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BILL: CS/SB 900, 1ˢᵗ Eng.

INTRODUCER: JUDICIARY COMMITEE AND SENATOR POSEY

SUBJECT: INITIATIVE PETITIONS

PREPARED BY: Senate Committee on Ethics and Elections

DATE: May 2, 2007

I.   Amendments Contained in Message:

House Amendment 1 – 501657 (body with title)

II.   Summary of Amendments Contained in Message:

House Amendment 1 is a strike-all amendment to the bill. It accomplishes the following:

- Provides that initiative petition and initiative revocation signatures must be checked on a name-by-name, signature-by-signature basis, rather than checked by a random sample of the names and signatures on the petition.

- Provides that if an initiative sponsor files a certificate of undue burden in order not to pay supervisors the costs associated with checking signatures, the sponsor may not pay its petition circulators unless the sponsor first pays all supervisors or reimburses the general revenue fund for these costs.

- Requires petition forms to be signed by the constitutionally required distribution of electors. This requirement is in CS/SB 900 and in Senate Amendment #952458 to CS/HB 537.

- Requires supervisors to verify signatures within 30 days of receiving the petition forms. This requirement is in Senate Amendment #952458 to CS/HB 537.

- Requires supervisors to record in the statewide voter registration system the date each form is received by the supervisor and the date the signature on the form is verified as valid. This requirement is in CS/SB 900 and in Senate Amendment #952458 to CS/HB 537.

- Requires the form to contain the elector's original signature, the date the form was signed as recorded by the elector, the elector's name, address, county, and the voter identification number or date of birth. This requirement is in Senate Amendment #952458 to CS/HB 537. CS/SB 900 specifies that the elector must date the form when he or she signs it.

- Requires the form to be given to the supervisor within 30 days from the date it is signed by the elector. This requirement is in CS/SB 900.

- Requires the elector, at the time of signing the form, to be a registered elector of the county in which his or her signature is submitted. This requirement is in Senate Amendment #952458 to CS/HB 537.

- Provides that if a petition circulator presents a form to an elector, the elector must record this fact on the form and the form must contain the circulator's name and address.

- Creates a revocation method by which petition signatures may be revoked. This process is similar to the process in CS/SB 900 and Senate Amendment #952458 to CS/HB 537. CS/SB 900 differs in that it provides that a petition signature can be revoked within 120 days from the date the signature is verified by the supervisor, while amendment #952458 to CS/HB 537 allows a signature to be revoked within 150 days from the date the elector signed the petition form. House Amendment 1 does not have a time limit within which one may revoke a signature.

- Requires paid petition and petition-revocation circulators to wear badges identifying that they are paid petition circulators.

- Provides that petition circulators may not be paid, directly or indirectly, based on the number of signatures collected.

- Provides that forms that don't comply with the provisions of this act may be verified once the deficiencies or violations are corrected.

- Provides that persons who exercise lawful control over private property may exclude ballot initiative activities from that property. This is the same language contained in SB 1920 which has passed the Legislature.

- Provides that any signature gathered on a previously approved form submitted for verification before August 1, 2007, may be verified and counted if valid; however, after this date, the form must comply with the provisions of this act.

- Provides a severability clause.

- Provides that except as otherwise provided, the act shall be effective upon becoming a law.