

By the Committee on Ethics and Elections; and Senator Thrasher

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1                   A bill to be entitled  
2           An act relating to elections; creating s. 97.0115,  
3           F.S.; providing that chapters 97 through 105, F.S.,  
4           shall govern all procedures and processes relating to  
5           elections; prohibiting a county or district charter,  
6           ordinance, or regulation from conflicting with  
7           specified provisions of state law; amending s. 97.021,  
8           F.S.; defining the term "absent uniformed services  
9           voter"; revising the definition of "overseas voter";  
10          amending s. 98.0981, F.S., relating to statewide voter  
11          information; conforming a cross-reference; amending s.  
12          101.111, F.S.; revising voter challenge oath  
13          requirements; providing circumstances under which a  
14          challenged voter may execute a change of legal  
15          residence; providing increased penalties for filing a  
16          frivolous voter challenge; amending s. 101.56075,  
17          F.S.; deleting a requirement that persons with  
18          disabilities vote on certain voter interface devices;  
19          requiring that persons with disabilities vote on voter  
20          interface devices meeting specified requirements,  
21          effective July 1, 2016; amending s. 101.5612, F.S.;  
22          requiring that notice of tabulation equipment testing  
23          be posted on a supervisor's website; requiring the use  
24          of certain ballots and technology for testing of  
25          tabulating equipment; amending s. 101.62, F.S.;  
26          requiring that a supervisor of elections accept a  
27          request for an absentee ballot from certain  
28          individuals; revising the time an absentee ballot  
29          request is valid; revising the information that a

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30 person making an absentee ballot request must  
31 disclose; requiring a supervisor to notify a voter of  
32 the free access system under certain circumstances;  
33 requiring a supervisor to make certain absentee ballot  
34 information available on a certain date; requiring a  
35 supervisor to send by a specified means absentee  
36 ballots to certain absentee voters by a date certain  
37 before an election; providing that an absentee ballot  
38 may be sent by email or facsimile to certain voters;  
39 providing that certain voters may choose the means by  
40 which they receive absentee ballots; amending the  
41 procedures for providing ballots to specific voters  
42 under certain circumstances; amending s. 101.694,  
43 F.S.; requiring a supervisor to send absentee ballots  
44 by a specified means to certain persons upon receipt  
45 of a federal postcard application; removing the time  
46 for which an absentee ballot request is valid;  
47 amending s. 101.6952, F.S.; revising procedures for  
48 processing absentee ballot requests and communicating  
49 by electronic mail with overseas voters; amending s.  
50 101.71, F.S.; requiring a supervisor to provide  
51 certain resources for colocated precincts; requiring a  
52 supervisor to post certain information on his or her  
53 website; amending s. 102.012, F.S.; authorizing a  
54 supervisor to appoint one election board for colocated  
55 precincts; requiring a supervisor to provide a  
56 sufficient number of poll workers for colocated  
57 precincts; amending s. 102.111, F.S.; clarifying that  
58 the Governor and Cabinet members shall serve ex

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59       officio on the Elections Canvassing Commission;  
60       establishing meeting times for the commission;  
61       amending s. 102.112, F.S.; conforming a cross-  
62       reference; amending s. 102.141, F.S.; requiring  
63       certain information to be posted on a supervisor's  
64       website; providing circumstances under which the  
65       Secretary of State, county canvassing board, or local  
66       board is responsible for ordering recounts in  
67       elections; amending s. 102.166, F.S.; providing  
68       circumstances under which the Secretary of State,  
69       county canvassing board, or local board is responsible  
70       for ordering a manual recount of overvotes and  
71       undervotes; providing an exception for candidates in  
72       certain circumstances; amending s. 106.03, F.S.;  
73       requiring that changes to the information previously  
74       submitted by political committees be reported within  
75       10 days following such change; requiring that the  
76       Division of Elections adopt rules regarding  
77       dissolution of political committees; amending s.  
78       106.04, F.S.; clarifying that committees of continuous  
79       existence file campaign finance reports electronically  
80       with the Division of Elections; clarifying campaign  
81       finance filing requirements for committees of  
82       continuous existence involved in special elections to  
83       fill vacancies in office; prescribing additional  
84       campaign finance filing requirements for committees of  
85       continuous existence participating in local elections;  
86       amending requirements for reporting transaction  
87       information from credit card purchases; requiring

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88 changes in information previously submitted to be  
89 reported to the Division of Elections within 10 days;  
90 amending provisions for revoking a committee's  
91 certification; increasing late-filing fines for the  
92 campaign finance report immediately preceding an  
93 election; providing for the disposition of collected  
94 fines; amending notice provisions related to late-  
95 filed reports; amending s. 106.07, F.S.; modifying  
96 notice provisions related to the filing of campaign  
97 finance reports by political committees and  
98 candidates; prescribing additional campaign finance  
99 filing requirements for political committees  
100 participating in local elections; amending  
101 requirements for reporting transaction information  
102 from credit card purchases; amending s. 106.0705,  
103 F.S., relating to electronic filing; conforming a  
104 cross-reference; amending s. 106.11, F.S.; authorizing  
105 under certain circumstances the reimbursement of a  
106 loan made by a candidate to his or her campaign;  
107 amending s. 106.143, F.S.; requiring that certain paid  
108 political advertisements contain specified language;  
109 requiring that a candidate running for a nonpartisan  
110 office exclude the candidate's party affiliation from  
111 political advertisement; amending s. 106.29, F.S.;  
112 amending notice provisions related to late-filed  
113 reports; amending s. 379.352, F.S., relating to  
114 recreational licenses and permits; conforming cross-  
115 references; providing effective dates.

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117 Be It Enacted by the Legislature of the State of Florida:

118  
119 Section 1. Section 97.0115, Florida Statutes, is created to  
120 read:

121 97.0115 Chapters 97-105 govern procedures and processes  
122 relating to elections within the state.-

123 (1) Chapters 97-105 govern all procedures and processes  
124 relating to national, state, county, and district elections  
125 within the state, except as otherwise specifically authorized by  
126 federal or state law. The conduct of municipal elections shall  
127 be governed by s. 100.3605.

128 (2) A county or district charter, ordinance, or regulation  
129 may not conflict with the matters set forth in chapters 97-105.

130 Section 2. Effective upon this act becoming a law, present  
131 subsections (2) through (43) of section 97.021, Florida  
132 Statutes, are redesignated as subsections (3) through (44),  
133 respectively, a new subsection (2) is added to that section, and  
134 present subsection (22) of that section is amended, to read:

135 97.021 Definitions.-For the purposes of this code, except  
136 where the context clearly indicates otherwise, the term:

137 (2) "Absent uniformed services voter" means:

138 (a) A member of a uniformed service on active duty who, by  
139 reason of such active duty, is absent from the place of  
140 residence where the member is otherwise qualified to vote;

141 (b) A member of the Merchant Marine who, by reason of  
142 service in the Merchant Marine, is absent from the place of  
143 residence where the member is otherwise qualified to vote; or

144 (c) A spouse or dependent of a member described in  
145 paragraph (a) or paragraph (b) who, by reason of the active duty

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146 or service of the member, is absent from the place of residence  
147 where the spouse or dependent is otherwise qualified to vote.

148 (23)~~(22)~~ "Overseas voter" means:

149 (a) An absent uniformed services voter who, by reason of  
150 active duty or service, is absent from the United States on the  
151 date of the election involved ~~Members of the uniformed services~~  
152 ~~while in the active service who are permanent residents of the~~  
153 ~~state and are temporarily residing outside the territorial~~  
154 ~~limits of the United States and the District of Columbia;~~

155 (b) A person who resides outside the United States and who  
156 is qualified to vote in the last place where the person was  
157 domiciled before leaving the United States ~~Members of the~~  
158 ~~Merchant Marine of the United States who are permanent residents~~  
159 ~~of the state and are temporarily residing outside the~~  
160 ~~territorial limits of the United States and the District of~~  
161 ~~Columbia; and~~

162 (c) A person who resides outside the United States and, but  
163 for such residence, would be qualified to vote in the last place  
164 where the person was domiciled before leaving the United States.  
165 ~~Other citizens of the United States who are permanent residents~~  
166 ~~of the state and are temporarily residing outside the~~  
167 ~~territorial limits of the United States and the District of~~  
168 ~~Columbia, who are qualified and registered to vote as provided~~  
169 ~~by law.~~

170 Section 3. Effective upon this act becoming a law,  
171 subsection (3) of section 98.0981, Florida Statutes, is amended  
172 to read:

173 98.0981 Reports; voting history; statewide voter  
174 registration system information; precinct-level election

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175 results; book closing statistics.-

176 (3) PRECINCT-LEVEL BOOK CLOSING STATISTICS.-After the date  
177 of book closing but before the date of an election as defined in  
178 s. 97.021(10) to fill a national, state, county, or district  
179 office, or to vote on a proposed constitutional amendment, the  
180 department shall compile the following precinct-level  
181 statistical data for each county:

182 (a) Precinct numbers.

183 (b) Total number of active registered voters by party for  
184 each precinct.

185 Section 4. Section 101.111, Florida Statutes, is amended to  
186 read:

187 101.111 Voter challenges ~~Person desiring to vote may be~~  
188 ~~challenged; challenger to execute oath; oath of person~~  
189 ~~challenged; determination of challenge.-~~

190 (1) (a) Any registered elector or poll watcher of a county  
191 may challenge the right of a person to vote in that county. The  
192 challenge must be in writing and contain the following oath,  
193 which shall be delivered to the clerk or inspector:

194 OATH OF PERSON ENTERING CHALLENGE

195  
196 State of Florida

197 County of ....

198  
199 I do solemnly swear or affirm that my name is ....; ~~that I am a~~  
200 ~~member of the .... Party;~~ that I am a registered voter or  
201 pollwatcher; that my residence address is ...., ~~in the~~  
202 ~~municipality of ....;~~ and that I have reason to believe that  
203 .... is attempting to vote illegally and the reasons for my

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204 belief are set forth herein to wit: .....  
205 .....  
206 .....

207 ... (Signature of person challenging voter) ...

208  
209 Sworn and subscribed to before me this .... day of .....,  
210 ... (year) ....

211 ... (Clerk of election) ...

212 (b) 1. The clerk or inspector shall immediately deliver to  
213 the challenged person a copy of the oath of the person entering  
214 the challenge, and the challenged voter shall be allowed to cast  
215 a provisional ballot in accordance with s. 101.048, except as  
216 provided in subparagraph 2.

217 2. If the basis for the challenge is that the person's  
218 legal residence is not in that precinct, the person shall first  
219 be given the opportunity to execute a change of legal residence  
220 in order to be able to vote a regular ballot in accordance with  
221 s. 101.045(2). If the change of legal residence is such that the  
222 person is then properly registered for that precinct, the person  
223 shall be allowed to vote a regular ballot. If the change of  
224 legal residence places the person in another precinct, the  
225 person shall be directed to the proper precinct to vote. If such  
226 person insists that he or she is currently in the proper  
227 precinct, the person shall be allowed to vote a provisional  
228 ballot in accordance with s. 101.048.

229 (c) Alternatively, a challenge in accordance with this  
230 section may be filed in advance with the supervisor of elections  
231 no sooner than 30 days before an election. The supervisor shall  
232 promptly provide the election board in the challenged voter's



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233 precinct with a copy of the oath of the person entering the  
234 challenge. The challenged voter shall be allowed to cast a  
235 provisional ballot in accordance with s. 101.048, subject to the  
236 provisions of subparagraph (b)2.

237 (2) Any elector or poll watcher filing a frivolous  
238 challenge of any person's right to vote commits a felony  
239 ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in  
240 s. 775.082, ~~or~~ s. 775.083, or s. 775.084; however, electors or  
241 poll watchers shall not be subject to liability for any action  
242 taken in good faith and in furtherance of any activity or duty  
243 permitted of such electors or poll watchers by law. Each  
244 instance where any elector or poll watcher files a frivolous  
245 challenge of any person's right to vote constitutes a separate  
246 offense.

247 Section 5. Section 101.56075, Florida Statutes, is amended  
248 to read:

249 101.56075 Voting methods.—

250 (1) Except as provided in subsection (2), all voting shall  
251 be by marksense ballot utilizing a marking device for the  
252 purpose of designating ballot selections.

253 (2) Persons with disabilities may vote on a voter interface  
254 device that meets the voting system accessibility requirements  
255 for individuals with disabilities pursuant to s. 301 of the  
256 federal Help America Vote Act of 2002 and s. 101.56062.

257 ~~(3) By 2012, persons with disabilities shall vote on a~~  
258 ~~voter interface device that meets the voter accessibility~~  
259 ~~requirements for individuals with disabilities under s. 301 of~~  
260 ~~the federal Help America Vote Act of 2002 and s. 101.56062 which~~  
261 ~~are consistent with subsection (1) of this section.~~

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262 Section 6. Effective July 1, 2016, subsections (1) and (2)  
263 of section 101.56075, Florida Statutes, are amended to read:

264 101.56075 Voting methods.—

265 (1) ~~Except as provided in subsection (2),~~ All voting shall  
266 be by marksense ballot utilizing a marking device for the  
267 purpose of designating ballot selections.

268 (2) Persons with disabilities shall ~~may~~ vote on a voter  
269 interface device that is consistent with the requirements of  
270 subsection (1) and meets the voting system accessibility  
271 requirements for individuals with disabilities pursuant to s.  
272 301 of the federal Help America Vote Act of 2002 and s.  
273 101.56062.

274 Section 7. Effective upon this act becoming a law,  
275 subsections (2) and (5) of section 101.5612, Florida Statutes,  
276 are amended to read:

277 101.5612 Testing of tabulating equipment.—

278 (2) On any day not more than 10 days prior to the  
279 commencement of early voting as provided in s. 101.657, the  
280 supervisor of elections shall have the automatic tabulating  
281 equipment publicly tested to ascertain that the equipment will  
282 correctly count the votes cast for all offices and on all  
283 measures. If the ballots to be used at the polling place on  
284 election day are not available at the time of the testing, the  
285 supervisor may conduct an additional test not more than 10 days  
286 before election day. Public notice of the time and place of the  
287 test shall be given at least 48 hours prior thereto by  
288 publication once in one or more newspapers of general  
289 circulation in the county and on the supervisor's website or, if  
290 there is no newspaper of general circulation in the county, by

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291 posting the notice in at least four conspicuous places in the  
292 county. The supervisor or the municipal elections official may,  
293 at the time of qualifying, give written notice of the time and  
294 location of the public preelection test to each candidate  
295 qualifying with that office and obtain a signed receipt that the  
296 notice has been given. The Department of State shall give  
297 written notice to each statewide candidate at the time of  
298 qualifying, or immediately at the end of qualifying, that the  
299 voting equipment will be tested and advise each candidate to  
300 contact the county supervisor of elections as to the time and  
301 location of the public preelection test. The supervisor or the  
302 municipal elections official shall, at least 15 days prior to  
303 the commencement of early voting as provided in s. 101.657, send  
304 written notice by certified mail to the county party chair of  
305 each political party and to all candidates for other than  
306 statewide office whose names appear on the ballot in the county  
307 and who did not receive written notification from the supervisor  
308 or municipal elections official at the time of qualifying,  
309 stating the time and location of the public preelection test of  
310 the automatic tabulating equipment. The canvassing board shall  
311 convene, and each member of the canvassing board shall certify  
312 to the accuracy of the test. For the test, the canvassing board  
313 may designate one member to represent it. The test shall be open  
314 to representatives of the political parties, the press, and the  
315 public. Each political party may designate one person with  
316 expertise in the computer field who shall be allowed in the  
317 central counting room when all tests are being conducted and  
318 when the official votes are being counted. The designee shall  
319 not interfere with the normal operation of the canvassing board.

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320 (5) Any tests involving marksense ballots pursuant to this  
321 section shall employ test preprinted ballots created by the  
322 supervisor of elections using actual ballots that have been  
323 printed for the election. ~~If preprinted ballots will be used in~~  
324 ~~the election, and~~ ballot-on-demand ballots will be used in the  
325 election, the supervisor shall create test ballots using the, if  
326 ballot-on-demand technology that will be used to produce ballots  
327 in the election, using the same paper stock that will be used  
328 for ballots in the election or both.

329 Section 8. Effective upon this act becoming a law, section  
330 101.62, Florida Statutes, is amended to read:

331 101.62 Request for absentee ballots.—

332 (1) (a) The supervisor shall ~~may~~ accept a request for an  
333 absentee ballot from an elector in person or in writing. ~~Except~~  
334 ~~as provided in s. 101.694,~~ One request shall be deemed  
335 sufficient to receive an absentee ballot for all elections  
336 through the next ~~two~~ regularly scheduled general election  
337 elections, unless the elector or the elector's designee  
338 indicates at the time the request is made the elections for  
339 which the elector desires to receive an absentee ballot. Such  
340 request may be considered canceled when any first-class mail  
341 sent by the supervisor to the elector is returned as  
342 undeliverable.

343 (b) The supervisor shall ~~may~~ accept a ~~written or telephonic~~  
344 request for an absentee ballot from the elector, or, if directly  
345 instructed by the elector, a member of the elector's immediate  
346 family, or the elector's legal guardian. For purposes of this  
347 section, the term "immediate family" has the same meaning as  
348 specified in paragraph (4) (b). The person making the request

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349 must disclose:

- 350 1. The name of the elector for whom the ballot is  
351 requested;
- 352 2. The elector's address;
- 353 3. The elector's date of birth;
- 354 4. The requester's name;
- 355 5. The requester's address; and
- 356 ~~6. The requester's driver's license number, if available;~~
- 357 6.7. The requester's relationship to the elector; ~~and~~
- 358 ~~8. The requester's signature (written requests only).~~

359 (c) Upon receiving a request for an absentee ballot, the  
360 supervisor of elections shall notify the voter of the free  
361 access system that has been designated by the department for  
362 determining the status of his or her absentee ballot.

363 (2) A request for an absentee ballot to be mailed to a  
364 voter must be received no later than 5 p.m. on the sixth day  
365 before the election by the supervisor of elections. The  
366 supervisor of elections shall mail absentee ballots to voters  
367 requesting ballots by such deadline no later than 4 days before  
368 the election.

369 (3) For each request for an absentee ballot received, the  
370 supervisor shall record the date the request was made, the date  
371 the absentee ballot was delivered to the voter or the voter's  
372 designee or the date the absentee ballot was delivered to the  
373 post office or other carrier, the date the ballot was received  
374 by the supervisor, and such other information he or she may deem  
375 necessary. This information shall be provided in electronic  
376 format as provided by rule adopted by the division. The  
377 information shall be updated and made available no later than

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378 noon of each day beginning on the date on which the first  
379 absentee ballots are mailed for the election and shall be  
380 contemporaneously provided to the division. This information  
381 shall be confidential and exempt from the provisions of s.  
382 119.07(1) and shall be made available to or reproduced only for  
383 the voter requesting the ballot, a canvassing board, an election  
384 official, a political party or official thereof, a candidate who  
385 has filed qualification papers and is opposed in an upcoming  
386 election, and registered political committees or registered  
387 committees of continuous existence, for political purposes only.

388 (4) (a) No later than 45 days before each election, the  
389 supervisor of elections shall send an absentee ballot, in the  
390 manner prescribed in subparagraph (b)3., to each absent  
391 uniformed services voter and to each overseas voter who has  
392 requested an absentee ballot. ~~To each absent qualified elector~~  
393 ~~overseas who has requested an absentee ballot, the supervisor of~~  
394 ~~elections shall mail an absentee ballot not less than 35 days~~  
395 ~~before the primary election and not less than 45 days before the~~  
396 ~~general election.~~

397 (b) The supervisor shall provide an absentee ballot to each  
398 elector by whom a request for that ballot has been made by one  
399 of the following means:

400 1. By nonforwardable, return-if-undeliverable mail to the  
401 elector's current mailing address on file with the supervisor.7  
402 ~~unless the elector specifies in the request that:~~

403 2. By nonforwardable, return-if-undeliverable mail to any  
404 address requested by an elector if the request specifies that:

405 a. The elector is absent from the county and does not plan  
406 to return before the day of the election;

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407 b. The elector is temporarily unable to occupy the  
408 residence because of hurricane, tornado, flood, fire, or other  
409 emergency or natural disaster; or

410 c. The elector is in a hospital, assisted living facility,  
411 nursing home, short-term medical or rehabilitation facility, or  
412 correctional facility,

413  
414 ~~in which case the supervisor shall mail the ballot by~~  
415 ~~nonforwardable, return-if-undeliverable mail to any other~~  
416 ~~address the elector specifies in the request.~~

417 3.2. By forwardable mail, e-mail, or facsimile machine  
418 transmission to absent uniformed services voters and overseas  
419 voters who are entitled to vote by absentee ballot under the  
420 Uniformed and Overseas Citizens Absentee Voting Act. The absent  
421 uniformed services voter or overseas voter may designate in the  
422 request the preferred method of transmission. If the voter does  
423 not designate the method of transmission, the ballot shall be  
424 mailed.

425 4.3. By personal delivery before 7 p.m. on election day to  
426 the elector, upon presentation of the identification required in  
427 s. 101.043.

428 5.4. By delivery to a designee on election day or up to 5  
429 days prior to the day of an election. Any elector may designate  
430 in writing a person to pick up the ballot for the elector;  
431 however, the person designated may not pick up more than two  
432 absentee ballots per election, other than the designee's own  
433 ballot, except that additional ballots may be picked up for  
434 members of the designee's immediate family. For purposes of this  
435 section, "immediate family" means the designee's spouse or the

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436 parent, child, grandparent, or sibling of the designee or of the  
437 designee's spouse. The designee shall provide to the supervisor  
438 the written authorization by the elector and a picture  
439 identification of the designee and must complete an affidavit.  
440 The designee shall state in the affidavit that the designee is  
441 authorized by the elector to pick up that ballot and shall  
442 indicate if the elector is a member of the designee's immediate  
443 family and, if so, the relationship. The department shall  
444 prescribe the form of the affidavit. If the supervisor is  
445 satisfied that the designee is authorized to pick up the ballot  
446 and that the signature of the elector on the written  
447 authorization matches the signature of the elector on file, the  
448 supervisor shall give the ballot to that designee for delivery  
449 to the elector.

450 (5) ~~If In the event that the department Elections~~  
451 ~~Canvassing Commission~~ is unable to certify candidates for the  
452 ~~results of an election for a state office in time for the~~  
453 supervisors to comply with paragraph (4) (a) subsection (4), the  
454 Department of State is authorized to prescribe rules for a  
455 ballot to be sent to absent uniformed services voters and  
456 ~~electors~~ overseas voters.

457 (6) Nothing other than the materials necessary to vote  
458 absentee shall be mailed or delivered with any absentee ballot.

459 Section 9. Effective upon this act becoming a law,  
460 subsection (1) of section 101.694, Florida Statutes, is amended  
461 to read:

462 101.694 Mailing of ballots upon receipt of federal postcard  
463 application.—

464 (1) Upon receipt of a federal postcard application for an



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465 absentee ballot executed by a person whose registration is in  
466 order or whose application is sufficient to register or update  
467 the registration of that person, the supervisor shall send the  
468 ballot in accordance with s. 101.62(4) mail to the applicant a  
469 ballot, if the ballots are available for mailing. The federal  
470 postcard application request for an absentee ballot shall be  
471 effective for all elections through the next two regularly  
472 scheduled general elections.

473 Section 10. Effective upon this act becoming a law,  
474 subsection (1) of section 101.6952, Florida Statutes, is amended  
475 to read:

476 101.6952 Absentee ballots for overseas voters.—

477 (1) If an overseas voter's request for an absentee ballot  
478 includes an e-mail address, the supervisor of elections shall:

479 (a) Record the voter's e-mail address in the absentee  
480 ballot record;

481 (b) Confirm via e-mail that the absentee request was  
482 received and inform the voter of the estimated date on which the  
483 ballot will be sent to the voter;

484 (c) Inform the voter of the names of candidates who will be  
485 on the ballots via electronic transmission. The supervisor of  
486 elections shall e-mail to the voter the list of candidates for  
487 the primary and general election not later than 30 days before  
488 each election; and

489 (d) Notify the voter via e-mail when the voted absentee  
490 ballot is received by the supervisor of elections.

491 Section 11. Effective upon this act becoming a law,  
492 subsection (2) of section 101.71, Florida Statutes, is amended  
493 to read:

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494 101.71 Polling place.—

495 (2) Notwithstanding the provisions of subsection (1),  
496 whenever the supervisor of elections of any county determines  
497 that the accommodations for holding any election at a polling  
498 place designated for any precinct in the county are unavailable,  
499 are inadequate for the expeditious and efficient housing and  
500 handling of voting and voting paraphernalia, or do not comply  
501 with the requirements of s. 101.715, the supervisor shall, not  
502 less than 30 days prior to the holding of an election, provide  
503 for the voting place for such precinct to be moved to another  
504 site that is accessible to the public on election day in said  
505 precinct or, if such is not available, to another site that is  
506 accessible to the public on election day in a contiguous  
507 precinct. If such action of the supervisor results in the voting  
508 place for two or more precincts being located for the purposes  
509 of an election in one building, the supervisor of elections  
510 shall provide adequate supplies, equipment, and personnel to  
511 accommodate the voters for the precincts that are colocated  
512 ~~voting places for the several precincts involved shall be~~  
513 ~~established and maintained separate from each other in said~~  
514 ~~building~~. When any supervisor moves any polling place pursuant  
515 to this subsection, the supervisor shall, not more than 30 days  
516 or fewer than 7 days prior to the holding of an election, give  
517 notice of the change of the polling place for the precinct  
518 involved, with clear description of the voting place to which  
519 changed, at least once in a newspaper of general circulation in  
520 said county and on the supervisor's website. A notice of the  
521 change of the polling place involved shall be mailed, at least  
522 14 days prior to an election, to each registered elector or to

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523 each household in which there is a registered elector.

524 Section 12. Effective upon this act becoming a law,  
525 subsection (1) of section 102.012, Florida Statutes, is amended  
526 to read:

527 102.012 Inspectors and clerks to conduct elections.—

528 (1) (a) The supervisor of elections of each county, at least  
529 20 days prior to the holding of any election, shall appoint an  
530 election board comprised of poll workers who serve as clerks or  
531 inspectors for each precinct in the county. The clerk shall be  
532 in charge of, and responsible for, seeing that the election  
533 board carries out its duties and responsibilities. Each  
534 inspector and each clerk shall take and subscribe to an oath or  
535 affirmation, which shall be written or printed, to the effect  
536 that he or she will perform the duties of inspector or clerk of  
537 election, respectively, according to law and will endeavor to  
538 prevent all fraud, deceit, or abuse in conducting the election.  
539 The oath may be taken before an officer authorized to administer  
540 oaths or before any of the persons who are to act as inspectors,  
541 one of them to swear the others, and one of the others sworn  
542 thus, in turn, to administer the oath to the one who has not  
543 been sworn. The oaths shall be returned with the poll list and  
544 the returns of the election to the supervisor. In all questions  
545 that may arise before the members of an election board, the  
546 decision of a majority of them shall decide the question. The  
547 supervisor of elections of each county shall be responsible for  
548 the attendance and diligent performance of his or her duties by  
549 each clerk and inspector.

550 (b) If two or more precincts share the same building and  
551 voting place, the supervisor of elections may appoint one

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552 election board for all such precincts. The supervisor shall  
553 provide a sufficient number of poll workers to adequately handle  
554 the processing of the voters in the colocated precincts.

555 Section 13. Effective upon this act becoming a law, section  
556 102.111, Florida Statutes, is amended to read:

557 102.111 Elections Canvassing Commission.—

558 (1) The Elections Canvassing Commission shall consist of  
559 the Governor and two members of the Cabinet selected by the  
560 Governor, all of whom shall serve ex officio. If a member of the  
561 ~~Elections Canvassing~~ commission is unable to serve for any  
562 reason, the Governor shall appoint a remaining member of the  
563 Cabinet. If there is a further vacancy, the remaining members of  
564 the commission shall agree on another elected official to fill  
565 the vacancy.

566 (2) The Elections Canvassing Commission shall meet at 9  
567 a.m. on the 9th day after a primary election and at 9 a.m. on  
568 the 14th day after a general election to, ~~as soon as the~~  
569 ~~official results are compiled from all counties,~~ certify the  
570 returns of the election ~~and determine and declare who has been~~  
571 ~~elected~~ for each federal, state, and multicounty office. If a  
572 member of a county canvassing board that was constituted  
573 pursuant to s. 102.141 determines, within 5 days after the  
574 certification by the Elections Canvassing Commission, that a  
575 typographical error occurred in the official returns of the  
576 county, the correction of which could result in a change in the  
577 outcome of an election, the county canvassing board must certify  
578 corrected returns to the Department of State within 24 hours,  
579 and the Elections Canvassing Commission must correct and  
580 recertify the election returns as soon as practicable.

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581        (3)~~(2)~~ The Division of Elections shall provide the staff  
582 services required by the Elections Canvassing Commission.

583        Section 14. Effective upon this act becoming a law,  
584 subsection (2) of section 102.112, Florida Statutes, is amended  
585 to read:

586        102.112 Deadline for submission of county returns to the  
587 Department of State.—

588        (2) Returns must be filed by 5 p.m. on the 7th day  
589 following a primary election and by noon on the 12th day  
590 following the general election. However, the Department of State  
591 may correct typographical errors, including the transposition of  
592 numbers, in any returns submitted to the Department of State  
593 pursuant to s. 102.111(2) ~~s. 102.111(1)~~.

594        Section 15. Effective upon this act becoming a law,  
595 subsections (2) and (7) of section 102.141, Florida Statutes,  
596 are amended to read:

597        102.141 County canvassing board; duties.—

598        (2) The county canvassing board shall meet in a building  
599 accessible to the public in the county where the election  
600 occurred at a time and place to be designated by the supervisor  
601 of elections to publicly canvass the absentee electors' ballots  
602 as provided for in s. 101.68 and provisional ballots as provided  
603 by ss. 101.048, 101.049, and 101.6925. Provisional ballots cast  
604 pursuant to s. 101.049 shall be canvassed in a manner that votes  
605 for candidates and issues on those ballots can be segregated  
606 from other votes. Public notice of the time and place at which  
607 the county canvassing board shall meet to canvass the absentee  
608 electors' ballots and provisional ballots shall be given at  
609 least 48 hours prior thereto by publication once in one or more

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610 newspapers of general circulation in the county and on the  
611 supervisor's website or, if there is no newspaper of general  
612 circulation in the county, by posting such notice in at least  
613 four conspicuous places in the county. As soon as the absentee  
614 electors' ballots and the provisional ballots are canvassed, the  
615 board shall proceed to publicly canvass the vote given each  
616 candidate, nominee, constitutional amendment, or other measure  
617 submitted to the electorate of the county, as shown by the  
618 returns then on file in the office of the supervisor of  
619 elections ~~and the office of the county court judge.~~

620 (7) If the unofficial returns reflect that a candidate for  
621 any office was defeated or eliminated by one-half of a percent  
622 or less of the votes cast for such office, that a candidate for  
623 retention to a judicial office was retained or not retained by  
624 one-half of a percent or less of the votes cast on the question  
625 of retention, or that a measure appearing on the ballot was  
626 approved or rejected by one-half of a percent or less of the  
627 votes cast on such measure, ~~the board responsible for certifying~~  
628 ~~the results of the vote on such race or measure shall order a~~  
629 recount shall be ordered of the votes cast with respect to such  
630 office or measure. The Secretary of State Elections Canvassing  
631 ~~Commission~~ ~~is the board~~ responsible for ordering recounts in  
632 federal, state, and multicounty races ~~recounts~~. The county  
633 canvassing board or the local board responsible for certifying  
634 the election is responsible for ordering recounts in all other  
635 races. A recount need not be ordered with respect to the returns  
636 for any office, however, if the candidate or candidates defeated  
637 or eliminated from contention for such office by one-half of a  
638 percent or less of the votes cast for such office request in

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639 writing that a recount not be made.

640 (a) Each canvassing board responsible for conducting a  
641 recount shall put each marksense ballot through automatic  
642 tabulating equipment and determine whether the returns correctly  
643 reflect the votes cast. If any marksense ballot is physically  
644 damaged so that it cannot be properly counted by the automatic  
645 tabulating equipment during the recount, a true duplicate shall  
646 be made of the damaged ballot pursuant to the procedures in s.  
647 101.5614(5). Immediately before the start of the recount, a test  
648 of the tabulating equipment shall be conducted as provided in s.  
649 101.5612. If the test indicates no error, the recount tabulation  
650 of the ballots cast shall be presumed correct and such votes  
651 shall be canvassed accordingly. If an error is detected, the  
652 cause therefor shall be ascertained and corrected and the  
653 recount repeated, as necessary. The canvassing board shall  
654 immediately report the error, along with the cause of the error  
655 and the corrective measures being taken, to the Department of  
656 State. No later than 11 days after the election, the canvassing  
657 board shall file a separate incident report with the Department  
658 of State, detailing the resolution of the matter and identifying  
659 any measures that will avoid a future recurrence of the error.

660 (b) Each canvassing board responsible for conducting a  
661 recount where touchscreen ballots were used shall examine the  
662 counters on the precinct tabulators to ensure that the total of  
663 the returns on the precinct tabulators equals the overall  
664 election return. If there is a discrepancy between the overall  
665 election return and the counters of the precinct tabulators, the  
666 counters of the precinct tabulators shall be presumed correct  
667 and such votes shall be canvassed accordingly.

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668 (c) The canvassing board shall submit on forms or in  
669 formats provided by the division a second set of unofficial  
670 returns to the Department of State for each federal, statewide,  
671 state, or multicounty office or ballot measure. Such returns  
672 shall be filed no later than 3 p.m. on the fifth day after any  
673 primary election and no later than 3 p.m. on the ninth day after  
674 any general election in which a recount was ordered by the  
675 Secretary of State ~~conducted pursuant to this subsection~~. If the  
676 canvassing board is unable to complete the recount prescribed in  
677 this subsection by the deadline, the second set of unofficial  
678 returns submitted by the canvassing board shall be identical to  
679 the initial unofficial returns and the submission shall also  
680 include a detailed explanation of why it was unable to timely  
681 complete the recount. However, the canvassing board shall  
682 complete the recount prescribed in this subsection, along with  
683 any manual recount prescribed in s. 102.166, and certify  
684 election returns in accordance with the requirements of this  
685 chapter.

686 (d) The Department of State shall adopt detailed rules  
687 prescribing additional recount procedures for each certified  
688 voting system, which shall be uniform to the extent practicable.

689 Section 16. Effective upon this act becoming a law, section  
690 102.166, Florida Statutes, is amended to read:

691 102.166 Manual recounts of overvotes and undervotes.—

692 (1) If the second set of unofficial returns pursuant to s.  
693 102.141 indicates that a candidate for any office was defeated  
694 or eliminated by one-quarter of a percent or fewer ~~less~~ of the  
695 votes cast for such office, that a candidate for retention to a  
696 judicial office was retained or not retained by one-quarter of a



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697 percent or fewer ~~less~~ of the votes cast on the question of  
698 retention, or that a measure appearing on the ballot was  
699 approved or rejected by one-quarter of a percent or fewer ~~less~~  
700 of the votes cast on such measure, ~~the board responsible for~~  
701 ~~certifying the results of the vote on such race or measure shall~~  
702 ~~order~~ a manual recount of the overvotes and undervotes cast in  
703 the entire geographic jurisdiction of such office or ballot  
704 measure shall be ordered unless:

705 (a) The candidate or candidates defeated or eliminated from  
706 contention by one-quarter of a percent or fewer of the votes  
707 cast for such office request in writing that a recount not be  
708 made; or. ~~A manual recount may not be ordered, however, if~~

709 (b) The number of overvotes and, undervotes, ~~and~~  
710 ~~provisional ballots~~ is fewer than the number of votes needed to  
711 change the outcome of the election.

712  
713 The Secretary of State is responsible for ordering a manual  
714 recount for federal, state, and multicounty races. The county  
715 canvassing board or local board responsible for certifying the  
716 election is responsible for ordering a manual recount for all  
717 other races.

718 (2) (a) Any hardware or software used to identify and sort  
719 overvotes and undervotes for a given race or ballot measure must  
720 be certified by the Department of State as part of the voting  
721 system pursuant to s. 101.015. Any such hardware or software  
722 must be capable of simultaneously counting votes.

723 (b) Overvotes and undervotes shall be identified and sorted  
724 while recounting ballots pursuant to s. 102.141, if the hardware  
725 or software for this purpose has been certified or the

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726 department's rules so provide.

727 (3) Any manual recount shall be open to the public.

728 (4) (a) A vote for a candidate or ballot measure shall be  
729 counted if there is a clear indication on the ballot that the  
730 voter has made a definite choice.

731 (b) The Department of State shall adopt specific rules for  
732 each certified voting system prescribing what constitutes a  
733 "clear indication on the ballot that the voter has made a  
734 definite choice." The rules may not:

735 1. Exclusively provide that the voter must properly mark or  
736 designate his or her choice on the ballot; or

737 2. Contain a catch-all provision that fails to identify  
738 specific standards, such as "any other mark or indication  
739 clearly indicating that the voter has made a definite choice."

740 (5) Procedures for a manual recount are as follows:

741 (a) The county canvassing board shall appoint as many  
742 counting teams of at least two electors as is necessary to  
743 manually recount the ballots. A counting team must have, when  
744 possible, members of at least two political parties. A candidate  
745 involved in the race shall not be a member of the counting team.

746 (b) Each duplicate ballot prepared pursuant to s.  
747 101.5614(5) or s. 102.141(7) shall be compared with the original  
748 ballot to ensure the correctness of the duplicate.

749 (c) If a counting team is unable to determine whether the  
750 ballot contains a clear indication that the voter has made a  
751 definite choice, the ballot shall be presented to the county  
752 canvassing board for a determination.

753 (d) The Department of State shall adopt detailed rules  
754 prescribing additional recount procedures for each certified

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755 voting system which shall be uniform to the extent practicable.

756 The rules shall address, at a minimum, the following areas:

- 757 1. Security of ballots during the recount process;
  - 758 2. Time and place of recounts;
  - 759 3. Public observance of recounts;
  - 760 4. Objections to ballot determinations;
  - 761 5. Record of recount proceedings; and
  - 762 6. Procedures relating to candidate and petitioner
- 763 representatives.

764 Section 17. Subsections (4) and (7) of section 106.03,  
765 Florida Statutes, are amended to read:

766 106.03 Registration of political committees.—

767 (4) Any change in information previously submitted ~~in a~~  
768 ~~statement of organization shall be reported~~ to the agency or  
769 officer with whom such political committee is registered shall  
770 be reported ~~required to register pursuant to subsection (3),~~  
771 within 10 days following the change.

772 (7) The Division of Elections shall adopt ~~promulgate~~ rules  
773 to prescribe the manner in which ~~inactive~~ committees that fail  
774 to file a report or information required pursuant to this  
775 chapter or that fail to meet the criteria prescribed in s.  
776 106.011 may be dissolved and have their registration canceled.  
777 Such rules shall, at a minimum, provide for:

778 (a) Notice which shall contain the facts and conduct which  
779 warrant the intended action, including but not limited to  
780 failure to file reports and limited activity.

781 (b) Adequate opportunity to respond.

782 (c) Appeal of the decision to the Florida Elections  
783 Commission. Such appeals shall be exempt from the

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784 confidentiality provisions of s. 106.25.

785 Section 18. Subsection (4) of section 106.04, Florida  
786 Statutes, is amended, present subsections (7) and (8) of that  
787 section are renumbered as subsections (8) and (9), respectively,  
788 and amended, and a new subsection (7) is added to that section,  
789 to read:

790 106.04 Committees of continuous existence.—

791 (4) (a) Each committee of continuous existence shall file an  
792 annual report with the Division of Elections during the month of  
793 January. Such annual reports shall contain the same information  
794 and shall be accompanied by the same materials as original  
795 applications filed pursuant to subsection (2). However, the  
796 charter or bylaws need not be filed if the annual report is  
797 accompanied by a sworn statement by the chair that no changes  
798 have been made to such charter or bylaws since the last filing.

799 (b)1. Each committee of continuous existence shall file  
800 regular reports with the Division of Elections pursuant to s.  
801 106.0705 at the same times and subject to the same filing  
802 conditions as are established by s. 106.07(1) and (2) for  
803 candidates' reports. In addition, when a special election is  
804 called to fill a vacancy in office, all committees of continuous  
805 existence making contributions or expenditures to influence the  
806 results of the special election or the preceding special primary  
807 election must file campaign treasurers' reports with the filing  
808 officer on the dates set by the Department of State pursuant to  
809 s. 100.111.

810 2. A committee of continuous existence that makes a  
811 contribution or an expenditure in connection with a county or  
812 municipal election that is not being held at the same time as a

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813 state or federal election must also file campaign finance  
814 reports with the county or municipal filing officer on the same  
815 dates as county or municipal candidates or committees for that  
816 election. The committee of continuous existence must include the  
817 contribution or expenditure in the next report filed with the  
818 Division of Elections pursuant to this section following the  
819 county or municipal election.

820 3.2. Any committee of continuous existence failing to so  
821 file a report with the Division of Elections or applicable  
822 filing officer pursuant to this paragraph on the designated due  
823 date shall be subject to a fine for late filing as provided by  
824 this section.

825 (c) ~~All committees of continuous existence shall file their~~  
826 ~~reports with the Division of Elections.~~ Reports filed pursuant  
827 to paragraph (b) must shall be filed in accordance with s.  
828 ~~106.0705 and shall~~ contain the following information:

829 1. The full name, address, and occupation of each person  
830 who has made one or more contributions, including contributions  
831 that represent the payment of membership dues, to the committee  
832 during the reporting period, together with the amounts and dates  
833 of such contributions. For corporations, the report must provide  
834 as clear a description as practicable of the principal type of  
835 business conducted by the corporation. However, if the  
836 contribution is \$100 or less, the occupation of the contributor  
837 or principal type of business need not be listed. However, for  
838 any contributions that represent the payment of dues by members  
839 in a fixed amount aggregating no more than \$250 per calendar  
840 year, pursuant to the schedule on file with the Division of  
841 Elections, only the aggregate amount of such contributions need

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842 be listed, together with the number of members paying such dues  
843 and the amount of the membership dues.

844 2. The name and address of each political committee or  
845 committee of continuous existence from which the reporting  
846 committee received, or the name and address of each political  
847 committee, committee of continuous existence, or political party  
848 to which it made, any transfer of funds, together with the  
849 amounts and dates of all transfers.

850 3. Any other receipt of funds not listed pursuant to  
851 subparagraph 1. or subparagraph 2., including the sources and  
852 amounts of all such funds.

853 4. The name and address of, and office sought by, each  
854 candidate to whom the committee has made a contribution during  
855 the reporting period, together with the amount and date of each  
856 contribution.

857 5. The full name and address of each person to whom  
858 expenditures have been made by or on behalf of the committee  
859 within the reporting period; the amount, date, and purpose of  
860 each such expenditure; and the name and address, and office  
861 sought by, each candidate on whose behalf such expenditure was  
862 made.

863 6. The full name and address of each person to whom an  
864 expenditure for personal services, salary, or reimbursement for  
865 authorized expenses has been made, including the full name and  
866 address of each entity to whom the person made payment for which  
867 reimbursement was made by check drawn upon the committee  
868 account, together with the amount and purpose of such payment.

869 7. Transaction information from each credit card purchase  
870 ~~statement that will be included in the next report following~~

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871 ~~receipt thereof by the committee.~~ Receipts for each credit card  
872 purchase shall be retained by the treasurer with the records for  
873 the committee account.

874 8. The total sum of expenditures made by the committee  
875 during the reporting period.

876 (d) The treasurer of each committee shall certify as to the  
877 correctness of each report and shall bear the responsibility for  
878 its accuracy and veracity. Any treasurer who willfully certifies  
879 to the correctness of a report while knowing that such report is  
880 incorrect, false, or incomplete commits a misdemeanor of the  
881 first degree, punishable as provided in s. 775.082 or s.  
882 775.083.

883 (7) Any change in information previously submitted to the  
884 division must be reported within 10 days following the change.

885 (8)-(7) If a committee of continuous existence ceases to  
886 meet the criteria prescribed by subsection (1) or fails to file  
887 a report or information required pursuant to this chapter, the  
888 Division of Elections shall revoke its certification ~~until such~~  
889 ~~time as the criteria are again met.~~ The Division of Elections  
890 shall adopt promulgate rules to prescribe the manner in which  
891 the such certification of a committee of continuous existence  
892 shall be revoked. Such rules shall, at a minimum, provide for:

893 (a) Notice, which must ~~shall~~ contain the facts and conduct  
894 that warrant the intended action.

895 (b) Adequate opportunity to respond.

896 (c) Appeal of the decision to the Florida Elections  
897 Commission. Such appeals are ~~shall be~~ exempt from the  
898 confidentiality provisions of s. 106.25.

899 (9)-(8) (a) Any committee of continuous existence failing to

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900 file a report on the designated due date ~~is shall be~~ subject to  
901 a fine. The fine shall be \$50 per day for the first 3 days late  
902 and, thereafter, \$500 per day for each late day, not to exceed  
903 25 percent of the total receipts or expenditures, whichever is  
904 greater, for the period covered by the late report. However, for  
905 the reports immediately preceding each primary and general  
906 election, including a special primary election and a special  
907 general election, the fine shall be \$500 per day for each late  
908 day, not to exceed 25 percent of the total receipts or  
909 expenditures, whichever is greater, for the period covered by  
910 the late report. The fine shall be assessed by the filing  
911 officer, and the moneys collected shall be deposited:

912 1. In the General Revenue Fund, in the case of fines  
913 collected by the Division of Elections.

914 2. In the general revenue fund of the political  
915 subdivision, in the case of fines collected by a county or  
916 municipal filing officer. No separate fine shall be assessed for  
917 failure to file a copy of any report required by this section.

918 (b) Upon determining that a report is late, the filing  
919 officer shall immediately notify the treasurer of the committee  
920 or the committee's registered agent as to the failure to file a  
921 report by the designated due date and that a fine is being  
922 assessed for each late day. Upon receipt of the report, the  
923 filing officer shall determine the amount of fine which is due  
924 and shall notify the treasurer of the committee. Notice is  
925 deemed sufficient upon proof of delivery of written notice to  
926 the mailing or street address on record with the filing officer.  
927 The filing officer shall determine the amount of the fine due  
928 based upon the earliest of the following:



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- 929 1. When the report is actually received by such officer.  
930 2. When the report is postmarked.  
931 3. When the certificate of mailing is dated.  
932 4. When the receipt from an established courier company is  
933 dated.

934

935 Such fine shall be paid to the filing officer within 20 days  
936 after receipt of the notice of payment due, unless appeal is  
937 made to the Florida Elections Commission pursuant to paragraph  
938 (c). An officer or member of a committee is ~~shall~~ not be  
939 personally liable for such fine.

940 (c) Any treasurer of a committee may appeal or dispute the  
941 fine, based upon unusual circumstances surrounding the failure  
942 to file on the designated due date, and may request and is ~~shall~~  
943 ~~be~~ entitled to a hearing before the Florida Elections  
944 Commission, which may ~~shall have the authority to~~ waive the fine  
945 in whole or in part. Any such request must ~~shall~~ be made within  
946 20 days after receipt of the notice of payment due. ~~In such~~  
947 ~~ease, the treasurer of~~ The committee shall file a copy of the  
948 appeal with, ~~within the 20-day period, notify~~ the filing officer  
949 ~~in writing of his or her intention to bring the matter before~~  
950 ~~the commission.~~

951 (d) The filing officer shall notify the Florida Elections  
952 Commission of the repeated late filing by a committee of  
953 continuous existence, the failure of a committee of continuous  
954 existence to file a report after notice, or the failure to pay  
955 the fine imposed.

956 Section 19. Paragraph (b) of subsection (2), subsections  
957 (3) and (4), and paragraph (b) of subsection (8) of section

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958 106.07, Florida Statutes, are amended to read:

959 106.07 Reports; certification and filing.-

960 (2)

961 (b)1. Any report which is deemed to be incomplete by the  
962 officer with whom the candidate qualifies shall be accepted on a  
963 conditional basis, ~~and~~ The campaign treasurer shall be notified  
964 by certified registered mail, or other common carrier that can  
965 provide proof-of-delivery service for the notice, as to why the  
966 report is incomplete, and within 7 ~~be given 3~~ days after ~~from~~  
967 receipt of such notice, must ~~to~~ file an addendum to the report  
968 providing all information necessary to complete the report in  
969 compliance with this section. Failure to file a complete report  
970 after such notice constitutes a violation of this chapter.

971 2. Notice is deemed sufficient upon proof of delivery of  
972 written notice to the mailing or street address of the campaign  
973 treasurer or registered agent on record with the filing officer.  
974 ~~In lieu of the notice by registered mail as required in~~  
975 ~~subparagraph 1., the qualifying officer may notify the campaign~~  
976 ~~treasurer by telephone that the report is incomplete and request~~  
977 ~~the information necessary to complete the report. If, however,~~  
978 ~~such information is not received by the qualifying officer~~  
979 ~~within 3 days after the telephone request therefor, notice shall~~  
980 ~~be sent by registered mail as provided in subparagraph 1.~~

981 (3) (a) Reports required of a political committee shall be  
982 filed with the agency or officer before whom such committee  
983 registers pursuant to s. 106.03(3) and shall be subject to the  
984 same filing conditions as established for candidates' reports.  
985 Incomplete reports by political committees shall be treated in  
986 the manner provided for incomplete reports by candidates in

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987 subsection (2).

988 (b) In addition to the reports required by paragraph (a), a  
989 political committee that is registered with the Department of  
990 State and that makes a contribution or expenditure in connection  
991 with a county or municipal election that is not being held at  
992 the same time as a state or federal election must file campaign  
993 finance reports with the county or municipal filing officer on  
994 the same dates as county or municipal candidates or committees  
995 for that election. The political committee must also include  
996 such contribution or expenditure in the next report filed with  
997 the Division of Elections pursuant to this section following the  
998 county or municipal election.

999 (4) (a) Each report required by this section must ~~shall~~  
1000 contain:

1001 1. The full name, address, and occupation, if any of each  
1002 person who has made one or more contributions to or for such  
1003 committee or candidate within the reporting period, together  
1004 with the amount and date of such contributions. For  
1005 corporations, the report must provide as clear a description as  
1006 practicable of the principal type of business conducted by the  
1007 corporation. However, if the contribution is \$100 or less or is  
1008 from a relative, as defined in s. 112.312, provided that the  
1009 relationship is reported, the occupation of the contributor or  
1010 the principal type of business need not be listed.

1011 2. The name and address of each political committee from  
1012 which the reporting committee or the candidate received, or to  
1013 which the reporting committee or candidate made, any transfer of  
1014 funds, together with the amounts and dates of all transfers.

1015 3. Each loan for campaign purposes to or from any person or

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1016 political committee within the reporting period, together with  
1017 the full names, addresses, and occupations, and principal places  
1018 of business, if any, of the lender and endorsers, if any, and  
1019 the date and amount of such loans.

1020 4. A statement of each contribution, rebate, refund, or  
1021 other receipt not otherwise listed under subparagraphs 1.  
1022 through 3.

1023 5. The total sums of all loans, in-kind contributions, and  
1024 other receipts by or for such committee or candidate during the  
1025 reporting period. The reporting forms shall be designed to  
1026 elicit separate totals for in-kind contributions, loans, and  
1027 other receipts.

1028 6. The full name and address of each person to whom  
1029 expenditures have been made by or on behalf of the committee or  
1030 candidate within the reporting period; the amount, date, and  
1031 purpose of each such expenditure; and the name and address of,  
1032 and office sought by, each candidate on whose behalf such  
1033 expenditure was made. However, expenditures made from the petty  
1034 cash fund provided by s. 106.12 need not be reported  
1035 individually.

1036 7. The full name and address of each person to whom an  
1037 expenditure for personal services, salary, or reimbursement for  
1038 authorized expenses as provided in s. 106.021(3) has been made  
1039 and which is not otherwise reported, including the amount, date,  
1040 and purpose of such expenditure. However, expenditures made from  
1041 the petty cash fund provided for in s. 106.12 need not be  
1042 reported individually.

1043 8. The total amount withdrawn and the total amount spent  
1044 for petty cash purposes pursuant to this chapter during the

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1045 reporting period.

1046 9. The total sum of expenditures made by such committee or  
1047 candidate during the reporting period.

1048 10. The amount and nature of debts and obligations owed by  
1049 or to the committee or candidate, which relate to the conduct of  
1050 any political campaign.

1051 11. Transaction information for each credit card purchase.  
1052 ~~A copy of each credit card statement which shall be included in~~  
1053 ~~the next report following receipt thereof by the candidate or~~  
1054 ~~political committee.~~ Receipts for each credit card purchase  
1055 shall be retained by the treasurer with the records for the  
1056 campaign account.

1057 12. The amount and nature of any separate interest-bearing  
1058 accounts or certificates of deposit and identification of the  
1059 financial institution in which such accounts or certificates of  
1060 deposit are located.

1061 13. The primary purposes of an expenditure made indirectly  
1062 through a campaign treasurer pursuant to s. 106.021(3) for goods  
1063 and services such as communications media placement or  
1064 procurement services, campaign signs, insurance, and other  
1065 expenditures that include multiple components as part of the  
1066 expenditure. The primary purpose of an expenditure shall be that  
1067 purpose, including integral and directly related components,  
1068 that comprises 80 percent of such expenditure.

1069 (8)

1070 (b) Upon determining that a report is late, the filing  
1071 officer shall immediately notify the candidate or chair of the  
1072 political committee as to the failure to file a report by the  
1073 designated due date and that a fine is being assessed for each

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1074 late day. The fine shall be \$50 per day for the first 3 days  
1075 late and, thereafter, \$500 per day for each late day, not to  
1076 exceed 25 percent of the total receipts or expenditures,  
1077 whichever is greater, for the period covered by the late report.  
1078 However, for the reports immediately preceding each primary and  
1079 general election, the fine shall be \$500 per day for each late  
1080 day, not to exceed 25 percent of the total receipts or  
1081 expenditures, whichever is greater, for the period covered by  
1082 the late report. For reports required under s. 106.141(7), the  
1083 fine is \$50 per day for each late day, not to exceed 25 percent  
1084 of the total receipts or expenditures, whichever is greater, for  
1085 the period covered by the late report. Upon receipt of the  
1086 report, the filing officer shall determine the amount of the  
1087 fine which is due and shall notify the candidate, or ~~or~~ chair, or  
1088 registered agent of the political committee. The filing officer  
1089 shall determine the amount of the fine due based upon the  
1090 earliest of the following:

- 1091 1. When the report is actually received by such officer.
- 1092 2. When the report is postmarked.
- 1093 3. When the certificate of mailing is dated.
- 1094 4. When the receipt from an established courier company is  
1095 dated.
- 1096 5. When the electronic receipt issued pursuant to s.  
1097 106.0705 or other electronic filing system authorized in this  
1098 section is dated.

1099  
1100 Such fine shall be paid to the filing officer within 20 days  
1101 after receipt of the notice of payment due, unless appeal is  
1102 made to the Florida Elections Commission pursuant to paragraph

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1103 (c). Notice is deemed sufficient upon proof of delivery of  
1104 written notice to the mailing or street address on record with  
1105 the filing officer. In the case of a candidate, such fine shall  
1106 not be an allowable campaign expenditure and shall be paid only  
1107 from personal funds of the candidate. An officer or member of a  
1108 political committee shall not be personally liable for such  
1109 fine.

1110 Section 20. Subsection (3) of section 106.0705, Florida  
1111 Statutes, is amended to read:

1112 106.0705 Electronic filing of campaign treasurer's  
1113 reports.—

1114 (3) Reports filed pursuant to this section shall be  
1115 completed and filed through the electronic filing system not  
1116 later than midnight of the day designated. Reports not filed by  
1117 midnight of the day designated are late filed and are subject to  
1118 the penalties under s. 106.04(9) ~~s. 106.04(8)~~, s. 106.07(8), or  
1119 s. 106.29(3), as applicable.

1120 Section 21. Subsection (6) is added to section 106.11,  
1121 Florida Statutes, to read:

1122 106.11 Expenses of and expenditures by candidates and  
1123 political committees.—Each candidate and each political  
1124 committee which designates a primary campaign depository  
1125 pursuant to s. 106.021(1) shall make expenditures from funds on  
1126 deposit in such primary campaign depository only in the  
1127 following manner, with the exception of expenditures made from  
1128 petty cash funds provided by s. 106.12:

1129 (6) A candidate who made a loan to his or her campaign and  
1130 reported the loan as required by s. 106.07 may be reimbursed for  
1131 the loan at any time the campaign account has sufficient funds

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1132 to repay the loan and satisfy its other obligations.

1133 Section 22. Subsections (1) and (2) of section 106.143,  
1134 Florida Statutes, are amended to read:

1135 106.143 Political advertisements circulated prior to  
1136 election; requirements.—

1137 (1)(a) Any political advertisement that is paid for by a  
1138 candidate and that is published, displayed, or circulated prior  
1139 to, or on the day of, any election must prominently state:

1140 "Political advertisement paid for and approved by ...(name of  
1141 candidate)..., ...(party affiliation)..., for...(office  
1142 sought)," or "Pol. adv. pd. for and approved by (name of  
1143 candidate), (party affiliation), for (office sought)...."

1144 Candidates seeking nonpartisan office shall omit the reference  
1145 to party affiliation in all disclaimers.

1146 (b) Any other political advertisement published, displayed,  
1147 or circulated prior to, or on the day of, any election must  
1148 prominently:

1149 1. Be marked "paid political advertisement" or with the  
1150 abbreviation "pd. pol. adv."

1151 2. State the name and address of the persons sponsoring the  
1152 advertisement.

1153 3.a.(I) State whether the advertisement and the cost of  
1154 production is paid for or provided in kind by or at the expense  
1155 of the entity publishing, displaying, broadcasting, or  
1156 circulating the political advertisement; or

1157 (II) State who provided or paid for the advertisement and  
1158 cost of production, if different from the source of sponsorship.

1159 b. This subparagraph does not apply if the source of the  
1160 sponsorship is patently clear from the content or format of the



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1161 political advertisement.

1162 (c) Any political advertisement made pursuant to s.  
1163 106.021(3)(d) must be marked "paid political advertisement" or  
1164 with the abbreviation "pd. pol. adv." and must prominently  
1165 state, "Paid for and sponsored by ... (name of person paying for  
1166 political advertisement).... Approved by ... (names of persons,  
1167 party affiliation, and offices sought in the political  
1168 advertisement)...."

1169

1170 This subsection does not apply to campaign messages used by a  
1171 candidate and the candidate's supporters if those messages are  
1172 designed to be worn by a person.

1173 (2) Any political advertisement of a candidate running for  
1174 partisan office shall express the name of the political party of  
1175 which the candidate is seeking nomination or is the nominee. If  
1176 the candidate for partisan office is running as a candidate with  
1177 no party affiliation, any political advertisement of the  
1178 candidate must state that the candidate has no party  
1179 affiliation. A candidate who is running for a nonpartisan office  
1180 must exclude the candidate's political party affiliation from  
1181 any political advertisement.

1182 Section 23. Paragraph (b) of subsection (3) of section  
1183 106.29, Florida Statutes, is amended to read:

1184 106.29 Reports by political parties; restrictions on  
1185 contributions and expenditures; penalties.-

1186 (3)

1187 (b) Upon determining that a report is late, the filing  
1188 officer shall immediately notify the chair of the executive  
1189 committee as to the failure to file a report by the designated

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1190 due date and that a fine is being assessed for each late day.  
1191 The fine shall be \$1,000 for a state executive committee, and  
1192 \$50 for a county executive committee, per day for each late day,  
1193 not to exceed 25 percent of the total receipts or expenditures,  
1194 whichever is greater, for the period covered by the late report.  
1195 However, if an executive committee fails to file a report on the  
1196 Friday immediately preceding the general election, the fine  
1197 shall be \$10,000 per day for each day a state executive  
1198 committee is late and \$500 per day for each day a county  
1199 executive committee is late. Upon receipt of the report, the  
1200 filing officer shall determine the amount of the fine which is  
1201 due and shall notify the chair. Notice is deemed sufficient upon  
1202 proof of delivery of written notice to the mailing or street  
1203 address on record with the filing officer. The filing officer  
1204 shall determine the amount of the fine due based upon the  
1205 earliest of the following:

- 1206 1. When the report is actually received by such officer.
- 1207 2. When the report is postmarked.
- 1208 3. When the certificate of mailing is dated.
- 1209 4. When the receipt from an established courier company is  
1210 dated.
- 1211 5. When the electronic receipt issued pursuant to s.  
1212 106.0705 is dated.

1213  
1214 Such fine shall be paid to the filing officer within 20 days  
1215 after receipt of the notice of payment due, unless appeal is  
1216 made to the Florida Elections Commission pursuant to paragraph  
1217 (c). An officer or member of an executive committee shall not be  
1218 personally liable for such fine.

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1219           Section 24. Effective upon this act becoming a law,  
1220 subsection (11) of section 379.352, Florida Statutes, is amended  
1221 to read:

1222           379.352 Recreational licenses, permits, and authorization  
1223 numbers to take wild animal life, freshwater aquatic life, and  
1224 marine life; issuance; costs; reporting.—

1225           (11) When acting in its official capacity pursuant to this  
1226 section, neither the commission nor a subagent is deemed a  
1227 third-party registration organization, as defined in s.  
1228 97.021~~(36)~~, or a voter registration agency, as defined in s.  
1229 97.021~~(40)~~, and is not authorized to solicit, accept, or collect  
1230 voter registration applications or provide voter registration  
1231 services.

1232           Section 25. Except as otherwise explicitly provided in this  
1233 act and except for this section, which shall take effect upon  
1234 this act becoming a law, this act shall take effect January 1,  
1235 2011.