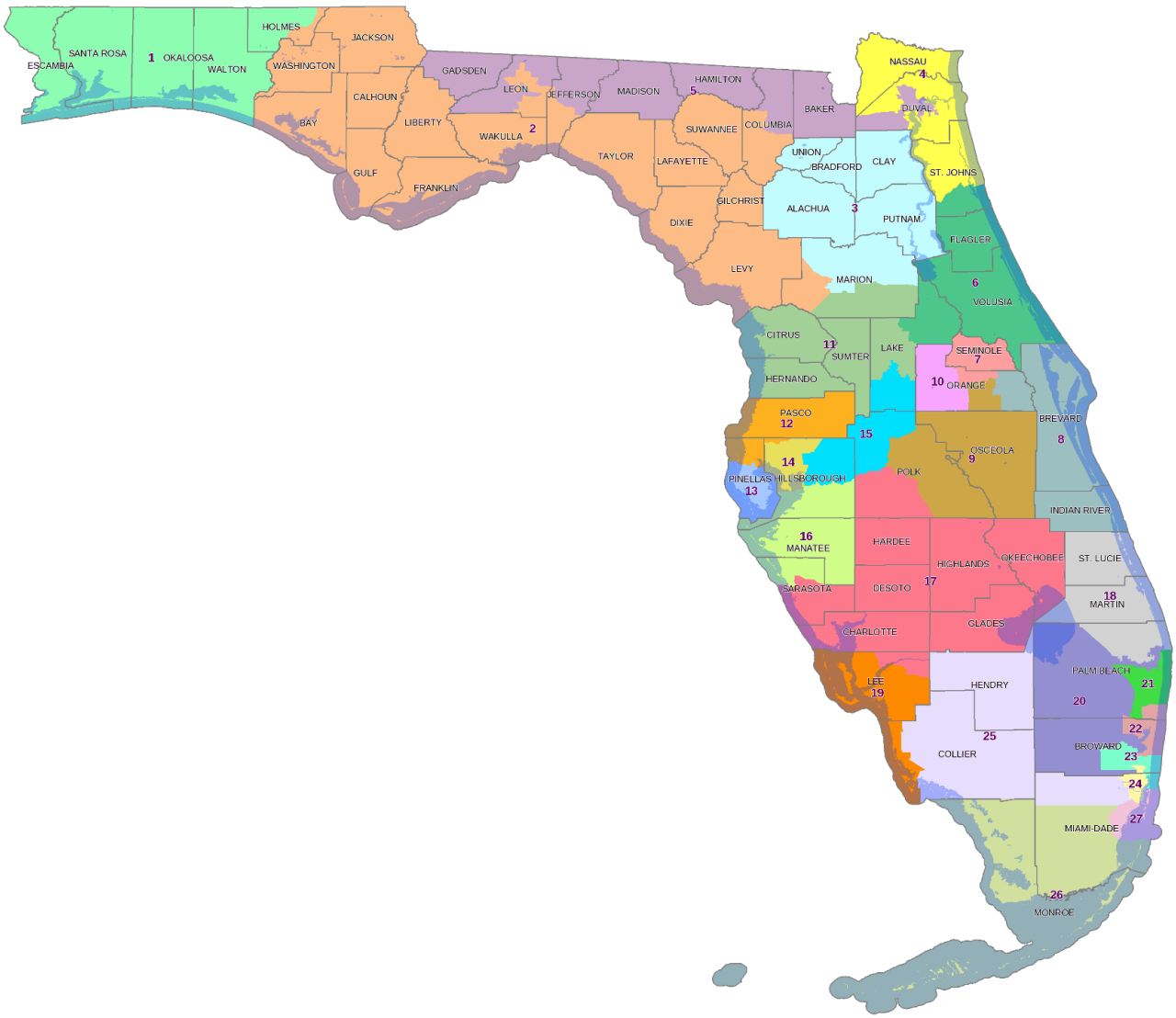
What do I do if I believe the totals are incorrect?

You will need to contact the supervisor of elections for the county in question. On the last day of each month, or on the last day of each week from December 1 of an odd-numbered year through February 1 of the following year, each supervisor shall post on his or her website the aggregate number of verified valid signatures and the distribution of such signatures by congressional district for each proposed amendment proposed by initiative, along with the following information specific to the reporting period: the total number of signed petition forms received, the total number of signatures verified, the distribution of verified valid signatures by congressional district, and the total number of verified petition forms forwarded to the Secretary of State.

Appendix A: Congressional District Signature Requirements

Congressional District	Votes Cast in 2020 General Election	For Judicial / Fiscal Reviews (25% of 8% of Votes)	For Ballot Position (8% of Votes Cast)
1	445,944	8,919	35,676
2	395,637	7,913	31,651
3	400,677	8,014	32,055
4	513,722	10,275	41,098
5	345,204	6,905	27,617
6	455,403	9,109	36,433
7	418,290	8,366	33,464
8	470,236	9,405	37,619
9	441,822	8,837	35,346
10	385,336	7,707	30,827
11	488,923	9,779	39,114
12	462,744	9,255	37,020
13	414,288	8,286	33,144
14	382,573	7,652	30,606
15	400,979	8,020	32,079
16	493,770	9,876	39,502
17	425,356	8,508	34,029
18	457,254	9,146	36,581
19	460,044	9,201	36,804
20	332,001	6,641	26,561
21	414,042	8,281	33,124
22	416,352	8,328	33,309
23	393,827	7,877	31,507
24	301,639	6,033	24,132
25	325,319	6,507	26,026
26	352,804	7,057	28,225
27	350,668	7,014	28,054
Statewide	**11,144,854**	**222,898**	**891,589**

Appendix B: Congressional District Map



Appendix C: DS-DE 155A Constitutional Amendment Initiative Petition Form - Volunteer

CONSTITUTIONAL AMENDMENT INITIATIVE PETITION FORM – VOLUNTEER

Amendment Information

Ballot Title:

Ballot Summary:

See separate document for the full text of the proposed constitutional amendment.

Date Approved _____ **Serial Number** _____

Sponsor's Information (Return all completed petition forms to the address below.)

Name:

Address:

Voter's Information

I am a registered voter of Florida and hereby petition the Secretary of State to place the above proposed amendment to the Florida Constitution on the ballot in the general election.

Name - Last _____ **First** _____ **Middle** _____

Address _____

City _____ **Zip** _____ **County** _____

☐ Update my voter registration record to this address. (check box)

Registration No. ☐☐☐☐☐☐☐☐☐ **or** **Date of Birth** M M / D D / Y Y Y Y

Signature _____ **Date Signed** M M / D D / Y Y Y Y

Petition Circulator's Information

This petition form is only to be collected by a volunteer or directly by the voter him or herself.

A paid petition circulator must use the DS-DE 155B version of the form. Forms for paid petition circulators can be obtained from the Division's Paid Petition Circulator website.

Visit https://dos.elections.myflorida.com/InitiativePetitions/ for more information.

Attention

- This form becomes a public record once filed with the Supervisor of Elections.
- It is a first degree misdemeanor to knowingly sign the same petition more than once. [§104.185, F.S.]
- An improperly completed form will not be validated.

DS-DE 155A (10-2021) R1S-2.009, Fla. Admin. Code

SAMPLE

Appendix D: DS-DE 155B Constitutional Amendment Initiative Petition - Paid Petition Circulator

CONSTITUTIONAL AMENDMENT INITIATIVE PETITION FORM - PAID PETITION CIRCULATOR

Amendment Information

Ballot Title:

Ballot Summary:

See separate document for the full text of the proposed constitutional amendment.

Date Approved _____ **Serial Number** _____

Sponsor's Information (Return all completed petition forms to the address below.)

Name:

Address:

Voter's Information

I am a registered voter of Florida and hereby petition the Secretary of State to place the above proposed amendment to the Florida Constitution on the ballot in the general election.

Name - Last_____**First**_____**Middle** _____

Address _____

City_____**Zip**_____**County** _____

☐ Update my voter registration record to this address. (check box)

Registration No. ☐☐☐☐☐☐☐☐ **or Date of Birth** M M / D D / Y Y Y Y

SAMPLE

Signature_____ **Date Signed** M M / D D / Y Y Y Y

Petition Circulator's Information

This petition form is only to be circulated and collected by a paid petition circulator.
After the voter signs the form, the circulator must complete the affidavit below.

Paid Petition Circulator's Affidavit

Name _____ Circulator's Number _____

Address _____

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

Signature_____ **Date Signed** M M / D D / Y Y Y Y

Attention

- This form becomes a public record once filed with the Supervisor of Elections.
- It is a first degree misdemeanor to knowingly sign the same petition more than once. [§104.185, F.S.]
- An improperly completed form will not be validated.

DS-DE 155B (10-2021) R1S-2.009, Fla. Admin. Code

Appendix E: DS-DE 156 Constitutional Amendment Full Text

CONSTITUTIONAL AMENDMENT FULL TEXT

Ballot Title:

Ballot Summary:

Article and Section Being Created or Amended:

SAMPLE

Full Text of the Proposed Amendment: Words added are underlined. Words removed are ~~struckthrough~~

Initiative Information

Date Approved_____ **Serial Number**_____

Sponsor Name: [Name of the sponsoring political committee]
Sponsor Address: [Address of the sponsoring political committee]

DS-DE 156 (10-2021) R1S-2.009, Fla. Admin. Code

Appendix F: DS-DE 19D Affidavit of Undue Burden – Committee

AFFIDAVIT OF UNDUE BURDEN
(Section 99.097(4), Florida Statutes)

IMPORTANT: Paying signature gatherers will preclude or invalidate the filing of an undue burden oath. Section 99.097(6), Florida Statutes, provides: (a) If any person is paid to solicit signatures on a petition, an undue burden oath may not subsequently be filed in lieu of paying the fee to have signatures verified for that petition. (b) If an undue burden oath has been filed and payment is subsequently made to any person to solicit signatures on a petition, the undue burden oath is no longer valid and a fee for all signatures previously submitted to the supervisor of elections and any submitted thereafter shall be paid by the candidate, person, or organization that submitted the undue burden oath. If contributions as defined in s. 106.011 are received, any monetary contributions must first be used to reimburse the supervisor of elections for any signature verification fees that were not paid because of the filing of the undue burden oath. [Note: The second sentence in (b) applies only when payment is made to a signature gatherer after an undue burden oath had been filed.]

****

I certify under oath that

_____

(Name of Political Committee)

is unable to pay the 10 cents per name charge for verification of petition signatures without imposing an undue burden on the committee's resources.

SAMPLE

X

Signature of Treasurer **Printed Treasurer's Name**

Address **City**

State **Zip** **Telephone Number** ( )

State of Florida

County of _____

Sworn to (or affirmed) and subscribed before me this _____ day of _____, 20____

by _____.

Personally Known: _____ or

Produced Identification: _____

Type of Identification Produced:

_____

Signature of Notary Public – State of Florida
Print, Type or Stamp Commissioned Name of Notary Public

DS-DE 19D (revised 7/1/11)

Appendix G: Legal References (Laws, Rules, and Forms)

Florida Constitution

- Article IV, Section 10
- Article XI, Section 3
- Article XI, Section 5

Florida Statutes

- Section 15.21
- Section 16.061
- Section 99.097
- Section 100.371
- Section 101.161
- Section 104.185
- Section 106.19(3)
- Section 106.191

Florida Election Code

- Chapters 97 – 106, Florida Statutes

Florida Administrative Code

- 1S-2.0011 - Constitutional Amendment Ballot Position
- 1S-2.009 - Constitutional Amendment by Initiative Petition
- 1S-2.0091 - Constitutional Amendment Initiative Petition; Submission Deadline; Signature Verification

Link to Forms

- DS-DE 155A Constitutional Amendment Initiative Petition Form - Volunteer
- DS-DE 155B Constitutional Amendment Initiative Petition Form - Paid Petition Circulator
- DS-DE 156 Constitutional Amendment Full Text

Initiatives/Amendments/Revisions Database

- https://dos.elections.myflorida.com/initiatives/
- https://initiativepetitions.elections.myflorida.com/
  (includes questions and answers for petitioners and a link to an Online User Guide for Paid and Volunteer Petition Circulators.