

1                                   A bill to be entitled  
 2           An act relating to restoration of voting rights  
 3           information on sentencing scoresheets; amending s.  
 4           921.0024, F.S.; specifying information to be provided  
 5           on sentencing scoresheets concerning restoration of  
 6           voting rights; requiring that a scoresheet be provided  
 7           to a defendant before a sentence is imposed; providing  
 8           an effective date.

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

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 12           Section 1. Paragraphs (c) and (d) are added to subsection  
 13           (1) of section 921.0024, Florida Statutes, to read:

14           921.0024 Criminal Punishment Code; worksheet computations;  
 15           scoresheets.—

16           (1)

17           (c) NOTICE CONCERNING VOTING RIGHTS

18           Article VI, s. 4(a) and (b) of the Florida  
 19           Constitution provide the following concerning voting  
 20           rights:

21           SECTION 4. Disqualifications.—

22           (a) No person convicted of a felony, or adjudicated  
 23           in this or any other state to be mentally incompetent,  
 24           shall be qualified to vote or hold office until restoration  
 25           of civil rights or removal of disability. Except as

26 provided in subsection (b) of this section, any  
27 disqualification from voting arising from a felony  
28 conviction shall terminate and voting rights shall be  
29 restored upon completion of all terms of sentence including  
30 parole or probation.

31 (b) No person convicted of murder or a felony sexual  
32 offense shall be qualified to vote until restoration of  
33 civil rights.

34  
35 Section 98.0751 of the Florida Statutes provides the  
36 following concerning restoration of voting rights:

37 98.0751 Restoration of voting rights; termination of  
38 ineligibility subsequent to a felony conviction.—

39 (1) A person who has been disqualified from voting  
40 based on a felony conviction for an offense other than  
41 murder or a felony sexual offense must have such  
42 disqualification terminated and his or her voting rights  
43 restored pursuant to s. 4, Art. VI of the State  
44 Constitution upon the completion of all terms of his or her  
45 sentence, including parole or probation. The voting  
46 disqualification does not terminate unless a person's civil  
47 rights are restored pursuant to s. 8, Art. IV of the State  
48 Constitution if the disqualification arises from a felony  
49 conviction of murder or a felony sexual offense, or if the

50 person has not completed all terms of sentence, as  
51 specified in subsection (2).

52 (2) For purposes of this section, the term:

53 (a) "Completion of all terms of sentence" means any  
54 portion of a sentence that is contained in the four corners  
55 of the sentencing document, including, but not limited to:

56 1. Release from any term of imprisonment ordered by  
57 the court as a part of the sentence;

58 2. Termination from any term of probation or  
59 community control ordered by the court as a part of the  
60 sentence;

61 3. Fulfillment of any term ordered by the court as a  
62 part of the sentence;

63 4. Termination from any term of any supervision,  
64 which is monitored by the Florida Commission on Offender  
65 Review, including, but not limited to, parole; and

66 5.a. Full payment of restitution ordered to a victim  
67 by the court as a part of the sentence. A victim includes,  
68 but is not limited to, a person or persons, the estate or  
69 estates thereof, an entity, the state, or the Federal  
70 Government.

71 b. Full payment of fines or fees ordered by the court  
72 as a part of the sentence or that are ordered by the court  
73 as a condition of any form of supervision, including, but  
74 not limited to, probation, community control, or parole.

75 c. The financial obligations required under sub-  
76 subparagraph a. or sub-subparagraph b. include only the  
77 amount specifically ordered by the court as part of the  
78 sentence and do not include any fines, fees, or costs that  
79 accrue after the date the obligation is ordered as a part  
80 of the sentence.

81 d. For the limited purpose of addressing a plea for  
82 relief pursuant to sub-subparagraph e. and notwithstanding  
83 any other statute, rule, or provision of law, a court may  
84 not be prohibited from modifying the financial obligations  
85 of an original sentence required under sub-subparagraph a.  
86 or sub-subparagraph b. Such modification shall not infringe  
87 on a defendant's or a victim's rights provided in the  
88 United States Constitution or the State Constitution.

89 e. Financial obligations required under sub-  
90 subparagraph a. or sub-subparagraph b. are considered  
91 completed in the following manner or in any combination  
92 thereof:

93 (I) Actual payment of the obligation in full.

94 (II) Upon the payee's approval, either through  
95 appearance in open court or through the production of a  
96 notarized consent by the payee, the termination by the  
97 court of any financial obligation to a payee, including,  
98 but not limited to, a victim, or the court.

99            (III) Completion of all community service hours, if  
100 the court, unless otherwise prohibited by law or the State  
101 Constitution, converts the financial obligation to  
102 community service.

103  
104 A term required to be completed in accordance with this  
105 paragraph shall be deemed completed if the court modifies  
106 the original sentencing order to no longer require  
107 completion of such term. The requirement to pay any  
108 financial obligation specified in this paragraph is not  
109 deemed completed upon conversion to a civil lien.

110            (b) "Felony sexual offense" means any of the  
111 following:

112            1. Any felony offense that serves as a predicate to  
113 registration as a sexual offender in accordance with s.  
114 943.0435;

115            2. Section 491.0112 [sexual misconduct by a  
116 psychotherapist];

117            3. Section 784.049(3)(b) [sexual cyberharassment by  
118 someone with one prior conviction];

119            4. Section 794.08 [female genital mutilation];

120            5. Section 796.08 [criminal transmission of HIV];

121            6. Section 800.101 [offenses against students by  
122 authority figures];

123            7. Section 826.04 [incest];

124           8. Section 847.012 [sale or distribution of material  
 125 harmful to minors or using minors in production];  
 126           9. Section 872.06(2) [abuse of a dead body];  
 127           10. Section 944.35(3)(b)2. [sexual abuse of a  
 128 prisoner];  
 129           11. Section 951.221(1) [sexual misconduct between  
 130 detention facility employees and inmates]; or  
 131           12. Any similar offense committed in another  
 132 jurisdiction which would be an offense listed in this  
 133 paragraph if it had been committed in violation of the laws  
 134 of this state.  
 135           (c) "Murder" means either of the following:  
 136           1. A violation of any of the following sections which  
 137 results in the actual killing of a human being:  
 138           a. Section 775.33(4) [terrorism resulting in death].  
 139           b. Section 782.04(1), (2), or (3) [murder].  
 140           c. Section 782.09 [killing of unborn child by injury  
 141 to mother].  
 142           2. Any similar offense committed in another  
 143 jurisdiction which would be an offense listed in this  
 144 paragraph if it had been committed in violation of the laws  
 145 of this state.  
 146           (3)(a) The department [of State] shall obtain and  
 147 review information pursuant to s. 98.075(5) related to a  
 148 person who registers to vote and make an initial

149 determination on whether such information is credible and  
150 reliable regarding whether the person is eligible pursuant  
151 to s. 4, Art. VI of the State Constitution and this  
152 section. Upon making an initial determination of the  
153 credibility and reliability of such information, the  
154 department [of State] shall forward such information to the  
155 supervisor of elections pursuant to s. 98.075.

156 (b) A local supervisor of elections shall verify and  
157 make a final determination pursuant to s. 98.075 regarding  
158 whether the person who registers to vote is eligible  
159 pursuant to s. 4, Art. VI of the State Constitution and  
160 this section.

161 (c) The supervisor of elections may request  
162 additional assistance from the department [of State] in  
163 making the final determination, if necessary.

164 (4) For the purpose of determining a voter  
165 registrant's eligibility, the provisions of this section  
166 shall be strictly construed. If a provision is susceptible  
167 to differing interpretations, it shall be construed in  
168 favor of the registrant.

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170 (d) In order for a defendant to receive notice of the  
171 impact of his or her sentence on voter eligibility, each  
172 defendant must receive a copy of the scoresheet containing the  
173 notice in paragraph (c) before sentence is imposed.

HB 501

2023

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Section 2. This act shall take effect July 1, 2023.