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**Date:** 2021-01-04 14:26  
**Subject:** Request for AGO Re: Petition Signature Expiration  
**Attachments:**  image001.png

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Mr. Arnold,

In light of recent discussions of the County Commission on the Reverse One Sumter, I wanted to inform you of a pending legal question which we are working on in our role as legal counsel to Supervisor of Elections William "Bill" Keen. I am currently working with him to address some questions regarding whether or not petition signatures for a local referendum would expire. The questions were prompted as a result of the Reverse One Sumter discussion held at a recent County Commissioner workshop. We've conferred with the Division of Elections; however, because the statutory section governing how commissioners are elected does not reside in the Election Statutes or the Election Code, they are not able to provide a legal opinion on the questions. There is also no current case law or rule on the issue either.

At issue is Fla. Stat. 100.371(11)(a), which deals with referendums by petition and states that petition signatures, "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." If this is the applicable standard, then any petition signature obtained prior to February 1, 2020, where the referendum was not placed on the 2020 ballot, would expire as of February 1, 2020. However, the Reverse One Sumter Initiative relates to the statutory requirements of Fla. Stat. 124.011(3) which contains no such express limitation. Yet, there are other election rules that would apply to the petition process even though they are not specifically mentioned in this section. Therefore, in the absence of any official guidance from the Division of Elections, after conferring with Mr. Keen, he has directed that we seek an Attorney General's opinion on the question of whether or not the petition signature limitation of Fla. Stat. 100.371(11)(a) applies to petition signatures for local referendums under Fla. Stat. 124.011(3). We are seeking this opinion now, to enhance the likelihood a response is received well before any deadlines approach.

Let me know if you have any questions.

Sincerely,

Jennifer

**Jennifer C. Rey, Esq.**

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