

By the Committees on Community Affairs; and Ethics and Elections; and Senator Latvala

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1 A bill to be entitled
2 An act relating to elections; amending s. 97.0555,
3 F.S.; revising qualifications for late voter
4 registration; creating s. 100.032, F.S.; requiring
5 supervisors of elections to submit a report to the
6 Secretary of State at least 3 months before a general
7 election; specifying the content of the report;
8 amending s. 100.061, F.S.; decreasing the time period
9 between a primary election and a general election;
10 amending s. 101.161, F.S.; providing a limitation on
11 the number of words for certain ballot summaries in
12 joint resolutions proposed by the Legislature;
13 deleting a provision providing that a ballot statement
14 consisting of the full text of a constitutional
15 amendment or revision is presumed to be a clear and
16 unambiguous statement; amending s. 101.5605, F.S.;
17 requiring a person to provide the name, mailing
18 address, and telephone number of a registered agent of
19 a voting systems vendor to the Department of State
20 under certain circumstances; providing that proof of
21 delivery or attempt to deliver constitutes valid
22 notice; creating s. 101.56065, F.S.; providing
23 definitions; requiring a vendor to file a written
24 disclosure with the department; providing requirements
25 for the disclosure; providing what constitutes a cure
26 of a defect; requiring a vendor to file a new
27 disclosure with the department if a vendor becomes
28 aware of a defect within a specified period;
29 authorizing the department to suspend all sales or

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30 leases or use in an election of a defective voting
31 system; authorizing the department to suspend all
32 sales or leases or use in an election of a defective
33 voting system; providing procedures for the suspension
34 of voting systems; authorizing the department to
35 withdraw approval of voting systems under certain
36 circumstances; authorizing the department to initiate
37 an investigation of a defective voting system;
38 establishing procedures and requirements of
39 investigations; providing a penalty; repealing s.
40 101.56075(4), F.S., relating to the requirement that
41 all voting systems used by voters in a state election
42 allow placement of the full text of a constitutional
43 amendment or revision containing stricken or
44 underlined text by a specified date; amending s.
45 101.591, F.S.; authorizing use of automated,
46 independent audits of voting systems; providing audit
47 requirements; requiring the Division of Elections to
48 adopt rules; amending s. 101.62, F.S.; revising the
49 requirements for a valid absentee ballot request;
50 requiring the supervisor to record the absence of the
51 voter's signature on the voter's certificate under
52 specified circumstances; prohibiting the supervisor
53 from providing an absentee ballot on the day of an
54 election under certain circumstances; requiring a
55 person who requests an absentee ballot to complete an
56 affidavit under certain circumstances; amending s.
57 101.64, F.S.; revising the requirements for a voter's
58 certificate; amending s. 101.65, F.S.; revising the

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59 instructions to absent electors; amending s. 101.657,
60 F.S.; revising the list of permissible sites available
61 for early voting; authorizing the supervisor to
62 designate one additional early voting site per
63 election; providing requirements; requiring each
64 county to operate at least the same number of early
65 voting sites as used for the 2012 general election;
66 revising the number of days and hours for early
67 voting; amending s. 101.67, F.S.; conforming a
68 provision to changes made by the act; amending s.
69 101.68, F.S., and reenacting subsection (2), relating
70 to the canvassing of absentee ballots; authorizing the
71 supervisor to use the elector's signature in a
72 precinct register to compare with the elector's
73 signature on the voter's certificate; providing that
74 an absentee ballot must clearly identify the name of
75 the witness in order to be considered legal; requiring
76 the supervisor to provide the elector with the
77 specific reason his or her ballot was rejected;
78 requiring the supervisor to allow electors to complete
79 an affidavit to cure an unsigned absentee ballot prior
80 to canvassing; providing the form and contents of the
81 affidavit; providing instructions to accompany each
82 absentee ballot affidavit; requiring the affidavit,
83 instructions, and the supervisor's office mailing
84 address to be posted on certain websites; requiring
85 the supervisor to attach a received affidavit to the
86 appropriate absentee ballot mailing envelope; amending
87 s. 101.6921, F.S.; revising the voter's certificate

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88 accompanying a special absentee ballot; amending s.
89 101.6923, F.S.; revising special absentee ballot
90 instructions; amending s. 101.6952, F.S.; providing
91 that absentee ballots received from overseas voters in
92 certain elections may be received up to 10 days after
93 the date of the election; amending s. 102.031, F.S.;
94 revising restrictions relating to the solicitation of
95 voters; amending s. 102.141, F.S.; revising methods of
96 selecting canvassing board members; requiring a
97 supervisor to upload certain canvassed election
98 results into a county's election management system
99 prior to the election; prohibiting public disclosure
100 of uploaded results before the close of the polls on
101 election day; amending s. 104.0616, F.S.; providing a
102 definition for the term "immediate family";
103 prohibiting possession of more than two absentee
104 ballots under certain circumstances; providing an
105 effective date.

106

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

108

109 Section 1. Section 97.0555, Florida Statutes, is amended to
110 read:

111 97.0555 Late registration.—An individual or accompanying
112 family member who has been discharged or separated from the
113 uniformed services or the United States Merchant Marine, has
114 returned from a combat zone or forward-deployed area, or has
115 separated from employment outside the territorial limits of the
116 United States, after the book-closing date for an election

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117 pursuant to s. 97.055 and who is otherwise qualified may
118 register to vote in such election until 5 p.m. on the Friday
119 before that election in the office of the supervisor of
120 elections. Such persons must produce sufficient documentation
121 showing evidence of qualifying for late registration pursuant to
122 this section.

123 Section 2. Section 100.032, Florida Statutes, is created to
124 read:

125 100.032 Election preparation report; general election.—Each
126 supervisor of elections must submit a report to the Secretary of
127 State at least 3 months before a general election which outlines
128 preparations for the upcoming general election. The report must
129 include, at a minimum, the following elements: the anticipated
130 staffing levels during the early voting period, on election day,
131 and after election day; and the anticipated amount of automatic
132 tabulating equipment at each early voting site and polling
133 place.

134 Section 3. Section 100.061, Florida Statutes, is amended to
135 read:

136 100.061 Primary election.—In each year in which a general
137 election is held, a primary election for nomination of
138 candidates of political parties shall be held on the Tuesday 10
139 ~~12~~ weeks prior to the general election. The candidate receiving
140 the highest number of votes cast in each contest in the primary
141 election shall be declared nominated for such office. If two or
142 more candidates receive an equal and highest number of votes for
143 the same office, such candidates shall draw lots to determine
144 which candidate is nominated.

145 Section 4. Subsection (3) of section 101.161, Florida

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146 Statutes, is amended to read:

147 101.161 Referenda; ballots.—

148 (3) (a) Each joint resolution that proposes a constitutional
149 amendment or revision shall include one or more ballot
150 statements set forth in order of priority. Each ballot statement
151 shall consist of a ballot title, by which the measure is
152 commonly referred to or spoken of, not exceeding 15 words in
153 length, and ~~either~~ a ballot summary that describes the chief
154 purpose of the amendment or revision in clear and unambiguous
155 language, ~~or the full text of the amendment or revision.~~ If a
156 joint resolution that proposes a constitutional amendment or
157 revision contains only one ballot statement, the ballot summary
158 may not exceed 75 words in length. If a joint resolution that
159 proposes a constitutional amendment or revision contains more
160 than one ballot statement, the first ballot summary, in order of
161 priority, may not exceed 75 words in length.

162 (b) The Department of State shall furnish a designating
163 number pursuant to subsection (2) and the appropriate ballot
164 statement to the supervisor of elections of each county. The
165 ballot statement shall be printed on the ballot after the list
166 of candidates, followed by the word "yes" and also by the word
167 "no," and shall be styled in such a manner that a "yes" vote
168 will indicate approval of the amendment or revision and a "no"
169 vote will indicate rejection.

170 (c) ~~(b)~~ 1. Any action for a judicial determination that one
171 or more ballot statements embodied in a joint resolution are
172 defective must be commenced by filing a complaint or petition
173 with the appropriate court within 30 days after the joint
174 resolution is filed with the Secretary of State. The complaint

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175 or petition shall assert all grounds for challenge to each
176 ballot statement. Any ground not asserted within 30 days after
177 the joint resolution is filed with the Secretary of State is
178 waived.

179 2. The court, including any appellate court, shall accord
180 an action described in subparagraph 1. priority over other
181 pending cases and render a decision as expeditiously as
182 possible. If the court finds that all ballot statements embodied
183 in a joint resolution are defective and further appeals are
184 declined, abandoned, or exhausted, unless otherwise provided in
185 the joint resolution, the Attorney General shall, within 10
186 days, prepare and submit to the Department of State a revised
187 ballot title or ballot summary that corrects the deficiencies
188 identified by the court, and the Department of State shall
189 furnish a designating number and the revised ballot title or
190 ballot summary to the supervisor of elections of each county for
191 placement on the ballot. The revised ballot summary may exceed
192 75 words in length. The court shall retain jurisdiction over
193 challenges to a revised ballot title or ballot summary prepared
194 by the Attorney General, and any challenge to a revised ballot
195 title or ballot summary must be filed within 10 days after a
196 revised ballot title or ballot summary is submitted to the
197 Department of State.

198 ~~3. A ballot statement that consists of the full text of an~~
199 ~~amendment or revision shall be presumed to be a clear and~~
200 ~~unambiguous statement of the substance and effect of the~~
201 ~~amendment or revision, providing fair notice to the electors of~~
202 ~~the content of the amendment or revision and sufficiently~~
203 ~~advising electors of the issue upon which they are to vote.~~

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204 Section 5. Subsection (3) of section 101.5605, Florida
205 Statutes, is amended to read:

206 101.5605 Examination and approval of equipment.—

207 (3) (a) Before the Department of State approves the
208 electronic or electromechanical voting system, the person who
209 submitted it for examination shall provide the department with
210 the name, mailing address, and telephone number of a registered
211 agent, which agent must have and continuously maintain an office
212 in this state. Any change in the name, address, or telephone
213 number of the registered agent shall promptly be made known to
214 the department.

215 (b) Before entering into a contract for the sale or lease
216 of a voting system approved under this section to any county,
217 the person entering into such contract shall provide the
218 department with the name, mailing address, and telephone number
219 of a registered agent, which agent must have and continuously
220 maintain an office in this state. Any change in the name,
221 address, or telephone number of the registered agent shall
222 promptly be made known to the department.

223 (c) The department's proof of delivery or attempted
224 delivery to the last mailing address of the registered agent on
225 file with the department at the time of delivery or attempted
226 delivery is valid for all notice purposes.

227 (d) Within 30 days after completing the examination and
228 upon approval of any electronic or electromechanical voting
229 system, the Department of State shall make and maintain a report
230 on the system, together with a written or printed description
231 and drawings and photographs clearly identifying the system and
232 the operation thereof. As soon as practicable after such filing,

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233 the department shall send a notice of certification and, upon
234 request, a copy of the report to the governing bodies of the
235 respective counties of the state. Any voting system that does
236 not receive the approval of the department may ~~shall~~ not be
237 adopted for or used at any election.

238 (e) ~~(b)~~ After a voting system has been approved by the
239 Department of State, any change or improvement in the system is
240 required to be approved by the department prior to the adoption
241 of such change or improvement by any county. If any such change
242 or improvement does not comply with the requirements of this
243 act, the department shall suspend all sales of the equipment or
244 system in the state until the equipment or system complies with
245 the requirements of this act.

246 Section 6. Section 101.56065, Florida Statutes, is created
247 to read:

248 101.56065 Voting system defects; disclosure;
249 investigations; penalties.-

250 (1) For purposes of this section, the term:

251 (a) "Defect" means:

252 1. Any failure, fault, or flaw in an electronic or
253 electromechanical voting system approved pursuant to s. 101.5605
254 which results in nonconformance with the standards in a manner
255 that affects the timeliness or accuracy of the casting or
256 counting of ballots; or

257 2. Any failure or inability of the voting system
258 manufacturer or vendor to make available or provide approved
259 replacements of hardware or software to the counties that have
260 purchased the approved voting system, the unavailability of
261 which results in the system's nonconformance with the standards

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262 in a manner that affects the timeliness or accuracy of the
263 casting or counting of ballots.

264 (b) "Standards" refers to the requirements in ss. 101.5606
265 and 101.56062 under which a voting system was approved for use
266 in the state.

267 (c) "Vendor" means a person who submits or previously
268 submitted a voting system that was approved by the Department of
269 State in accordance with s. 101.5605, or a person who enters
270 into a contract for the sale or lease of a voting system to any
271 county, or that previously entered into such a contract that has
272 not expired.

273 (2) (a) No later than December 31, 2013, and, thereafter, on
274 January 1 of every odd-numbered year, each vendor shall file a
275 written disclosure with the department identifying any known
276 defect in the voting system or the fact that there is no known
277 defect, the effect of any defect on the operation and use of the
278 approved voting system, and any known corrective measures to
279 cure a defect, including, but not limited to, advisories and
280 bulletins issued to system users.

281 (b) Implementation of corrective measures approved by the
282 department which enable a system to conform to the standards and
283 ensure the timeliness and accuracy of the casting and counting
284 of ballots constitutes a cure of a defect.

285 (c) If a vendor becomes aware of the existence of a defect,
286 he or she must file a new disclosure with the department as
287 provided in paragraph (a) within 30 days after the date the
288 vendor determined or reasonably should have determined that the
289 defect existed.

290 (d) If a vendor discloses to the department that a defect

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291 exists, the department may suspend all sales or leases of the
292 voting system in the state and may suspend the use of the system
293 in any election in the state. The department shall provide
294 written notice of any such suspension to each affected vendor
295 and supervisor of elections. If the department determines that
296 the defect no longer exists, the department shall lift the
297 suspension and provide written notice to each affected vendor
298 and supervisor of elections.

299 (e) If a vendor fails to file a required disclosure for a
300 voting system previously approved by the department, that system
301 may not be sold, leased, or used for elections in the state
302 until it has been submitted for examination and approval and
303 adopted for use pursuant to s. 101.5605. The department shall
304 provide written notice to all supervisors of elections that the
305 system is no longer approved.

306 (3) (a) If the department has reasonable cause to believe a
307 voting system approved pursuant to s. 101.5605 contains a defect
308 either before, during, or after an election which has not been
309 disclosed pursuant to subsection (2), the department may
310 investigate whether the voting system has a defect.

311 (b) The department may initiate an investigation pursuant
312 to paragraph (a) on its own initiative or upon the written
313 request of the supervisor of elections of a county that
314 purchased or leased a voting system that contains the alleged
315 defect.

316 (c) Upon initiating an investigation, the department shall
317 provide written notice to the vendor and all of the supervisors
318 of elections.

319 (4) (a) If the department determines by a preponderance of

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320 the evidence that a defect exists in the voting system, or that
321 a vendor failed to timely disclose a defect pursuant to
322 subsection (2), the department shall provide written notice to
323 the affected vendor and supervisors of elections.

324 (b) A vendor entitled to receive notice pursuant to
325 paragraph (a) shall, within 10 days, file a written response to
326 the department which:

327 1. Denies that the alleged defect exists or existed as
328 alleged by the department or that the vendor failed to timely
329 disclose a defect, and sets forth the reasons for such denial;
330 or

331 2. Admits that the defect exists or existed as alleged by
332 the department or that the vendor failed to timely disclose a
333 defect.

334 (c) If the defect has been cured, the vendor shall provide
335 an explanation of how the defect was cured.

336 (d) If the defect has not been cured, the vendor shall
337 inform the department whether the defect can be cured and shall
338 provide the department with a plan for curing the defect. If the
339 defect can be cured, the department shall establish a timeframe
340 within which to cure the defect.

341 (5) If after receiving a response from the vendor, the
342 department determines that a defect does not exist or has been
343 cured within the timeframe established by the department, the
344 department shall take no further action.

345 (6) If the department determines that: a vendor failed to
346 timely disclose a defect; or that a defect exists and a vendor
347 has not filed a written response or has failed to cure within
348 the timeframe established by the department, or if the defect

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349 cannot be cured, the department shall impose a civil penalty of
350 \$25,000 for the defect plus an amount equal to the actual costs
351 incurred by the department in conducting the investigation.

352 (7) If the department finds that a defect existed:

353 (a) The department may suspend all sales and leases of the
354 voting system and may suspend its use in any county in the
355 state. The department shall provide written notice of the
356 suspension to each affected vendor and supervisor of elections.

357 (b) If the department determines that a defect no longer
358 exists in a voting system that has been suspended from use
359 pursuant to paragraph (a), the department shall lift the
360 suspension and authorize the sale, lease, and use of the voting
361 system in any election in the state. The department shall
362 provide written notice that the suspension has been lifted to
363 each affected vendor and supervisor of elections.

364 (c) If the defect cannot be cured, the department may
365 disapprove the voting system for use in elections in the state.
366 The department shall provide written notice to all supervisors
367 of elections that the system is no longer approved. After
368 approval of a system has been withdrawn pursuant to this
369 paragraph, the system may not be sold, leased, or used in
370 elections in the state until it has been submitted for
371 examination and approval and adopted for use pursuant to s.
372 101.5605.

373 (d) Any vendor against whom a civil penalty was imposed
374 under this section may not submit a voting system for approval
375 by the Department of State in accordance with s. 101.5605 or
376 enter into a contract for sale or lease of a voting system in
377 the state until the civil penalties have been paid and the

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378 department provides written confirmation to the supervisors of
379 elections of the payment.

380 (8) The department shall prepare a written report of any
381 investigation conducted pursuant to this section.

382 (9) The authority of the department under this section is
383 in addition to, and not exclusive of, any other authority
384 provided by law.

385 (10) All proceedings under this section are exempt from
386 chapter 120.

387 Section 7. Subsection (4) of section 101.56075, Florida
388 Statutes, is repealed.

389 Section 8. Subsections (1) and (2) of section 101.591,
390 Florida Statutes, are amended, and subsection (4) of that
391 section is republished, to read:

392 101.591 Voting system audit.—

393 (1) Immediately following the certification of each
394 election, the county canvassing board or the local board
395 responsible for certifying the election shall conduct a manual
396 audit or an automated, independent audit of the voting systems
397 used in randomly selected precincts.

398 (2) (a) A manual ~~The~~ audit shall consist of a public manual
399 tally of the votes cast in one randomly selected race that
400 appears on the ballot. The tally sheet shall include election-
401 day, absentee, early voting, provisional, and overseas ballots,
402 in at least 1 percent but no more than 2 percent of the
403 precincts chosen at random by the county canvassing board or the
404 local board responsible for certifying the election. If 1
405 percent of the precincts is less than one entire precinct, the
406 audit shall be conducted using at least one precinct chosen at

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407 random by the county canvassing board or the local board
408 responsible for certifying the election. Such precincts shall be
409 selected at a publicly noticed canvassing board meeting.

410 (b) An automated audit shall consist of a public automated
411 tally of the votes cast across every race that appears on the
412 ballot. The tally sheet shall include election day, absentee,
413 early voting, provisional, and overseas ballots in at least 20
414 percent of the precincts chosen at random by the county
415 canvassing board or the local board responsible for certifying
416 the election. Such precincts shall be selected at a publicly
417 noticed canvassing board meeting.

418 (c) The division shall adopt rules for approval of an
419 independent audit system which provide that the system, at a
420 minimum, must be:

421 1. Completely independent of the primary voting system.

422 2. Fast enough to produce final audit results within the
423 timeframe prescribed in subsection (4).

424 3. Capable of demonstrating that the ballots of record have
425 been accurately adjudicated by the audit system.

426 (4) The audit must be completed and the results made public
427 no later than 11:59 p.m. on the 7th day following certification
428 of the election by the county canvassing board or the local
429 board responsible for certifying the election.

430 Section 9. Subsections (1) and (3) and paragraph (c) of
431 subsection (4) of section 101.62, Florida Statutes, are amended
432 to read:

433 101.62 Request for absentee ballots.—

434 (1) (a) The supervisor shall accept a request for an
435 absentee ballot from an elector in person or in writing. One

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436 request shall be deemed sufficient to receive an absentee ballot
437 for all elections through the end of the calendar year of the
438 second ensuing regularly scheduled general election, unless the
439 elector or the elector's designee indicates at the time the
440 request is made the elections for which the elector desires to
441 receive an absentee ballot. Such request may be considered
442 canceled when any first-class mail sent by the supervisor to the
443 elector is returned as undeliverable.

444 (b) The supervisor may accept a written or telephonic
445 request for an absentee ballot to be mailed to an elector's
446 address on file in the Florida Voter Registration System from
447 the elector, or, if directly instructed by the elector, a member
448 of the elector's immediate family, or the elector's legal
449 guardian; if the ballot is requested to be mailed to an address
450 other than the elector's address on file in the Florida Voter
451 Registration System, the request must be made in writing and
452 signed by the elector. For purposes of this section, the term
453 "immediate family" has the same meaning as specified in
454 paragraph (4) (c). The person making the request must disclose:

- 455 1. The name of the elector for whom the ballot is
456 requested.
- 457 2. The elector's address.
- 458 3. The elector's date of birth.
- 459 4. The requester's name.
- 460 5. The requester's address.
- 461 6. The requester's driver's license number, if available.
- 462 7. The requester's relationship to the elector.
- 463 8. The requester's signature (written requests only).

464 (c) Upon receiving a request for an absentee ballot from an

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465 absent voter, the supervisor of elections shall notify the voter
466 of the free access system that has been designated by the
467 department for determining the status of his or her absentee
468 ballot.

469 (3) For each request for an absentee ballot received, the
470 supervisor shall record the date the request was made, the date
471 the absentee ballot was delivered to the voter or the voter's
472 designee or the date the absentee ballot was delivered to the
473 post office or other carrier, the date the ballot was received
474 by the supervisor, the absence of the voter's signature on the
475 voter's certificate, if applicable, and such other information
476 he or she may deem necessary. This information shall be provided
477 in electronic format as provided by rule adopted by the
478 division. The information shall be updated and made available no
479 later than 8 a.m. of each day, including weekends, beginning 60
480 days before the primary until 15 days after the general election
481 and shall be contemporaneously provided to the division. This
482 information shall be confidential and exempt from ~~the provisions~~
483 ~~of~~ s. 119.07(1) and shall be made available to or reproduced
484 only for the voter requesting the ballot, a canvassing board, an
485 election official, a political party or official thereof, a
486 candidate who has filed qualification papers and is opposed in
487 an upcoming election, and registered political committees or
488 registered committees of continuous existence, for political
489 purposes only.

490 (4)

491 (c) The supervisor shall provide an absentee ballot to each
492 elector by whom a request for that ballot has been made by one
493 of the following means:

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494 1. By nonforwardable, return-if-undeliverable mail to the
495 elector's current mailing address on file with the supervisor or
496 any other address the elector specifies in the request.

497 2. By forwardable mail, e-mail, or facsimile machine
498 transmission to absent uniformed services voters and overseas
499 voters. The absent uniformed services voter or overseas voter
500 may designate in the absentee ballot request the preferred
501 method of transmission. If the voter does not designate the
502 method of transmission, the absentee ballot shall be mailed.

503 3. By personal delivery before 7 p.m. on election day to
504 the elector, upon presentation of the identification required in
505 s. 101.043.

506 4. By delivery to a designee on election day or up to 5
507 days prior to the day of an election. Any elector may designate
508 in writing a person to pick up the ballot for the elector;
509 however, the person designated may not pick up more than two
510 absentee ballots per election, other than the designee's own
511 ballot, except that additional ballots may be picked up for
512 members of the designee's immediate family. For purposes of this
513 section, "immediate family" means the designee's spouse or the
514 parent, child, grandparent, or sibling of the designee or of the
515 designee's spouse. The designee shall provide to the supervisor
516 the written authorization by the elector and a picture
517 identification of the designee and must complete an affidavit.
518 The designee shall state in the affidavit that the designee is
519 authorized by the elector to pick up that ballot and shall
520 indicate if the elector is a member of the designee's immediate
521 family and, if so, the relationship. The department shall
522 prescribe the form of the affidavit. If the supervisor is

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523 satisfied that the designee is authorized to pick up the ballot
524 and that the signature of the elector on the written
525 authorization matches the signature of the elector on file, the
526 supervisor shall give the ballot to that designee for delivery
527 to the elector.

528 5. Except as provided in s. 101.655, the supervisor may not
529 deliver an absentee ballot to an elector or an elector's
530 immediate family member on the day of the election unless there
531 is an emergency, to the extent that the elector will be unable
532 to go to his or her assigned polling place. If an absentee
533 ballot is delivered, the elector or his or her designee shall
534 execute an affidavit affirming to the facts which allow for
535 delivery of the absentee ballot. The department shall adopt a
536 rule providing for the form of the affidavit.

537 Section 10. Subsections (1) through (3) of section 101.64,
538 Florida Statutes, are amended to read:

539 101.64 Delivery of absentee ballots; envelopes; form.—

540 (1) The supervisor shall enclose with each absentee ballot
541 two envelopes: a secrecy envelope, into which the absent elector
542 shall enclose his or her marked ballot; and a mailing envelope,
543 into which the absent elector shall then place the secrecy
544 envelope, which shall be addressed to the supervisor and also
545 bear on the back side a certificate in substantially the
546 following form:

547

548 Note: Please Read Instructions Carefully Before
549 Marking Ballot and Completing Voter's Certificate.

550

551

VOTER'S CERTIFICATE

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552 I,, do solemnly swear or affirm that I am a qualified
553 and registered voter of County, Florida, and that I have
554 not and will not vote more than one ballot in this election. I
555 understand that if I commit or attempt to commit any fraud in
556 connection with voting, vote a fraudulent ballot, or vote more
557 than once in an election, I can be convicted of a felony of the
558 third degree and fined up to \$5,000 and/or imprisoned for up to
559 5 years. I also understand that failure to sign this certificate
560 will invalidate my ballot.

561
562 . . . (Date) (Voter's Signature)

563
564 Note: Your Signature Must Be Witnessed by One Witness 18 Years
565 of Age or Older as Provided in the Instruction Sheet.

566
567 I swear or affirm that the voter signed this Voter's Certificate
568 in my presence.

569
570 . . . (Signature of Witness)

571
572 . . . (Printed Name of Witness)

573
574 . . . (Date)
575 . . . (Address)

576
577 (2) The certificate shall be arranged on the back of the
578 mailing envelope so that the line for the signature of the
579 absent elector is across the seal of the envelope; however, no
580 statement shall appear on the envelope which indicates that a

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581 signature of the voter must cross the seal of the envelope. The
 582 absent elector and the attesting witness shall execute the
 583 certificate on the envelope. A candidate may not serve as an
 584 attesting witness.

585 (3) In lieu of the voter's certificate provided in this
 586 section, the supervisor of elections shall provide each person
 587 voting absentee under the Uniformed and Overseas Citizens
 588 Absentee Voting Act with the standard oath prescribed by the
 589 presidential designee with an appended section in substantially
 590 the following form:-

591
 592 Witness signature and date:

593
 594 ...(Signature of Witness)...

595
 596 ...(Printed Name of Witness)...

597
 598 ...(Address)...

599 ...(Date)...

600 Section 11. Section 101.65, Florida Statutes, is amended to
 601 read:

602 101.65 Instructions to absent electors.—The supervisor
 603 shall enclose with each absentee ballot separate printed
 604 instructions in substantially the following form:

605
 606 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

607 1. VERY IMPORTANT. In order to ensure that your absentee
 608 ballot will be counted, it should be completed and returned as
 609 soon as possible so that it can reach the supervisor of

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610 elections of the county in which your precinct is located no
611 later than 7 p.m. on the day of the election. However, if you
612 are an overseas voter casting a ballot in a presidential
613 preference primary or general election, your absentee ballot
614 must be postmarked or signed and dated no later than the date of
615 the election and received by the supervisor of elections of the
616 county in which you are registered to vote no later than 10 days
617 after the date of the election.

618 2. Mark your ballot in secret as instructed on the ballot.
619 You must mark your own ballot unless you are unable to do so
620 because of blindness, disability, or inability to read or write.

621 3. Mark only the number of candidates or issue choices for
622 a race as indicated on the ballot. If you are allowed to "Vote
623 for One" candidate and you vote for more than one candidate,
624 your vote in that race will not be counted.

625 4. Place your marked ballot in the enclosed secrecy
626 envelope.

627 5. Insert the secrecy envelope into the enclosed mailing
628 envelope which is addressed to the supervisor.

629 6. Seal the mailing envelope and completely fill out the
630 Voter's Certificate on the back of the mailing envelope.

631 7. VERY IMPORTANT. In order for your absentee ballot to be
632 counted, you must sign your name on the line above (Voter's
633 Signature). An absentee ballot will be considered illegal and
634 not be counted if the signature on the voter's certificate does
635 not match the signature on record. The signature on file at the
636 start of the canvass of the absentee ballots is the signature
637 that will be used to verify your signature on the voter's
638 certificate. If you need to update your signature for this

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639 election, send your signature update on a voter registration
640 application to your supervisor of elections so that it is
641 received no later than the start of the canvassing of absentee
642 ballots, which occurs no earlier than the 15th day before
643 election day.

644 8. VERY IMPORTANT. In order for your absentee ballot to be
645 counted, it must include the signature and legible address of an
646 attesting witness 18 years of age or older affixed to the
647 Voter's Certificate. If the signature is illegible, the Voter's
648 Certificate must also include a readable printed name of the
649 attesting witness. A candidate may not serve as an attesting
650 witness.

651 ~~9.8.~~ VERY IMPORTANT. If you are an overseas voter, you must
652 include the date you signed the Voter's Certificate on the line
653 above (Date) or your ballot may not be counted.

654 ~~10.9.~~ Mail, deliver, or have delivered the completed
655 mailing envelope. Be sure there is sufficient postage if mailed.

656 ~~11.10.~~ FELONY NOTICE. It is a felony under Florida law to
657 accept any gift, payment, or gratuity in exchange for your vote
658 for a candidate. It is also a felony under Florida law to vote
659 in an election using a false identity or false address, or under
660 any other circumstances making your ballot false or fraudulent.

661 Section 12. Paragraphs (a) and (d) of subsection (1) of
662 section 101.657, Florida Statutes, are amended to read:

663 101.657 Early voting.—

664 (1) (a) As a convenience to the voter, the supervisor of
665 elections shall allow an elector to vote early in the main or
666 branch office of the supervisor. The supervisor shall mark,
667 code, indicate on, or otherwise track the voter's precinct for

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668 each early voted ballot. In order for a branch office to be used
669 for early voting, it shall be a permanent facility of the
670 supervisor and shall have been designated and used as such for
671 at least 1 year prior to the election. The supervisor may also
672 designate any city hall, ~~or~~ permanent public library facility,
673 fairground, civic center, courthouse, county commission
674 building, stadium, convention center, government-owned senior
675 center, or government-owned community center as early voting
676 sites; however, if so designated, the sites must be
677 geographically located so as to provide all voters in the county
678 an equal opportunity to cast a ballot, insofar as is
679 practicable. In addition, a supervisor may designate one early
680 voting site per election in an area of the county that does not
681 have any of the eligible early voting locations. Such additional
682 early voting site must be geographically located so as to
683 provide all voters in that area with an equal opportunity to
684 cast a ballot, insofar as is practicable. Each county shall, at
685 a minimum, operate the same total number of early voting sites
686 for a general election which the county operated for the 2012
687 general election. The results or tabulation of votes cast during
688 early voting may not be made before the close of the polls on
689 election day. Results shall be reported by precinct.

690 (d) Early voting shall begin on the 10th day before an
691 election that contains state or federal races and end on the 3rd
692 day before the election, and shall be provided for no less than
693 8 ~~6~~ hours and no more than 12 hours per day at each site during
694 the applicable period. In addition, early voting may be offered
695 at the discretion of the supervisor of elections on the 15th,
696 14th, 13th, 12th, 11th, or 2nd day before an election that

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697 contains state or federal races for at least 8 hours per day,
698 but not more than 12 hours per day. The supervisor of elections
699 may provide early voting for elections that are not held in
700 conjunction with a state or federal election. However, the
701 supervisor has the discretion to determine the hours of
702 operation of early voting sites in those elections.

703 Section 13. Subsection (2) of section 101.67, Florida
704 Statutes, is amended to read:

705 101.67 Safekeeping of mailed ballots; deadline for
706 receiving absentee ballots.—

707 (2) Except as provided in s. 101.6952(5), all marked absent
708 electors' ballots to be counted must be received by the
709 supervisor by 7 p.m. the day of the election. All ballots
710 received thereafter shall be marked with the time and date of
711 receipt and filed in the supervisor's office.

712 Section 14. Subsections (1) and (4) of section 101.68,
713 Florida Statutes, are amended, and subsection (2) of that
714 section is reenacted and amended, to read:

715 101.68 Canvassing of absentee ballot.—

716 (1) The supervisor of the county where the absent elector
717 resides shall receive the voted ballot, at which time the
718 supervisor shall compare the signature of the elector on the
719 voter's certificate with the signature of the elector in the
720 registration books or the precinct register to determine whether
721 the elector is duly registered in the county and may record on
722 the elector's registration certificate that the elector has
723 voted. However, effective July 1, 2005, an elector who dies
724 after casting an absentee ballot but on or before election day
725 shall remain listed in the registration books until the results

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726 have been certified for the election in which the ballot was
727 cast. The supervisor shall safely keep the ballot unopened in
728 his or her office until the county canvassing board canvasses
729 the vote. Except as provided in subsection (4), after an
730 absentee ballot is received by the supervisor, the ballot is
731 deemed to have been cast, and changes or additions may not be
732 made to the voter's certificate.

733 (2) (a) The county canvassing board may begin the canvassing
734 of absentee ballots at 7 a.m. on the 15th day before the
735 election, but not later than noon on the day following the
736 election. In addition, for any county using electronic
737 tabulating equipment, the processing of absentee ballots through
738 such tabulating equipment may begin at 7 a.m. on the 15th day
739 before the election. However, notwithstanding any such
740 authorization to begin canvassing or otherwise processing
741 absentee ballots early, no result shall be released until after
742 the closing of the polls in that county on election day. Any
743 supervisor of elections, deputy supervisor of elections,
744 canvassing board member, election board member, or election
745 employee who releases the results of a canvassing or processing
746 of absentee ballots prior to the closing of the polls in that
747 county on election day commits a felony of the third degree,
748 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

749 (b) To ensure that all absentee ballots to be counted by
750 the canvassing board are accounted for, the canvassing board
751 shall compare the number of ballots in its possession with the
752 number of requests for ballots received to be counted according
753 to the supervisor's file or list.

754 (c)1. The canvassing board shall, if the supervisor has not

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755 already done so, compare the signature of the elector on the
756 voter's certificate or on the absentee ballot affidavit as
757 provided in subsection (4) with the signature of the elector in
758 the registration books or the precinct register to see that the
759 elector is duly registered in the county and to determine the
760 legality of that absentee ballot. The ballot of an elector who
761 casts an absentee ballot shall be counted even if the elector
762 dies on or before election day, as long as, prior to the death
763 of the voter, the ballot was postmarked by the United States
764 Postal Service, date-stamped with a verifiable tracking number
765 by common carrier, or already in the possession of the
766 supervisor of elections. An absentee ballot shall be considered
767 illegal if the voter's certificate or absentee ballot affidavit
768 ~~it~~ does not include the signature of the elector, as shown by
769 the registration records or the precinct register, along with
770 the signature and legible address of an attesting witness;
771 however, if the signature of the attesting witness is illegible,
772 the printed name of the attesting witness must clearly identify
773 the name of the witness or the ballot shall be considered
774 illegal. However, an absentee ballot is ~~shall~~ ~~be~~ considered
775 illegal if the signature of the elector does not cross the seal
776 of the mailing envelope. If the canvassing board determines that
777 any ballot is illegal, a member of the board shall, without
778 opening the envelope, mark across the face of the envelope:
779 "rejected as illegal." The absentee ballot affidavit, if
780 applicable, the envelope and the ballot contained therein shall
781 be preserved in the manner that official ballots voted are
782 preserved.

783 2. If any elector or candidate present believes that an

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784 absentee ballot is illegal due to a defect apparent on the
785 voter's certificate or the absentee ballot affidavit, he or she
786 may, at any time before the ballot is removed from the envelope,
787 file with the canvassing board a protest against the canvass of
788 that ballot, specifying the precinct, the ballot, and the reason
789 he or she believes the ballot to be illegal. A challenge based
790 upon a defect in the voter's certificate or absentee ballot
791 affidavit may not be accepted after the ballot has been removed
792 from the mailing envelope.

793 (d) The canvassing board shall record the ballot upon the
794 proper record, unless the ballot has been previously recorded by
795 the supervisor. The mailing envelopes shall be opened and the
796 secrecy envelopes shall be mixed so as to make it impossible to
797 determine which secrecy envelope came out of which signed
798 mailing envelope; however, in any county in which an electronic
799 or electromechanical voting system is used, the ballots may be
800 sorted by ballot styles and the mailing envelopes may be opened
801 and the secrecy envelopes mixed separately for each ballot
802 style. The votes on absentee ballots shall be included in the
803 total vote of the county.

804 (4) (a) The supervisor of elections shall, on behalf of the
805 county canvassing board, notify each elector whose ballot was
806 rejected as illegal and provide the specific reason the ballot
807 was rejected ~~because of a difference between the elector's~~
808 ~~signature on the ballot and that on the elector's voter~~
809 ~~registration record~~. The supervisor shall mail a voter
810 registration application to the elector to be completed
811 indicating the elector's current signature if the elector's
812 ballot was rejected due to a difference between the elector's

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813 signature on the voter's certificate or absentee ballot
814 affidavit and the elector's signature in the registration books
815 or precinct register. This section does not prohibit the
816 supervisor from providing additional methods for updating an
817 elector's signature.

818 (b) If the canvassing board has not begun the canvassing of
819 absentee ballots pursuant to subsection (2), the supervisor
820 shall allow an elector who has returned an absentee ballot that
821 does not include the elector's signature to complete an
822 affidavit in order to cure the unsigned absentee ballot.

823 (c) The elector shall provide identification to the
824 supervisor and must complete an absentee ballot affidavit in
825 substantially the following form:

826

827 ABSENTEE BALLOT AFFIDAVIT

828 I,, am a qualified voter in this election and
829 registered voter of County, Florida. I do solemnly swear or
830 affirm that I requested and returned the absentee ballot and
831 that I have not and will not vote more than one ballot in this
832 election. I understand that if I commit or attempt any fraud in
833 connection with voting, vote a fraudulent ballot, or vote more
834 than once in an election, I may be convicted of a felony of the
835 third degree and fined up to \$5,000 and imprisoned for up to 5
836 years. I understand that my failure to sign this affidavit means
837 that my absentee ballot will be invalidated.

838

839 ...(Voter's Signature)...

840

841 ...(Address)...

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842

843 Note: Your Signature Must Be Witnessed by One Witness 18 Years
844 of Age or Older.

845

846 I swear or affirm that the voter signed this Absentee
847 Ballot Affidavit in my presence.

848

849 ...(Signature of Witness)...

850

851 ...(Printed Name of Witness)...

852

853 ...(Date)...

854

...(Address)...

855

856 (d) Instructions must accompany the absentee ballot
857 affidavit in substantially the following form:

858

859 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
860 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
861 BALLOT NOT TO COUNT.

862

863 1. In order to ensure that your absentee ballot will be
864 counted, your affidavit should be completed and returned as soon
865 as possible so that it can reach the supervisor of elections of
866 the county in which your precinct is located no later than the
867 start of the canvassing of absentee ballots, which occurs no
868 earlier than the 15th day before an election.

869

870 2. You must sign your name on the line above (Voter's
Signature).

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871 3. You must have your signature witnessed by a person 18
872 years of age or older. Have the witness sign on the line above
873 (Signature of Witness) and include his or her legible address.
874 If the signature is illegible, the affidavit must also include a
875 readable, printed name of the attesting witness. A candidate may
876 not serve as an attesting witness.

877 4. You must make a copy of one of the following forms of
878 identification:

879 a. Identification which must include your name and
880 photograph: United States passport; debit or credit card;
881 military identification; student identification; retirement
882 center identification; neighborhood association identification;
883 or public assistance identification; or

884 b. Identification which shows your name and current
885 residence address: current utility bill, bank statement,
886 government check, paycheck, or government document (excluding
887 voter identification card).

888 5. Place the envelope bearing the affidavit into a mailing
889 envelope addressed to the supervisor. Insert a copy of your
890 identification in the mailing envelope.

891 6. Mail, deliver, or have delivered the completed affidavit
892 along with the copy of your identification to your county
893 supervisor of elections. Be sure there is sufficient postage if
894 mailed and that the supervisor's address is correct.

895 (e) The department and each supervisor shall include the
896 affidavit and instructions on their respective websites. The
897 supervisor must include his or her office's mailing address on
898 the page containing the affidavit instructions; the department's
899 instruction page must include the office mailing addresses of

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900 all supervisors of elections or provide a conspicuous link to
901 such addresses.

902 (f) The supervisor shall attach each affidavit received to
903 the appropriate absentee ballot mailing envelope.

904 Section 15. Subsections (3) and (4) of section 101.6921,
905 Florida Statutes, are amended to read:

906 101.6921 Delivery of special absentee ballot to certain
907 first-time voters.—

908 (3) The Voter's Certificate shall be in substantially the
909 following form:

910

911 Note: Please Read Instructions Carefully Before Marking Ballot
912 and Completing Voter's Certificate.

913

914 VOTER'S CERTIFICATE

915

916 I,, do solemnly swear or affirm that I am a qualified
917 and registered voter of County, Florida, and that I have
918 not and will not vote more than one ballot in this election. I
919 understand that if I commit or attempt to commit any fraud in
920 connection with voting, vote a fraudulent ballot, or vote more
921 than once in an election, I can be convicted of a felony of the
922 third degree and fined up to \$5,000 and/or imprisoned for up to
923 5 years. I also understand that failure to sign this certificate
924 will invalidate my ballot. I understand that unless I meet one
925 of the exemptions below, I must provide a copy of a current and
926 valid identification as provided in the instruction sheet to the
927 supervisor of elections in order for my ballot to count.

928 I further certify that I am exempt from the requirements to

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929 furnish a copy of a current and valid identification with my
 930 ballot because of one or more of the following (check all that
 931 apply):

932 I am 65 years of age or older.

933 I have a permanent or temporary physical disability.

934 I am a member of a uniformed service on active duty who,
 935 by reason of such active duty, will be absent from the county on
 936 election day.

937 I am a member of the Merchant Marine who, by reason of
 938 service in the Merchant Marine, will be absent from the county
 939 on election day.

940 I am the spouse or dependent of a member of the uniformed
 941 service or Merchant Marine who, by reason of the active duty or
 942 service of the member, will be absent from the county on
 943 election day.

944 I am currently residing outside the United States.

946 ... (Date)Voter's Signature...

948 Note: Your Signature Must Be Witnessed as Provided in the
 949 Instruction Sheet By One Witness 18 Years of Age or Older.

951 I swear or affirm that the voter signed this Voter's Certificate
 952 in my presence.

954 ... (Signature of Witness) ...

956 ... (Printed Name of Witness) ...

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958 ...(Date)...959 ...(Address)...

960

961 (4) The certificate shall be arranged on the back of the
962 envelope so that the line for the signature of the absent
963 elector is across the seal of the envelope.

964 Section 16. Subsection (2) of section 101.6923, Florida
965 Statutes, is amended to read:

966 101.6923 Special absentee ballot instructions for certain
967 first-time voters.—

968 (2) A voter covered by this section shall be provided with
969 printed instructions with his or her absentee ballot in
970 substantially the following form:

971

972 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
973 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
974 YOUR BALLOT NOT TO COUNT.

975

976 1. In order to ensure that your absentee ballot will be
977 counted, it should be completed and returned as soon as possible
978 so that it can reach the supervisor of elections of the county
979 in which your precinct is located no later than 7 p.m. on the
980 date of the election. However, if you are an overseas voter
981 casting a ballot in a presidential preference primary or general
982 election, your absentee ballot must be postmarked or signed and
983 dated no later than the date of the election and received by the
984 supervisor of elections of the county in which you are
985 registered to vote no later than 10 days after the date of the
986 election.

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987 2. Mark your ballot in secret as instructed on the ballot.
988 You must mark your own ballot unless you are unable to do so
989 because of blindness, disability, or inability to read or write.

990 3. Mark only the number of candidates or issue choices for
991 a race as indicated on the ballot. If you are allowed to "Vote
992 for One" candidate and you vote for more than one, your vote in
993 that race will not be counted.

994 4. Place your marked ballot in the enclosed secrecy
995 envelope and seal the envelope.

996 5. Insert the secrecy envelope into the enclosed envelope
997 bearing the Voter's Certificate. Seal the envelope and
998 completely fill out the Voter's Certificate on the back of the
999 envelope.

1000 a. You must sign your name on the line above (Voter's
1001 Signature).

1002 b. You must have your signature witnessed by a person 18
1003 years of age or older. Have the witness sign on the line above
1004 (Signature of Witness) and include his or her legible address.
1005 If the signature is illegible, the Voter's Certificate must also
1006 include a readable printed name of the attesting witness. A
1007 candidate may not serve as an attesting witness.

1008 ~~c.b.~~ If you are an overseas voter, you must include the
1009 date you signed the Voter's Certificate on the line above (Date)
1010 or your ballot may not be counted.

1011 ~~d.e.~~ An absentee ballot will be considered illegal and will
1012 not be counted if the signature on the Voter's Certificate does
1013 not match the signature on record. The signature on file at the
1014 start of the canvass of the absentee ballots is the signature
1015 that will be used to verify your signature on the Voter's

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1016 Certificate. If you need to update your signature for this
1017 election, send your signature update on a voter registration
1018 application to your supervisor of elections so that it is
1019 received no later than the start of canvassing of absentee
1020 ballots, which occurs no earlier than the 15th day before
1021 election day.

1022 6. Unless you meet one of the exemptions in Item 7., you
1023 must make a copy of one of the following forms of
1024 identification:

1025 a. Identification which must include your name and
1026 photograph: United States passport; debit or credit card;
1027 military identification; student identification; retirement
1028 center identification; neighborhood association identification;
1029 or public assistance identification; or

1030 b. Identification which shows your name and current
1031 residence address: current utility bill, bank statement,
1032 government check, paycheck, or government document (excluding
1033 voter identification card).

1034 7. The identification requirements of Item 6. do not apply
1035 if you meet one of the following requirements:

1036 a. You are 65 years of age or older.

1037 b. You have a temporary or permanent physical disability.

1038 c. You are a member of a uniformed service on active duty
1039 who, by reason of such active duty, will be absent from the
1040 county on election day.

1041 d. You are a member of the Merchant Marine who, by reason
1042 of service in the Merchant Marine, will be absent from the
1043 county on election day.

1044 e. You are the spouse or dependent of a member referred to

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1045 in paragraph c. or paragraph d. who, by reason of the active
1046 duty or service of the member, will be absent from the county on
1047 election day.

1048 f. You are currently residing outside the United States.

1049 8. Place the envelope bearing the Voter's Certificate into
1050 the mailing envelope addressed to the supervisor. Insert a copy
1051 of your identification in the mailing envelope. DO NOT PUT YOUR
1052 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
1053 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
1054 BALLOT WILL NOT COUNT.

1055 9. Mail, deliver, or have delivered the completed mailing
1056 envelope. Be sure there is sufficient postage if mailed.

1057 10. FELONY NOTICE. It is a felony under Florida law to
1058 accept any gift, payment, or gratuity in exchange for your vote
1059 for a candidate. It is also a felony under Florida law to vote
1060 in an election using a false identity or false address, or under
1061 any other circumstances making your ballot false or fraudulent.

1062 Section 17. Subsection (5) is added to section 101.6952,
1063 Florida Statutes, to read:

1064 101.6952 Absentee ballots for absent uniformed services and
1065 overseas voters.—

1066 (5) An absentee ballot from an overseas voter in any
1067 presidential preference primary or general election which is
1068 postmarked or signed and dated no later than the date of the
1069 election and is received by the supervisor of elections of the
1070 county in which the overseas voter is registered no later than
1071 10 days after the date of the election shall be counted as long
1072 as the absentee ballot is otherwise proper.

1073 Section 18. Paragraphs (b) and (d) of subsection (4) of

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1074 section 102.031, Florida Statutes, are amended to read:

1075 102.031 Maintenance of good order at polls; authorities;
1076 persons allowed in polling rooms and early voting areas;
1077 unlawful solicitation of voters.-

1078 (4)

1079 (b) For the purpose of this subsection, the terms "solicit"
1080 or "solicitation" shall include, but not be limited to, seeking
1081 or attempting to seek any vote, fact, opinion, or contribution;
1082 distributing or attempting to distribute any political or
1083 campaign material, leaflet, or handout; conducting a poll except
1084 as specified in this paragraph; seeking or attempting to seek a
1085 signature on any petition; and selling or attempting to sell any
1086 item. The terms "solicit" or "solicitation" may ~~shall~~ not be
1087 construed to prohibit exit polling.

1088 (d) Except as provided in paragraph (a), the supervisor may
1089 not designate a no-solicitation zone or otherwise restrict
1090 access to any person, political committee, committee of
1091 continuous existence, candidate, or other group or organization
1092 for the purposes of soliciting voters. This paragraph applies to
1093 any public or private property used as a polling place or early
1094 voting site.

1095 Section 19. Subsections (1) and (4) of section 102.141,
1096 Florida Statutes, are amended to read:

1097 102.141 County canvassing board; duties.-

1098 (1) The county canvassing board shall be composed of the
1099 supervisor of elections; a county court judge, who shall act as
1100 chair; and the chair of the board of county commissioners.
1101 Alternate canvassing board members must be appointed pursuant to
1102 paragraph (e). In the event any member of the county canvassing

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1103 board is unable to serve, is a candidate who has opposition in
1104 the election being canvassed, or is an active participant in the
1105 campaign or candidacy of any candidate who has opposition in the
1106 election being canvassed, such member shall be replaced as
1107 follows:

1108 (a) If no county court judge is able to serve or if all are
1109 disqualified, the chief judge of the judicial circuit in which
1110 the county is located shall appoint as a substitute member a
1111 qualified elector of the county who is not a candidate with
1112 opposition in the election being canvassed and who is not an
1113 active participant in the campaign or candidacy of any candidate
1114 with opposition in the election being canvassed. In such event,
1115 the members of the county canvassing board shall meet and elect
1116 a chair.

1117 (b) If the supervisor of elections is unable to serve or is
1118 disqualified, the chair of the board of county commissioners
1119 shall appoint as a substitute member a member of the board of
1120 county commissioners who is not a candidate with opposition in
1121 the election being canvassed and who is not an active
1122 participant in the campaign or candidacy of any candidate with
1123 opposition in the election being canvassed. The supervisor,
1124 however, shall act in an advisory capacity to the canvassing
1125 board.

1126 (c) If the chair of the board of county commissioners is
1127 unable to serve or is disqualified, the board of county
1128 commissioners shall appoint as a substitute member one of its
1129 members who is not a candidate with opposition in the election
1130 being canvassed and who is not an active participant in the
1131 campaign or candidacy of any candidate with opposition in the

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1132 election being canvassed.

1133 (d) If a substitute member or alternate member cannot be
1134 appointed as provided elsewhere in this subsection, or in the
1135 event of a vacancy in such office, the chief judge of the
1136 judicial circuit in which the county is located shall appoint as
1137 a substitute member or alternate member a qualified elector of
1138 the county who is not a candidate with opposition in the
1139 election being canvassed and who is not an active participant in
1140 the campaign or candidacy of any candidate with opposition in
1141 the election being canvassed.

1142 (e)1. The chief judge of the judicial circuit in which the
1143 county is located shall appoint a county court judge as an
1144 alternate member of the county canvassing board or, if each
1145 county court judge is unable to serve or is disqualified, shall
1146 appoint an alternate member who is qualified to serve as a
1147 substitute member under paragraph (a).

1148 2. The chair of the board of county commissioners shall
1149 appoint a member of the board of county commissioners as an
1150 alternate member of the county canvassing board or, if each
1151 member of the board of county commissioners is unable to serve
1152 or is disqualified, shall appoint an alternate member who is
1153 qualified to serve as a substitute member under paragraph (d).

1154 3. If a member of the county canvassing board is unable to
1155 participate in a meeting of the board, the chair of the county
1156 canvassing board or his or her designee shall designate which
1157 alternate member will serve as a member of the board in the
1158 place of the member who is unable to participate at that
1159 meeting.

1160 4. If not serving as one of the three members of the county

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1161 canvassing board, an alternate member may be present, observe,
1162 and communicate with the three members constituting the county
1163 canvassing board, but may not vote in the board's decisions or
1164 determinations.

1165 (4) (a) The supervisor of elections shall upload into the
1166 county's election management system by 7 p.m. on the day before
1167 the election the results of all early voting and absentee
1168 ballots that have been canvassed and tabulated by the end of the
1169 early voting period. Pursuant to ss. 101.5614(9), 101.657, and
1170 101.68(2), the tabulation of votes cast or the results of such
1171 uploads may not be made public before the close of the polls on
1172 election day.

1173 (b) The canvassing board shall report all early voting and
1174 all tabulated absentee results to the Department of State within
1175 30 minutes after the polls close. Thereafter, the canvassing
1176 board shall report, with the exception of provisional ballot
1177 results, updated precinct election results to the department at
1178 least every 45 minutes until all results are completely
1179 reported. The supervisor of elections shall notify the
1180 department immediately of any circumstances that do not permit
1181 periodic updates as required. Results shall be submitted in a
1182 format prescribed by the department.

1183 Section 20. Section 104.0616, Florida Statutes, is amended
1184 to read:

1185 104.0616 Absentee ballots and voting; violations.—

1186 (1) For purposes of this section, the term "immediate
1187 family" means a person's spouse or the parent, child,
1188 grandparent, or sibling of the person or the person's spouse.

1189 (2) Any person who provides or offers to provide, and any

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1190 person who accepts, a pecuniary or other benefit in exchange for
1191 distributing, ordering, requesting, collecting, delivering, or
1192 otherwise physically possessing more than two absentee ballots
1193 per election in addition to his or her own ballot or a ballot
1194 belonging to an immediate family member, ~~with intent to alter,~~
1195 ~~change, modify, or erase any vote on the absentee ballot,~~ except
1196 as provided in ss. 101.6105-101.695, commits a felony of the
1197 third degree, punishable as provided in s. 775.082, s. 775.083,
1198 or s. 775.084.

1199 Section 21. This act shall take effect October 1, 2013.