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Proposed Committee Substitute by the Committee on Appropriations
(Appropriations Subcommittee on Transportation, Tourism, and
Economic Development)

1 A bill to be entitled
2 An act relating to elections; creating s. 97.0525,
3 F.S.; requiring the Division of Elections of the
4 Department of State to develop an online voter
5 registration system; providing application and
6 security requirements; requiring the system to compare
7 information submitted online with Department of
8 Highway Safety and Motor Vehicles records; providing
9 for the disposition of voter registration
10 applications; requiring system compliance with federal
11 accessibility provisions; providing for construction;
12 requiring the division to report to the Legislature
13 regarding online voter registration implementation by
14 a specified date; amending s. 97.0535, F.S.; revising
15 forms of acceptable identification for certain voter
16 registration applicants; amending s. 98.077, F.S.;
17 revising the time by which updates of voter signatures
18 must be received by the supervisor of elections;
19 removing the requirement that a voter signature on
20 file at the start of the canvassing of absentee
21 ballots be used for signature verification on absentee
22 and provisional ballot certificates; amending s.
23 101.001, F.S.; revising requirements for precinct
24 boundaries as of a specified date; amending s.
25 101.043, F.S.; authorizing additional forms of
26 acceptable voter identification at a polling place or



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27 early voting site; amending s. 101.20, F.S.;

28 authorizing a sample ballot to be e-mailed or mailed

29 to certain electors in lieu of publication; amending

30 s. 101.6102, F.S.; authorizing cities to conduct

31 certain elections by mail if approved by the governing

32 body and supervisor of elections; amending s. 101.62,

33 F.S.; revising the time by which the supervisor must

34 make certain absentee ballot information available;

35 amending s. 101.65, F.S.; conforming a provision to

36 changes made by the act; amending s. 101.657, F.S.;

37 providing that a county operate as many early voting

38 sites as deemed necessary for special primary

39 elections and special elections; amending ss. 101.68

40 and 101.6923, F.S.; conforming provisions to changes

41 made by the act; providing effective dates.

42

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

44

45 Section 1. Section 97.0525, Florida Statutes, is created to

46 read:

47 97.0525 Online voter registration.—

48 (1) Beginning October 1, 2017, an applicant may submit an

49 online voter registration application using the procedures set

50 forth in this section.

51 (2) The division shall establish a secure Internet website

52 to permit an applicant to:

53 (a) Submit a voter registration application, including

54 first-time voter registration applications and updates to

55 existing voter registration records.



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56 (b) Submit information necessary to establish an
57 applicant's eligibility to vote, pursuant to s. 97.041, which
58 must include the information required for the uniform statewide
59 voter registration application pursuant to s. 97.052(2).

60 (c) Swear to the oath required pursuant to s. 97.051.

61 (3) The division shall establish appropriate technological
62 security measures, including use of a unique identifier for each
63 applicant, to prevent unauthorized persons from altering a
64 voter's registration information.

65 (4) (a) The online voter registration system shall compare
66 the Florida driver license number or Florida identification
67 number submitted pursuant to s. 97.052(2)(n) with information
68 maintained by the Department of Highway Safety and Motor
69 Vehicles to confirm that the name and date of birth on the
70 application are consistent with the records of the Department of
71 Highway Safety and Motor Vehicles.

72 (b) If the applicant's name and date of birth are
73 consistent with the records of the Department of Highway Safety
74 and Motor Vehicles, the online voter registration system shall
75 transmit, using the statewide voter registration system
76 maintained pursuant to s. 98.035, the applicant's registration
77 application, along with the digital signature of the applicant
78 on file with the Department of Highway Safety and Motor
79 Vehicles, to the supervisor of elections. The applicant's
80 digital signature satisfies the signature requirement of s.
81 97.052(2)(q).

82 (c) If the applicant's name and date of birth cannot be
83 verified by the records of the Department of Highway Safety and
84 Motor Vehicles, or if the applicant indicated that he or she has



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85 not been issued a Florida driver license or Florida
86 identification card, the online voter registration system shall
87 populate the applicant's information into a printable voter
88 registration application pursuant to s. 97.052(2) and direct the
89 applicant to print, sign, and date the application and deliver
90 the application to the supervisor of elections for disposition
91 pursuant to s. 97.073.

92 (5) Upon submission of a completed online voter
93 registration application, the website must generate an immediate
94 electronic confirmation that the supervisor of elections has
95 received the application and provide instructions regarding the
96 ability of a registrant to check the status of the application
97 thereafter.

98 (6) Except as otherwise provided in this section, the
99 supervisor of elections shall process the application pursuant
100 to s. 97.053.

101 (7) The online voter registration system must conform to
102 nationally accepted standards for accessibility for individuals
103 with disabilities, including s. 508 of the Rehabilitation Act of
104 1973, s. 255 of the Telecommunications Act of 1996, and the Web
105 Content Accessibility Guidelines of the World Wide Web
106 Consortium, to ensure equal access for voters with disabilities.

107 (8) A legal distinction may not be made between online
108 voter registration under this section and voter registration in
109 person, by mail, or by other methods provided by general law.

110 Section 2. No later than January 1, 2016, the Division of
111 Elections shall submit a report to the President of the Senate
112 and the Speaker of the House of Representatives regarding the
113 implementation of online voter registration. In the report, the



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114 division shall summarize progress to date in implementing online
115 voter registration and expected implementation timeframes, and
116 shall propose any further legislation needed to facilitate
117 online voter registration.

118 Section 3. Paragraph (a) of subsection (3) of section
119 97.0535, Florida Statutes, is amended to read:

120 97.0535 Special requirements for certain applicants.—

121 (3) (a) The following forms of identification shall be
122 considered current and valid if they contain the name and
123 photograph of the applicant and have not expired:

- 124 1. United States passport or passport card.
- 125 2. Debit or credit card.
- 126 3. Military identification.
- 127 4. Student identification.
- 128 5. Retirement center identification.
- 129 6. Neighborhood association identification.
- 130 7. Public assistance identification.
- 131 8. United States Department of Veterans Affairs veteran
132 health identification card.

133 9. A license to carry a concealed weapon or firearm issued
134 pursuant to s. 790.06.

135 Section 4. Subsection (4) of section 98.077, Florida
136 Statutes, is amended to read:

137 98.077 Update of voter signature.—

138 (4) All signature updates for use in verifying absentee and
139 provisional ballots must be received by the appropriate
140 supervisor of elections no later than 5 p.m. on the day before
141 an election ~~the start of the canvassing of absentee ballots by~~
142 ~~the canvassing board. The signature on file at the start of the~~



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143 ~~canvass of the absentee ballots is the signature that shall be~~
144 ~~used in verifying the signature on the absentee and provisional~~
145 ~~ballot certificates.~~

146 Section 5. Effective January 1, 2021, paragraph (e) of
147 subsection (3) of section 101.001, Florida Statutes, is amended
148 to read:

149 101.001 Precincts and polling places; boundaries.-

150 (3)

151 (e) A ~~Any~~ precinct established or altered under ~~the~~
152 ~~provisions of~~ this section shall consist of areas bounded on all
153 sides only by census block boundaries from the most recent
154 United States Census. If the census block boundaries split or
155 conflict with the ~~another political boundary listed below, the~~
156 ~~boundary listed below may be used:~~

157 ~~1. Governmental unit boundaries reported in the most recent~~
158 ~~Boundary and Annexation Survey published by the United States~~
159 ~~Census Bureau;~~

160 ~~2. Visible features that are readily distinguishable upon~~
161 ~~the ground, such as streets, railroads, tracks, streams, and~~
162 ~~lakes, and that are indicated upon current census maps, official~~
163 ~~Department of Transportation maps, official municipal maps,~~
164 ~~official county maps, or a combination of such maps;~~

165 ~~3. Boundaries of public parks, public school grounds, or~~
166 ~~churches; or~~

167 ~~4. boundaries of counties, incorporated municipalities, or~~
168 ~~other political subdivisions, such boundaries may be used~~
169 ~~provided that they meet criteria established by the United~~
170 ~~States Census Bureau for block boundaries.~~

171 Section 6. Paragraph (a) of subsection (1) of section



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172 101.043, Florida Statutes, is amended to read:

173 101.043 Identification required at polls.—

174 (1) (a) The precinct register, as prescribed in s. 98.461,
175 shall be used at the polls for the purpose of identifying the
176 elector at the polls before allowing him or her to vote. The
177 clerk or inspector shall require each elector, upon entering the
178 polling place, to present one of the following current and valid
179 picture identifications:

- 180 1. Florida driver license.
- 181 2. Florida identification card issued by the Department of
182 Highway Safety and Motor Vehicles.
- 183 3. United States passport or passport card.
- 184 4. Debit or credit card.
- 185 5. Military identification.
- 186 6. Student identification.
- 187 7. Retirement center identification.
- 188 8. Neighborhood association identification.
- 189 9. Public assistance identification.
- 190 10. United States Department of Veterans Affairs veteran
191 health identification card.
- 192 11. A license to carry a concealed weapon or firearm issued
193 pursuant to s. 790.06.

194 Section 7. Subsection (2) of section 101.20, Florida
195 Statutes, is amended to read:

196 101.20 Publication of ballot form; sample ballots.—

197 (2) Upon completion of the list of qualified candidates, a
198 sample ballot shall be published by the supervisor of elections
199 in a newspaper of general circulation in the county, before the
200 day of election. In lieu of publication, a supervisor may send a



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201 sample ballot to each registered elector by e-mail at least 7
202 days before an election if an e-mail address has been provided
203 and the elector has opted to receive a sample ballot by
204 electronic delivery; otherwise. if an e-mail address has not
205 been provided, or if the elector has not opted for electronic
206 delivery, a sample ballot may be mailed to each registered
207 elector or to each household in which there is a registered
208 elector at least 7 days before an election.

209 Section 8. Paragraph (c) is added to subsection (1) of
210 section 101.6102, Florida Statutes, to read:

211 101.6102 Mail ballot elections; limitations.-

212 (1)

213 (c) Notwithstanding subsection (2), cities may conduct
214 candidate elections by mail if approved by the governing body
215 and the supervisor of elections.

216 Section 9. Subsection (3) of section 101.62, Florida
217 Statutes, is amended to read:

218 101.62 Request for absentee ballots.-

219 (3) For each request for an absentee ballot received, the
220 supervisor shall record the date the request was made, the date
221 the absentee ballot was delivered to the voter or the voter's
222 designee or the date the absentee ballot was delivered to the
223 post office or other carrier, the date the ballot was received
224 by the supervisor, the absence of the voter's signature on the
225 voter's certificate, if applicable, and such other information
226 he or she may deem necessary. This information shall be provided
227 in electronic format as provided by rule adopted by the
228 division. The information shall be updated and made available no
229 later than noon ~~8 a.m.~~ of each day, including weekends,



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230 beginning 60 days before the primary until 15 days after the
231 general election and shall be contemporaneously provided to the
232 division. This information shall be confidential and exempt from
233 s. 119.07(1) and shall be made available to or reproduced only
234 for the voter requesting the ballot, a canvassing board, an
235 election official, a political party or official thereof, a
236 candidate who has filed qualification papers and is opposed in
237 an upcoming election, and registered political committees for
238 political purposes only.

239 Section 10. Section 101.65, Florida Statutes, is amended to
240 read:

241 101.65 Instructions to absent electors.—The supervisor
242 shall enclose with each absentee ballot separate printed
243 instructions in substantially the following form:

244

245 READ THESE INSTRUCTIONS CAREFULLY
246 BEFORE MARKING BALLOT.

247 1. VERY IMPORTANT. In order to ensure that your absentee
248 ballot will be counted, it should be completed and returned as
249 soon as possible so that it can reach the supervisor of
250 elections of the county in which your precinct is located no
251 later than 7 p.m. on the day of the election. However, if you
252 are an overseas voter casting a ballot in a presidential
253 preference primary or general election, your absentee ballot
254 must be postmarked or dated no later than the date of the
255 election and received by the supervisor of elections of the
256 county in which you are registered to vote no later than 10 days
257 after the date of the election.

258 2. Mark your ballot in secret as instructed on the ballot.



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259 You must mark your own ballot unless you are unable to do so
260 because of blindness, disability, or inability to read or write.

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

265 4. Place your marked ballot in the enclosed secrecy
266 envelope.

267 5. Insert the secrecy envelope into the enclosed mailing
268 envelope which is addressed to the supervisor.

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

271 7. VERY IMPORTANT. In order for your absentee ballot to be
272 counted, you must sign your name on the line above (Voter's
273 Signature). An absentee ballot will be considered illegal and
274 not be counted if the signature on the voter's certificate does
275 not match the signature on record. The signature on file at the
276 start of the canvass of the absentee ballots is the signature
277 that will be used to verify your signature on the voter's
278 certificate. If you need to update your signature for this
279 election, send your signature update on a voter registration
280 application to your supervisor of elections so that it is
281 received no later than 5 p.m. on the day before an election ~~the~~
282 ~~start of the canvassing of absentee ballots, which occurs no~~
283 ~~earlier than the 15th day before election day.~~

284 8. VERY IMPORTANT. If you are an overseas voter, you must
285 include the date you signed the Voter's Certificate on the line
286 above (Date) or your ballot may not be counted.

287 9. Mail, deliver, or have delivered the completed mailing



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288 envelope. Be sure there is sufficient postage if mailed.

289 10. FELONY NOTICE. It is a felony under Florida law to
290 accept any gift, payment, or gratuity in exchange for your vote
291 for a candidate. It is also a felony under Florida law to vote
292 in an election using a false identity or false address, or under
293 any other circumstances making your ballot false or fraudulent.

294 Section 11. Paragraph (a) of subsection (1) of section
295 101.657, Florida Statutes, is amended to read:

296 101.657 Early voting.—

297 (1)(a) As a convenience to the voter, the supervisor of
298 elections shall allow an elector to vote early in the main or
299 branch office of the supervisor. The supervisor shall mark,
300 code, indicate on, or otherwise track the voter's precinct for
301 each early voted ballot. In order for a branch office to be used
302 for early voting, it shall be a permanent facility of the
303 supervisor and shall have been designated and used as such for
304 at least 1 year prior to the election. The supervisor may also
305 designate any city hall, permanent public library facility,
306 fairground, civic center, courthouse, county commission
307 building, stadium, convention center, government-owned senior
308 center, or government-owned community center as early voting
309 sites; however, if so designated, the sites must be
310 geographically located so as to provide all voters in the county
311 an equal opportunity to cast a ballot, insofar as is
312 practicable. In addition, a supervisor may designate one early
313 voting site per election in an area of the county that does not
314 have any of the eligible early voting locations. Such additional
315 early voting site must be geographically located so as to
316 provide all voters in that area with an equal opportunity to



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317 cast a ballot, insofar as is practicable. Each county shall, at
318 a minimum, operate the same total number of early voting sites
319 for a general election which the county operated for the 2012
320 general election; however, for a special primary election or
321 special election, each county need only operate as many early
322 voting sites as it deems necessary. The results or tabulation of
323 votes cast during early voting may not be made before the close
324 of the polls on election day. Results shall be reported by
325 precinct.

326 Section 12. Paragraph (d) of subsection (4) of section
327 101.68, Florida Statutes, is amended, and subsection (5) is
328 added to that section, to read:

329 101.68 Canvassing of absentee ballot.-

330 (4)

331 (d) Instructions must accompany the absentee ballot
332 affidavit in substantially the following form:

333

334 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
335 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
336 BALLOT NOT TO COUNT.

337

338 1. In order to ensure that your absentee ballot will be
339 counted, your affidavit should be completed and returned as soon
340 as possible so that it can reach the supervisor of elections of
341 the county in which your precinct is located no later than 5
342 p.m. on the ~~2nd~~ day before the election.

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

345 3. You must make a copy of one of the following forms of



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346 identification:

347 a. Identification that includes your name and photograph:
348 United States passport or passport card; debit or credit card;
349 military identification; student identification; retirement
350 center identification; neighborhood association identification;
351 ~~or~~ public assistance identification; United States Department of
352 Veterans Affairs veteran health identification card; or license
353 to carry a concealed weapon or firearm issued pursuant to s.
354 790.06; or

355 b. Identification that shows your name and current
356 residence address: current utility bill, bank statement,
357 government check, paycheck, or government document (excluding
358 voter identification card).

359 4. Place the envelope bearing the affidavit into a mailing
360 envelope addressed to the supervisor. Insert a copy of your
361 identification in the mailing envelope. Mail, deliver, or have
362 delivered the completed affidavit along with the copy of your
363 identification to your county supervisor of elections. Be sure
364 there is sufficient postage if mailed and that the supervisor's
365 address is correct.

366 5. Alternatively, you may fax or e-mail your completed
367 affidavit and a copy of your identification to the supervisor of
368 elections. If e-mailing, please provide these documents as
369 attachments.

370 (5) The supervisor shall allow an elector who has submitted
371 an absentee ballot to update his or her signature until 5 p.m.
372 on the day before an election if the ballot has not been
373 canvassed by the canvassing board.

374 Section 13. Subsection (2) of section 101.6923, Florida



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375 Statutes, is amended to read:

376 101.6923 Special absentee ballot instructions for certain
377 first-time voters.—

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

381

382 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
383 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
384 TO COUNT.

385

386 1. In order to ensure that your absentee ballot will be
387 counted, it should be completed and returned as soon as possible
388 so that it can reach the supervisor of elections of the county
389 in which your precinct is located no later than 7 p.m. on the
390 date of the election. However, if you are an overseas voter
391 casting a ballot in a presidential preference primary or general
392 election, your absentee ballot must be postmarked or dated no
393 later than the date of the election and received by the
394 supervisor of elections of the county in which you are
395 registered to vote no later than 10 days after the date of the
396 election.

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

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



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404 4. Place your marked ballot in the enclosed secrecy
405 envelope and seal the envelope.

406 5. Insert the secrecy envelope into the enclosed envelope
407 bearing the Voter's Certificate. Seal the envelope and
408 completely fill out the Voter's Certificate on the back of the
409 envelope.

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

412 b. If you are an overseas voter, you must include the date
413 you signed the Voter's Certificate on the line above (Date) or
414 your ballot may not be counted.

415 c. An absentee ballot will be considered illegal and will
416 not be counted if the signature on the Voter's Certificate does
417 not match the signature on record. The signature on file at the
418 start of the canvass of the absentee ballots is the signature
419 that will be used to verify your signature on the Voter's
420 Certificate. If you need to update your signature for this
421 election, send your signature update on a voter registration
422 application to your supervisor of elections so that it is
423 received no later than 5 p.m. on the day before an election ~~the~~
424 ~~start of canvassing of absentee ballots, which occurs no earlier~~
425 ~~than the 15th day before election day.~~

426 6. Unless you meet one of the exemptions in Item 7., you
427 must make a copy of one of the following forms of
428 identification:

429 a. Identification which must include your name and
430 photograph: United States passport or passport card; debit or
431 credit card; military identification; student identification;
432 retirement center identification; neighborhood association



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433 identification; ~~or~~ public assistance identification; United
434 States Department of Veterans Affairs veteran health
435 identification card; or license to carry a concealed weapon or
436 firearm issued pursuant to s. 790.06; or

437 b. Identification that ~~which~~ shows your name and current
438 residence address: current utility bill, bank statement,
439 government check, paycheck, or government document (excluding
440 voter identification card).

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

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

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

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

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

451 e. You are the spouse or dependent of a member referred to
452 in paragraph c. or paragraph d. who, by reason of the active
453 duty or service of the member, will be absent from the county on
454 election day.

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

456 8. Place the envelope bearing the Voter's Certificate into
457 the mailing envelope addressed to the supervisor. Insert a copy
458 of your identification in the mailing envelope. DO NOT PUT YOUR
459 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
460 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
461 BALLOT WILL NOT COUNT.



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

464 10. FELONY NOTICE. It is a felony under Florida law to
465 accept any gift, payment, or gratuity in exchange for your vote
466 for a candidate. It is also a felony under Florida law to vote
467 in an election using a false identity or false address, or under
468 any other circumstances making your ballot false or fraudulent.

469 Section 14. Except as otherwise expressly provided in this
470 act, this act shall take effect July 1, 2015.