

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

| | | |
|-----------------------|-------|-------|
| ADOPTED | ___ | (Y/N) |
| ADOPTED AS AMENDED | ___ | (Y/N) |
| ADOPTED W/O OBJECTION | ___ | (Y/N) |
| FAILED TO ADOPT | ___ | (Y/N) |
| WITHDRAWN | ___ | (Y/N) |
| OTHER | _____ | |

1 Committee/Subcommittee hearing bill: Public Integrity & Ethics
2 Committee

3 Representative Davis offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Section 101.69, Florida Statutes, is amended to
8 read:

9 101.69 Voting in person; return of vote-by-mail ballot.-

10 (1) The provisions of this code shall not be construed to
11 prohibit any elector from voting in person at the elector's
12 precinct on the day of an election or at an early voting site,
13 notwithstanding that the elector has requested a vote-by-mail
14 ballot for that election. An elector who has returned a voted
15 vote-by-mail ballot to the supervisor, however, is deemed to
16 have cast his or her ballot and is not entitled to vote another

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17 ballot or to have a provisional ballot counted by the county
18 canvassing board. An elector who has received a vote-by-mail
19 ballot and has not returned the voted ballot to the supervisor,
20 but desires to vote in person, shall return the ballot, whether
21 voted or not, to the election board in the elector's precinct or
22 to an early voting site. The returned ballot shall be marked
23 "canceled" by the board and placed with other canceled ballots.
24 However, if the elector does not return the ballot and the
25 election official:

26 (a)~~(1)~~ Confirms that the supervisor has received the
27 elector's vote-by-mail ballot, the elector shall not be allowed
28 to vote in person. If the elector maintains that he or she has
29 not returned the vote-by-mail ballot or remains eligible to
30 vote, the elector shall be provided a provisional ballot as
31 provided in s. 101.048.

32 (b)~~(2)~~ Confirms that the supervisor has not received the
33 elector's vote-by-mail ballot, the elector shall be allowed to
34 vote in person as provided in this code. The elector's vote-by-
35 mail ballot, if subsequently received, shall not be counted and
36 shall remain in the mailing envelope, and the envelope shall be
37 marked "Rejected as Illegal."

38 (c)~~(3)~~ Cannot determine whether the supervisor has
39 received the elector's vote-by-mail ballot, the elector may vote
40 a provisional ballot as provided in s. 101.048.

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41 (2) (a) If the elector chooses not to vote in person as
42 provided in subsection (1), the supervisor may accept the
43 elector's completed vote-by-mail ballot if the elector
44 personally delivers the completed vote-by-mail ballot to an
45 early voting site during the site's hours of operation in the
46 same county the elector is registered to vote.

47 (b) The division shall adopt uniform rules for the receipt
48 of the ballots

49 Section 2. This act shall take effect July 1, 2018
50
51

52 -----
53 **T I T L E A M E N D M E N T**

54 Remove everything before the enacting clause and insert:
55 An act relating to vote-by-mail ballots; amending s. 101.69,
56 F.S.; authorizing a county supervisor of elections to accept an
57 electors vote-by-mail ballot by personal delivery at an early
58 voting site during the site's hours of operations in the county
59 where the elector is registered to vote; requiring the Division
60 of Elections to adopt rules; providing an effective date