Florida Senate - 2004

By Senator Hill

1-1601-04 See HB 759 A bill to be entitled 1 2 An act relating to absentee ballots; amending s. 101.62, F.S.; revising a restriction on what 3 4 can be mailed or delivered with an absentee ballot; amending s. 101.64, F.S.; requiring the 5 supervisor of elections to include an absentee 6 7 ballot receipt acknowledgment card with the absentee ballot; providing for instructions and 8 9 applicability; amending s. 101.67, F.S.; requiring the supervisor of elections, upon 10 11 receipt of an envelope containing the marked ballot of an absent elector, to mail to that 12 elector an acknowledgment of receipt of that 13 ballot; providing an effective date. 14 15 16 Be It Enacted by the Legislature of the State of Florida: 17 Section 1. Subsection (6) of section 101.62, Florida 18 19 Statutes, is amended to read: 20 101.62 Request for absentee ballots.--21 (6) Nothing other than the materials required under 22 the Florida Election Code or otherwise necessary to vote 23 absentee shall be mailed or delivered with any absentee 24 ballot. 25 Section 2. Section 101.64, Florida Statutes, is amended to read: 26 27 101.64 Delivery of absentee ballots; envelopes; form; 28 absentee ballot receipt acknowledgment card .--29 (1)(a) The supervisor shall enclose with each absentee 30 ballot two envelopes: a secrecy envelope, into which the 31 absent elector shall enclose his or her marked ballot; and a 1 CODING: Words stricken are deletions; words underlined are additions.

mailing envelope, into which the absent elector shall then 1 2 place the secrecy envelope, which shall be addressed to the 3 supervisor and also bear on the back side a certificate in substantially the following form: 4 5 б Note: Please Read Instructions Carefully Before 7 Marking Ballot and Completing Voter's Certificate. 8 9 VOTER'S CERTIFICATE 10 I, ..., do solemnly swear or affirm that I am a 11 qualified and registered voter of County, Florida, and that I have not and will not vote more than one ballot in this 12 election. I understand that if I commit or attempt to commit 13 any fraud in connection with voting, vote a fraudulent ballot, 14 or vote more than once in an election, I can be convicted of a 15 felony of the third degree and fined up to \$5,000 and/or 16 17 imprisoned for up to 5 years. I also understand that failure to sign this certificate and have my signature properly 18 19 witnessed will invalidate my ballot. 20 21 ...(Date)... ... (Voter's Signature)... 22 Note: Your Signature Must Be Witnessed By One Witness 18 Years 23 24 of Age or Older as provided in the Instruction Sheet. 25 I swear or affirm that the voter signed this Voter's 26 27 Certificate in my presence. 28 29 ...(Signature of Witness)... 30 31 ...(Address)...

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1	(City/State)
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3	(b) (2) The certificate shall be arranged on the back
4	of the mailing envelope so that the lines for the signatures
5	of the absent elector and the attesting witness are across the
6	seal of the envelope; however, no statement shall appear on
7	the envelope which indicates that a signature of the voter or
8	witness must cross the seal of the envelope. The absent
9	elector and the attesting witness shall execute the
10	certificate on the envelope.
11	(2) The supervisor shall also enclose with each
12	absentee ballot an absentee ballot receipt acknowledgment
13	card. Such card shall be preaddressed to the office of the
14	supervisor, with postage prepaid, and shall instruct the
15	absent elector to sign the card and mail it back to the
16	supervisor if the absent elector desires to have receipt of
17	his or her absentee ballot acknowledged. An absent elector is
18	not required to return an absentee ballot receipt
19	acknowledgment card, and failure to return such card does not
20	affect the validity of any absentee ballot submitted by the
21	absent elector.
22	Section 3. Section 101.67, Florida Statutes, is
23	amended to read:
24	101.67 Acknowledgment of receipt of absentee ballots;
25	safekeeping of <u>absentee</u> mailed ballots; deadline for receiving
26	absentee ballots
27	(1) Upon receipt of any envelope containing the marked
28	ballot of an absent elector, the supervisor of elections shall
29	mail an acknowledgment of receipt of that ballot to the
30	elector at the elector's current mailing address on file with
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the supervisor or at any other address the elector has specified in his or her request for the absentee ballot. (2) (1) The supervisor of elections shall safely keep in his or her office any envelopes received containing marked ballots of absent electors, and he or she shall, before the б canvassing of the election returns, deliver the envelopes to the county canvassing board along with his or her file or list kept regarding said ballots. (3) (2) All marked absent electors' ballots to be counted must be received by the supervisor by 7 p.m. the day of the election. All ballots received thereafter shall be marked with the time and date of receipt and filed in the supervisor's office. Section 4. This act shall take effect July 1, 2004.

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