

Capitol Report 2017

Week ending May 5, 2017

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Overview

The Florida legislature has completed the ninth week of the 2017 regular legislative session. It should have been the final week of the session, but lawmakers were unable to reach an agreement on the budget in time to meet the required 72-hour period between finalizing the budget and voting on it.

House and Senate leaders did finally agree on the \$83 billion state budget this week, just not in time to adjourn sine die on Friday. The plan is to come back to Tallahassee on Monday at 1:00 p.m. to vote on the budget and adjourn.

The end of the regular legislative session means final action has been taken on the bills Common Cause Florida was tracking this year. The bottom line for Common Cause Florida in the 2017 session is that little good was accomplished. None of the ethics reform measures that we supported passed because of inaction by the Florida Senate. A minor election reform measure passed, but most other election bills died.

There's good news in that all of the bills Common Cause Florida opposed also died when the regular session ended.

Redistricting

A redistricting bill, [Senate Bill 352](#), that Common Cause Florida once opposed, was amended to take out language in the bill that was of concern. The bill essentially codified a judicial decision during the most recent round of redistricting and allowed candidates to run in their old districts if a legislative or congressional district map was being challenged.

On Friday, the bill was passed by the Senate and was awaiting final action by the House when the legislature adjourned. Common Cause Florida was neutral on this bill which died when the regular session ended.

Open Meetings

A bad bill dealing with open public meetings that posed a threat to Florida's tradition of government in the sunshine was defeated this week in the House of Representatives. The bill, [HB 843](#), would have allowed two or more members of the same government board to discuss public business in private, without public notice and with no minutes taken of what was said. Common Cause Florida has been a long-time supporter of government in the sunshine and was opposed to HB 843.

More members of the House supported the proposal than opposed it, but because of a constitutional amendment that passed in 2002, any proposed exemption to the Sunshine

Law must pass each legislative chamber by a two-thirds vote. The vote of 68 to 48 in favor did not achieve that two-thirds threshold and the bill died.

Elections

[HB 105](#), a bill that requires county elections officials to notify Florida voters if their signatures on vote-by-mail ballots don't match their on-file signature has been passed by both the House and Senate and will now go to the Governor for his consideration. Common Cause Florida supports this good legislation.

[HB 1325](#) was passed on Friday by the Florida Senate with an amendment. The House refused to concur in the amendment and the bill died when the regular session ended. The bill would have allowed candidates to pay qualifying fees by cashier's check. It also prohibited elected officials from serving as poll watchers and given Supervisors of Election the option to publish sample ballots in a newspaper or mail them to registered voters. The bill allowed the use of a voting interface to mark choices as long as it produced a paper record to be used for recounts. The bill also restricted the ability of the courts to extend poll hours to just instances where "extraordinary circumstances exist to justify the extension."

[SB 726](#) would have required Supervisors of Election to allow Florida voters to hand deliver vote-by-mail ballots to an early voting site. On Friday, the bill was substituted in the Senate for its House companion [HB 521](#). The bill died in returning messages to the House when the legislature adjourned.

Two bills, [HB 707](#) and [SB 1070](#), also died when the legislature adjourned Friday night. The bills would have allowed the Secretary of State to enter into agreements with other states to better maintain the statewide voter registration system.

Legislation

Common Cause Florida was tracking a number of bills that were filed for the 2017 legislative session. They include:

- [HJR 1](#) and [SJR 482](#) – Proposes a constitutional amendment to place a 12-year term limit on Supreme Court Justices and District Court Judges.
- [HB 41](#) and [SB 774](#) – This bill would create an independent commission responsible for legislative and congressional redistricting.
- [HJR 51](#) and [SJR 74](#) – These joint resolutions would propose a constitutional amendment that, if passed by voters, would automatically restore the voting rights of non-violent ex-felons, once they have completed the terms of their sentences.
Common Cause Florida supports these bills.
- [HB 53](#) and [SB 270](#) and [SB 934](#) – These bills would statutorily provide for the automatic restoration of voting rights and some other civil rights to former felons.
- [SB 72](#) – This bill would allow driver license applications and identification card applications to serve as voter registration applications. *Common Cause Florida supports this bill.*

- [SB 80](#) – This is a public records bill that has been amended to address frivolous public records lawsuits. **Common Cause Florida now supports this bill.**
- [HB 105](#) and [SB 544](#) and [SB 954](#) – These bills require Supervisors of Elections to allow submission of an affidavit to cure signature discrepancies on vote-by-mail ballots. **Common Cause Florida supports these bills.**
- [HB 117](#) and [SB 426](#) – Requires an independent audit of voting systems in random precincts before certification of an election rather than after.
- [HJR 121](#) and [SJR 1098](#) – Provides for legislative review of judicial rulings declaring a legislative act void. **Common Cause Florida opposes this bill.**
- [SJR 130](#), [SJR 132](#), [SJR 134](#), [SJR136](#), [HJR 187](#), [HJR 271](#), [HJR 571](#), [HJR 721](#) – Dealing with the selection and duties of county officers.
- [SJR 138](#) – Proposed constitutional amendment requiring Supervisors of Elections be elected.
- [HB 159](#) and [SB 758](#) – Gives a candidate an additional 48 hours to pay a qualifying fee if for some reason a check is returned.
- [HB 207](#) and [SB 1470](#) – These bills would prohibit agency Inspector Generals from receiving a bonus for work performance.
- [SB 224](#) – Related to voting assistance, poll watching and voter solicitation.
- [HB 231](#) and [SB 366](#) – Provides for nonpartisan elections for state attorneys and public defenders.
- [SB 242](#) and [HB 311](#) – Providing for the election of the president by popular vote.
- [SB 246](#) and [HB 163](#) – This is the compromise public records bill that was agreed to last year as an alternative to Senator Steube’s bad public records bill.
- [SB 306](#) – This bill would raise the conflict of interest bar for the legislature and prohibit legislators from voting on issues that benefit themselves.
- [SB 352](#) – This is a redistricting bill that allows legislators to run for election in their current districts even while those districts are being challenged in court. **Common Cause Florida is now neutral on this bill.**
- [HB 409](#) – requires Supervisors of Election to establish an election alert system informing voters of changes in polling.
- [HB 445](#) – Provides public records exemption for certain voter registration information.
- [HB 479](#) and [SB 880](#) – These bills provide clear definitions of government abuse, fraud and waste and require all government agencies to establish internal controls aimed at preventing those problems.
- [SB 508](#) and [HB 519](#) – Relating to automatic tabulating equipment and recounts.
- [HB 521](#) and [SB 726](#) – Allows an absent elector to vote by personally delivering a vote by mail ballot to an early voting site.
- [HJR 565](#) – Provides a constitutional amendment to automatically restore a felon’s right to vote three years after completion of sentence.
- [SB 598](#) – Relating to provisional ballots.
- [SB 602](#) and [HB 817](#) – Allows preregistered voters to vote in the presidential preference primary if they turn 18 before the general election.

- [HB 707](#) and [HB 709](#) and [SB 1070](#) and [SB 1072](#) – These bills direct the Secretary of State to enter into agreements with other states to maintain the statewide voter registration system.
- [HB 733](#) – Revises provisions for “curing” provisional and mail-in ballots.
- [HJR 811](#) and [HJR 882](#) – Constitutional amendment that would make the Secretary of State an elected office.
- [SB 862](#) – Provides for a public records exemption for preregistered voters who are minors.
- [HB 897](#) – Allows local governments to post legal notices on their websites.
- [SB 914](#) and [HB 919](#) – Allows two or more local officials to meet as long as no action is taken and no public business is discussed.
- [SM 944](#) and [HM 825](#) – Memorial urging Congress to remove obstacles that prevent states from ensuring that noncitizens are not allowed to vote.
- [SB 952](#) – Revises the resign-to-run law to require an officer who qualifies for federal public office to resign from the office he or she presently holds if the terms, or any part thereof, run concurrently.
- [SB 990](#) – requires local governments to hold elections in odd or even years on the first Tuesday after the first Monday in November.
- [HB 1057](#) and [SB 1178](#) – Campaign finance bills that prohibit transfers from political committee or ECO to another and requires quarterly reporting instead of monthly reporting.
- [SB 1160](#) – Specifies what payment can be used to qualify for election.
- [HB 1325](#) – This is an elections bill that expands the use of voter interface devices, specifies the forms of payment that can be used to qualify for election and prohibits a court from extending the official closing time of the polls unless extraordinary circumstances exist.
- [HJR 7001](#) and [HB 7003](#) – This joint resolution and bill propose a six-year ban on former legislators, elected officials and appointed officials from lobbying state government after leaving office.
- [HB 7021](#) and [HB 7023](#) – HB 7021 would require local elected officials in cities with more than \$10 million in annual revenues for three consecutive years to fill out more-detailed personal financial disclosure information, known as a [Form 6](#). It also creates a local government lobby registry system. HB 7023 creates a trust fund to pay for the lobby registry.
- [HB 7083](#) – This bill includes the six-year ban on lobbying and also prevents public officials from accepting or soliciting legal or other professional work with entities regulated by the state.

Capitol Report is filed weekly when the legislature holds committee meetings and during the legislative session. We will let you know if there is any recommended action that can be taken by Common Cause members that would be helpful to our lobbying efforts.

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