

¹100.371 Initiatives; procedure for placement on ballot.—

(1)(a) Constitutional amendments proposed by initiative shall be placed on the ballot for the general election, provided the initiative petition has been filed with the Secretary of State no later than February 1 of the year the general election is held. A petition shall be deemed to be filed with the Secretary of State upon the date the secretary determines that valid and verified petition forms have been signed by the constitutionally required number and distribution of voters under this code.

(b) A sponsor of an initiative petition must obtain, at least every third election cycle, a letter pursuant to s. [15.21\(1\)\(c\)](#). Failure to obtain such letter results in expiration of the initiative petition's signatures and disbanding of the sponsor's political committee.

(c) Initiative petition signatures expire and the sponsor's political committee is disbanded if a constitutional amendment proposed by initiative submitted to the Secretary of State before February 1, 2022, fails to obtain a letter pursuant to s. [15.21\(1\)\(c\)](#) on or before February 1, 2026. This paragraph does not preclude such a sponsor from refiling the proposed amendment as a new petition.

(2) The sponsor of an initiative amendment may not sponsor more than one amendment and must, before circulating any petition forms, register as a political committee pursuant to s. [106.03](#) and submit the ballot title, ballot summary, article and section of the State Constitution being amended, and full text of the proposed amendment to the Secretary of State. The proposed amendment and all forms filed in connection with this section must, upon request, be made available in alternative formats. Upon receipt, the Secretary of State shall assign the initiative petition a petition number and submit a copy of the proposed amendment to the Financial Impact Estimating Conference for review, analysis, and estimation of the financial impact of the proposed amendment. After the review by the Financial Impact Estimating Conference, the division shall publish the forms with the information provided for in subsection (3) and on which signatures for the initiative petition will be affixed.

(3)(a) Beginning July 1, 2025, the petition form must prominently display all of the following:

1. The petition number.
2. The ballot title.
3. The ballot summary.
4. A notice that the form becomes a public record upon receipt by the supervisor.
5. A notice that it is a misdemeanor of the first degree to knowingly sign the petition more than once.
6. A notice that the form will not be validated if all of the requested information is not completed.
7. For a proposed amendment submitted to the Secretary of State after the effective date of this act, the

financial impact statement.

(b) The petition form must also include all of the following:

1. The full text of the proposed amendment.
2. The name and address of the sponsor.
3. The date received by the Secretary of State.
4. A bar code or serial number associated with the initiative petition.

(c) The petition form must solicit and require all of the following information:

1. The full name of the voter.
2. The voter's address and county of legal residence.
3. The voter's Florida voter registration number or date of birth.
4. The voter's Florida driver license number or the voter's Florida identification card number issued pursuant to s. [322.051](#), or the last four digits of the voter's social security number.
5. An attestation that the voter is a registered Florida voter and is petitioning the Secretary of State to place the proposed amendment on the ballot.
6. The voter's signature and the date on which the voter signed the form.

(d) A petition form distributed by a petition circulator must also include all of the following:

1. The Petition Circulator's Affidavit with the circulator's name, permanent address, and petition circulator number or barcode.
2. The following statement, which must be signed and dated by the circulator:

By my signature below, as petition circulator, I verify that the petition was completed and signed by the voter in my presence. Under penalty of perjury, I declare that I have read the foregoing Petition Circulator's Affidavit, and that the facts stated in it are true, and that if I was paid to circulate or collect this petition, payment was not on a per signature basis.

(e) A petition form distributed by a person other than a petition circulator must also include, in lieu of the Petition Circulator's Affidavit, the following notice:

This form is for PERSONAL USE only. Unless registered as a petition circulator, it is a third degree felony to collect, deliver, or otherwise physically possess more than 25 signed petition forms in addition to your own or those of immediate family members.

(f) The petition form must be in a type not less than 10 points, except for the full text of the proposed amendment, which may be in a type not less than 6 points if 10-point type would cause the length of the petition form to exceed one page front and back.

(4)(a) Beginning July 1, 2025, unless registered as a petition circulator with the Secretary of State and issued a petition circulator number, a person may not collect, deliver, or otherwise physically possess more than 25 signed petition forms in addition to his or her own signed petition form or a signed petition form belonging to an immediate family member. This paragraph may not be construed to prohibit a person from distributing petition forms designated for personal use as described in paragraph (3)(e). For the purposes of this subsection, the term "immediate family" means a person's spouse, or the parent, child, grandparent, grandchild, or sibling of the person or the person's spouse.

(b) A person may not collect signatures or initiative petitions if he or she:

1. Has been convicted of a felony violation and has not had his or her right to vote restored.
2. Is not a citizen of the United States.
3. Is not a resident of this state.

(c) An application for registration must be submitted in the format required by the Secretary of State and must include the following:

1. The information required to be on the petition form under s. [101.161](#), including the ballot summary and title as received by the Secretary of State.
2. The applicant's name, permanent address, temporary address, if applicable, date of birth, Florida driver license or Florida identification card number, and the last four digits of his or her social security number.
3. An address in this state at which the applicant will accept service of process related to disputes concerning the petition process.
4. A statement that the applicant consents to the jurisdiction of the courts of this state in resolving disputes concerning the petition process.
5. Any information required by the Secretary of State to verify the applicant's identity or address.
6. Whether the applicant has been convicted of a felony violation and has not had his or her right to vote restored, by including the statement, "I affirm that I am not a convicted felon, or, if I am, my right to vote has been restored," and providing a box for the applicant to check to affirm the statement.
7. Whether the applicant is a citizen of the United States, by asking the question, "Are you a citizen of the United States of America?" and providing boxes for the applicant to check whether the applicant is or is not a citizen of the United States.
8. Whether the applicant is a Florida resident by asking the question, "Are you a resident of the State of Florida?" and providing boxes for the applicant to check whether the applicant is or is not a resident of the State of Florida.
9. The signature of the applicant under penalty of perjury for false swearing pursuant to s. [104.011](#), by which the applicant swears or affirms that the information contained in the application is true.

(d) A citizen may challenge a petition circulator's registration under this section by filing a petition in circuit court. If the court finds that the respondent is not a registered petition circulator, the court may enjoin the respondent from collecting signatures or initiative petitions until he or she is lawfully registered.

(e) The division may revoke a petition circulator's registration upon the written request of the sponsor of the initiative petition or if the circulator violates this section.

(f) A person may not register to collect signatures or initiative petitions until he or she has completed the training concerning the requirements for petition circulators. The training must be developed by the division and must be in an electronic format available on the division's public website. The training must, at a minimum, include the following:

1. An overview of the petition-gathering process.
2. An overview of the petition circulator registration requirements.
3. An explanation that the sponsor of an initiative amendment serves as a fiduciary to each voter who signs a petition.
4. An explanation that the Florida Election Code prohibits compensation or provision of any benefit based on the number of petition forms gathered or the time within which a number of petition forms are gathered.

5. The specific criminal penalties to which a petition circulator may be subject for violating the Florida Election Code.

(g) The sponsor of the initiative amendment is liable for a fine in the amount of \$50,000 for each person the sponsor knowingly allows to collect petition forms on behalf of the sponsor in violation of this subsection.

(5) A sponsor may not compensate a petition circulator based on the number of petition forms gathered or the time within which a number of petition forms are gathered. This prohibition includes, but is not limited to, paying a specified amount per petition form gathered, basing an hourly rate on the number of petition forms gathered over a specified period of time, or providing any other benefit or form of compensation based on the number of petition forms gathered.

(6) The division shall make electronic portable document format petition forms available to registered petition circulators. All such forms must contain information identifying the petition circulator to whom the forms are provided. The division shall maintain a database of all registered petition circulators and the petition forms assigned to each. Each supervisor of elections shall provide to the division information on petition forms received from petition circulators. The information must be provided in a format and at times as required by the division by rule. The division must update information on petition forms daily and make the information publicly available.

(7)(a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the voter signing the petition form and shall ensure that any petition form entrusted to the sponsor or petition circulator is promptly delivered to the supervisor of elections in the county in which the voter resides within 10 days after the voter signs the form. If a petition form collected by the sponsor or any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of \$50 per each day late for each petition form received by the supervisor of elections in the county in which the voter resides more than 10 days after the voter signed the petition form. A fine in the amount of \$2,500 for each petition form received if the sponsor or petition circulator acted willfully.

2. A fine in the amount of \$100 per each day late, up to a maximum of \$5,000, for each petition form collected by a sponsor or a petition circulator, signed by a voter on or before February 1 of the year the general election is held and received by the supervisor of elections in the county in which the voter resides after the deadline for such election. A fine in the amount of \$5,000 for each such petition form received if the sponsor or petition circulator acted willfully.

3. A fine in the amount of \$500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections in the county in which the voter resides. A fine in the amount of \$5,000 for any petition form not so submitted if the sponsor or petition circulator acting on its behalf acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(8) If a person collecting petition forms on behalf of a sponsor of an initiative petition signs another person's name or a fictitious name to any petition, or fills in missing information on a signed petition, to secure a ballot position in violation of s. [104.185\(2\)](#), the sponsor of the initiative petition is liable for a fine in the amount of \$5,000 for each such petition.

(9) If a person collecting petition forms on behalf of a sponsor of an initiative petition copies or retains a voter's personal information, such as the voter's Florida driver license number, Florida identification card number, social security number, or signature, for any reason other than to provide such information to the sponsor of the initiative petition, the person commits a felony of the third degree, punishable as provided in s. [775.082](#), s. [775.083](#), or s. [775.084](#).

(10) A sponsor of an initiative petition or a person collecting petition forms on behalf of a sponsor of an initiative petition may not mail or otherwise provide a petition form upon which any information about a voter has been filled in before it is provided to the voter. The sponsor of an initiative petition is liable for a fine in the amount of \$50 for each petition form that is a violation of this subsection.

(11) If the Secretary of State reasonably believes that a person or entity has committed a violation of this section, the secretary may refer the matter to the Attorney General for enforcement. The Attorney General may institute a civil action for a violation of this section or to prevent a violation of this section. An action for relief may include a permanent or temporary injunction, a restraining order, or any other appropriate order. If the sponsor of an initiative petition discovers a violation of this section and reports the violation as soon as practicable to the secretary, the sponsor may not be fined for such violation.

(12) The division shall adopt by rule a complaint form for a voter who claims to have had his or her signature misrepresented, forged, or not delivered to the supervisor. The division shall also adopt rules to ensure the integrity of the petition form gathering process, including rules requiring sponsors to account for all petition forms used by their agents. Such rules may require a sponsor or petition circulator to provide identification information on each petition form as determined by the department as needed to assist in the accounting of petition forms.

(13) The date on which a voter signs a petition form is presumed to be the date on which the petition circulator received or collected the petition form.

(14)(a) An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid 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. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained.

(b) The supervisor shall record the date each submitted petition is received. If a signature on a petition is from a registered voter in another county, the supervisor must notify the petition sponsor and the division of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment and processing of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered

year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification.

(c) Beginning July 1, 2025, the supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported voter.
2. The purported voter has accurately recorded on the form the date on which he or she signed the form.
3. The form sets forth the purported voter's:
 - a. Full name;
 - b. Address and county of residence;
 - c. Voter registration number or date of birth; and
 - d. Florida driver license or Florida identification card number issued pursuant to s. [322.051](#) or the last four digits of the voter's social security number.
4. The purported voter is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered voter in the state.
5. The signature was obtained legally, including that if a petition circulator was used, the circulator was validly registered under subsection (4) when the signature was obtained.

(d)1. 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 electronically transmit all received petition forms to the division. The digital images of the scanned petition forms must be of high enough quality that division personnel are able to accurately discern elements contained in such forms. Forms must be identified as valid or as invalid.

2. Each supervisor shall retain all petition forms, identifying forms verified as valid from those deemed invalid, until all petition forms have been processed following the February 1 deadline. As soon as practicable following the processing of the last timely submitted petition form, but not later than March 15 following the February 1 deadline, the supervisor shall deliver the physical forms to the division. The division shall retain all petition forms for 1 year following the election for which the petition was circulated.

(e) Beginning October 1, 2025, when the signature on the petition form is verified as valid, the supervisor shall, as soon as practicable, notify the voter by mail at the mailing address on file in the Florida Voter Registration System.

1. Such notice must be sent by forwardable mail with a postage prepaid preaddressed form, which may be returned to the Office of Election Crimes and Security. The notice must include contact information for the Office of Election Crimes and Security, including the telephone number, fax number, mailing address, and e-mail address. The notice must include all of the following statements or information in substantially the following form:

NOTICE

A petition to place a proposed constitutional amendment on the ballot for the next general election, bearing your name and signature, has been received and verified by the Supervisor of Elections Office in (insert county) .

The petition is for (insert the petition serial number and ballot title) and was signed on (insert the date the voter signed the petition) .

Check this box , sign, and return this notice to the Office of Election Crimes and Security if you believe your signature has been misrepresented or forged on a petition. The petition form in question will be invalidated and will not be counted toward the number of signatures required to place this proposed constitutional amendment on the ballot.

A notice being returned must be received by the Office of Election Crimes and Security on or before February 1 (insert the year in which the general election is held) .

(Insert the voter's Florida voter registration number, and if applicable, the petition circulator's number) .

By signing below, I swear or affirm that my signature was misrepresented or forged on the petition form indicated in this notice.

(Voter's Signature)

(Date)

This notice becomes a public record upon receipt by the Office of Election Crimes and Security. It is a second degree misdemeanor, punishable as provided in s. [775.082](#), Florida Statutes, or s. [772.083](#), Florida Statutes, for a person to knowingly make a false official statement pursuant to s. [837.06](#), Florida Statutes.

2. Upon receiving a completed notice, the Office of Election Crimes and Security shall transmit a copy of such notices to the division. The division shall deem the voter's petition form invalid.

(f) Each supervisor shall post the actual cost of signature verification for petition forms received more than 60 days before February 1 of an even-numbered year and for petition forms received less than 60 days before February 1 of an even-numbered year on his or her website, and may increase such cost as necessary, annually on March 1. These costs include operating and personnel costs associated with comparing signatures, printing and all postage costs related to the verification notice required by paragraph (e), and transmitting petition forms to the division. The division shall also publish each county's current cost on its website. The division and each supervisor shall biennially review available technology aimed at reducing verification costs.

(g) 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 total number of signatures submitted, the total number of invalid signatures, the total number of signatures processed, and 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. For any reporting period in which the percentage of petition forms deemed invalid by the supervisor exceeds a total of 25 percent of the petition forms received by the supervisor for that reporting period, the supervisor shall notify the Office of Election Crimes and Security. The Office of Election Crimes and Security shall conduct a preliminary investigation into the activities of the sponsor, one or more petition circulators, or a person collecting petition forms on behalf of a sponsor, to determine whether the invalidated petitions are a result of fraud or any other violation of this section. As authorized by ss. [97.012\(15\)](#) and [97.022\(1\)](#), the Office of Elections Crimes and Security may, if warranted, report findings to the statewide prosecutor or the state attorney for the judicial circuit in which the alleged violation occurred for prosecution.

(h) A signed petition form submitted by an ineligible or unregistered petition circulator must be invalidated and may not be counted toward the number of necessary signatures for placement on the ballot.

(15) The Secretary of State shall determine from the signatures verified by the supervisors of elections the total number of verified valid signatures, less any signatures that were invalidated pursuant to subsection (14), and the distribution of such signatures by congressional districts, and the division shall post such information on its website at the same intervals specified in paragraph (14)(g). Upon a determination that the requisite number and distribution of valid signatures have been obtained, the secretary shall issue a certificate of ballot position for that proposed amendment and shall assign a designating number pursuant to s. [101.161](#). The secretary must rescind the certificate of ballot position if an advisory opinion issued by the Supreme Court pursuant to s. [16.061\(1\)](#) deems the initiative petition invalid.

(16)(a) Upon receipt of a proposed revision or amendment from the Secretary of State, the coordinator of the Office of Economic and Demographic Research shall contact the person identified as the sponsor to request an official list of all persons authorized to speak on behalf of the named sponsor and, if there is one, the sponsoring organization at meetings held by the Financial Impact Estimating Conference. All other persons must be deemed interested parties or proponents or opponents of the initiative. The Financial Impact Estimating Conference shall provide an opportunity for any representative of the sponsor, interested parties, and proponents or opponents of the initiative to submit information and may solicit information or analysis from any other entities or agencies, including the Office of Economic and Demographic Research.

(b) Within 75 days after receipt of a proposed revision or amendment to the State Constitution by initiative petition from the Secretary of State, the Financial Impact Estimating Conference shall complete an analysis and financial impact statement to be placed on the ballot of the estimated increase or decrease in any revenues or costs to state or local governments and the overall impact to the state budget resulting from the proposed initiative. The 75-day time limit is tolled when the Legislature is in session. The Financial Impact Estimating Conference shall submit the financial impact statement to the Secretary of State. If the Financial Impact Estimating Conference does not complete an analysis and financial impact statement for an initiative petition before the 75-day time limit, including any tolling period, expires, the ballot must include the statement required by s. [101.161\(1\)\(e\)](#).

(c) The Financial Impact Estimating Conference may be convened only by the President of the Senate and the Speaker of the House of Representatives, jointly. All meetings of the Financial Impact Estimating Conference shall be open to the public. The President of the Senate and the Speaker of the House of Representatives, jointly, shall be the sole judge for the interpretation, implementation, and enforcement of this subsection.

1. The Financial Impact Estimating Conference is established to review, analyze, and estimate the financial impact of amendments to or revisions of the State Constitution proposed by initiative. The Financial Impact Estimating Conference shall be composed of four principals: one person from the professional staff of the Executive Office of the Governor or from a state agency, designated by the Governor; the coordinator of the Office of Economic and Demographic Research, or his or her designee; one person from the professional staff of the Senate, designated by the President of the Senate; and one person from the professional staff of the House of Representatives, designated by the Speaker of the House of Representatives. Each principal shall have appropriate fiscal expertise in the subject matter of the initiative. A Financial Impact Estimating Conference may be appointed for each initiative.

2. Principals of the Financial Impact Estimating Conference shall reach a consensus or majority concurrence on a clear and unambiguous financial impact statement, no more than 150 words in length, and immediately submit the statement to the Attorney General. Nothing in this subsection prohibits the Financial Impact Estimating Conference from setting forth a range of potential impacts in the financial impact statement.

(d) The financial impact statement must be separately contained on the petition form and the ballot and be set forth after the ballot summary as required in s. [101.161\(1\)](#).

1. If the financial impact statement projects a net negative impact on the state budget, the ballot must include the statement required by s. [101.161\(1\)\(b\)](#).

2. If the financial impact statement projects a net positive impact on the state budget, the ballot must include the statement required by s. [101.161\(1\)\(c\)](#).

3. If the financial impact statement estimates an indeterminate financial impact or if the members of the Financial Impact Estimating Conference are unable to agree on the statement required by this subsection, the ballot must include the statement required by s. [101.161\(1\)\(d\)](#).

4. If the financial impact statement was not produced or if the Financial Impact Estimating Conference did not meet to produce the financial statement, the ballot must include the statement required by s. [101.161\(1\)\(e\)](#).

(e) Any financial impact statement that the Supreme Court finds not to be in accordance with this subsection shall be remanded solely to the Financial Impact Estimating Conference for redrafting. The Financial Impact Estimating Conference shall prepare and adopt a revised financial impact statement no later than 5 p.m. on the 15th day after the date of the court's opinion. The sponsor of the initiative must refile the petition with the revised financial impact statement with the Secretary of State as a new petition.

(f) In addition to the financial impact statement required by this subsection, the Financial Impact Estimating Conference shall draft an initiative financial information statement. The initiative financial

information statement should describe in greater detail than the financial impact statement any projected increase or decrease in revenues or costs that the state or local governments would likely experience if the ballot measure were approved. If appropriate, the initiative financial information statement may include both estimated dollar amounts and a description placing the estimated dollar amounts into context. The initiative financial information statement must include both a summary of not more than 500 words and additional detailed information that includes the assumptions that were made to develop the financial impacts, workpapers, and any other information deemed relevant by the Financial Impact Estimating Conference.

(g) The Department of State shall have printed, and shall furnish to each supervisor of elections, a copy of the summary from the initiative financial information statements. The supervisors shall have the summary from the initiative financial information statements available at each polling place and at the main office of the supervisor of elections upon request.

(h) The Secretary of State and the Office of Economic and Demographic Research shall make available on the Internet each initiative financial information statement in its entirety. In addition, each supervisor of elections whose office has a website shall post the summary from each initiative financial information statement on the website. Each supervisor shall include a copy of each summary from the initiative financial information statements and the Internet addresses for the information statements on the Secretary of State's and the Office of Economic and Demographic Research's websites in the publication or mailing required by s. [101.20](#).

(17) The Department of State may adopt rules in accordance with s. [120.54](#) to implement this section.

(18) 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.

History.—s. 15, ch. 79-365; s. 12, ch. 83-251; s. 30, ch. 84-302; s. 22, ch. 97-13; s. 9, ch. 2002-281; s. 3, ch. 2002-390; s. 3, ch. 2004-33; s. 28, ch. 2005-278; s. 4, ch. 2006-119; s. 25, ch. 2007-30; s. 1, ch. 2007-231; s. 14, ch. 2008-95; s. 23, ch. 2011-40; s. 3, ch. 2019-64; s. 3, ch. 2020-15; s. 13, ch. 2022-73; s. 6, ch. 2025-21.

¹ **Note.**—Section 20, ch. 2025-21, provides:

“(1) To ensure uniformity and integrity in the initiative process, a signed petition form may not be verified between July 1, 2025, and September 30, 2025.

“(2) A petition form gathered after July 1, 2025, must be delivered as provided in this act to the appropriate entity. The processing hold described in subsection (1) does not toll any timeframe requirements that petition circulators are required to meet and may not be used as a defense to any fine imposed for the late submission of any petition forms to the appropriate entity.”