



[CS/SB524](#) / [HB7061](#)

Florida's Anti-Voter's Freedom Bill

Toplines

1. Floridians deserve free and fair elections. The Anti-Voter Freedom Act creates new, expensive, unnecessary, and deliberate barriers to voting.
2. During the 2020 presidential election, Governor Ron DeSantis touted Florida's election process as the "gold" standard nationwide. While we can all agree that election security is of the utmost importance, these additional confusing and unnecessary steps will deter voters from participating in the democratic process.
3. We must do everything in our power to protect our freedom to vote in safe and secure elections.

Main Issues With the Bill:

1. **Creates Office of Elections Crimes & Security:**

The Secretary of State would appoint the director for the Office. It would use non-sworn investigators to conduct investigations and inquiries. The Governor, in consultation with the Florida Department of Law Enforcement (FDLE) would also appoint at least one special officer to conduct election-related investigations in each of FDLE's operational regions. In addition, the office would oversee the voter fraud hotline at the Department of State.

Why this is bad:

1. It is not necessary. Florida's elections are fair and secure. Since 2020, there have been a handful of instances of voter fraud prosecuted— these crimes were investigated and the perpetrators were held accountable in a timely and lawful manner.
 2. Creating a new office solely focused on these activities is duplicative and currently lacking guardrails which could lead to a politicization of election security at a time when distrust among voters in the system is at an all-time high.
 3. There is nothing preventing the office from being used for political purposes. The office or those who oversee it could announce an investigation at a decisive moment in a campaign and alter the outcome. It could also be used to target voter registration groups and local election officials.
 4. The creation of this office will cost millions of dollars in taxpayers' money.
- ##### 2. **Voter ID Requirements & Multiple Envelopes for Mail Ballot Return:**

Beginning January 1, 2024, all voters casting mail ballots would have to provide the last four digits of a Florida driver's license/ID card or the last four digits of their social security number. This must be provided on a newly-created certificate envelope when returning their ballots. Voters' signatures would still have to be matched with signatures on file. Ballots would be rejected if either the ID number, social security number, or signature does not match the voter's records. The voter would be able to cure their ballot if there is a missing ID or signature mismatch.

Mail ballot materials sent to voters would now include three envelopes: (1) a secrecy envelope, (2) a certificate envelope, (3) and a mail return envelope. The voter will be instructed to place the ballot inside the secrecy envelope, the secrecy envelope inside the certificate envelope, and the certificate envelope inside the mail return envelope. ID numbers written on the secrecy envelope instead of the certificate envelope would not be accepted. Secrecy envelopes that have not been required in the past would now be required in addition to the newly created certificate envelope. It is not clear that voters would be able to cure their ballot if they fail to include one of the required envelopes.



Why this is bad:

1. This increases the likelihood that vote-by-mail ballots will be rejected. This is especially the case for seniors, voters with disabilities, first-time users of mail ballots, or voters for which English is not their primary language.
 2. This also increases the local costs of running elections, as it will require an additional envelope, more expensive postage, and additional staff and equipment to process ballots and contact voters who must cure rejected ballots.
 3. Supervisors of Elections do not have Drivers License numbers, state ID numbers, and social security numbers on file for every voter. If a voter submits their request for a ballot with a driver's license number for instance and then returns their ballot with the last four of their social security number, the ballot is likely to be rejected.
- 3. Further criminalizes those who assist voters with returning a vote-by-mail ballot**
Increases criminal penalties from a misdemeanor to a felony for collecting more than two mail ballots other than the person's own or that belonging to an immediate family member.

Why this is bad:

1. SB90 made it a misdemeanor for anyone to return vote-by-mail ballots other than their own; their immediate family members; and two additional ballots.
This bill would elevate the penalty from a misdemeanor to a felony, and have the impact of criminalizing and disenfranchising Floridians for helping others deliver their VBM.
 2. We opposed this change in SB90 because there have been no problems with people turning in large numbers of vote-by-mail ballots. It has limited Pastors, rabbis, and those working at hospitals who in the past have helped voters turn in their ballots. It should not matter who turns in a ballot.
- 4. Raises the Cap on Fines for Certain Violations by Third-Party Voter Registration Organizations (3pvro's) from \$1,000 to \$50,000**

Why this is bad:

1. SB90 included hefty fines for Third-Party Voter Registration organizations, particularly if an application is delivered to a county in which the applicant doesn't live.
2. This will most heavily impact smaller localized groups who are most rooted in their communities. These groups are the ones most trusted to refute misinformation that might make people apathetic.
3. These are the ones most likely to be successful at encouraging someone to participate, particularly voters in hard-to-reach and marginalized communities.

What Legislators Should be Focusing On:

1. Ensuring the state's online voter registration system will not crash right before registration deadlines
2. Improving the registration process through automatic voter registration and eliminating the outdated book closing deadline.
3. Fully funding local elections so that they are able to:
 - a. Inform voters of the vote-by-mail request "reset" in December mandated by SB90.
 - b. Ensure equitable placement of early voting sites and dropboxes.
 - c. Ensure availability of early voting sites on evenings and weekends.
 - d. Ensure sufficient polling places that are accessible and easy to find.
 - e. Have translated ballots and materials for voters who speak another language other than English and recruit bilingual poll workers to assist voters with language access needs.