

By the Committee on Ethics and Elections

582-02825A-15

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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  
27      early voting site; amending s. 101.20, F.S.;  
28      authorizing a sample ballot to be mailed to certain  
29      electors in lieu of publication; amending s. 101.6102,

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30 F.S.; authorizing cities to conduct certain elections  
31 by mail if approved by the governing body and  
32 supervisor of elections; amending s. 101.62, F.S.;  
33 revising the time by which the supervisor must make  
34 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 modifying timing requirements for designating early  
38 voting sites in special elections; amending ss. 101.68  
39 and 101.6923, F.S.; conforming provisions to changes  
40 made by the act; providing effective dates.

41  
42 Be It Enacted by the Legislature of the State of Florida:

43  
44 Section 1. Section 97.0525, Florida Statutes, is created to  
45 read:

46 97.0525 Online voter registration.—

47 (1) Beginning October 1, 2017, an applicant may submit an  
48 online voter registration application using the procedures set  
49 forth in this section.

50 (2) The division shall establish a secure Internet website  
51 to permit an applicant to:

52 (a) Submit a voter registration application, including  
53 first-time voter registration applications and updates to  
54 existing voter registration records.

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

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

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

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

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

81       (c) If the applicant's name and date of birth cannot be  
82 verified by the records of the Department of Highway Safety and  
83 Motor Vehicles, or if the applicant indicated that he or she has  
84 not been issued a Florida driver license or Florida  
85 identification card, the online voter registration system shall  
86 populate the applicant's information into a printable voter  
87 registration application pursuant to s. 97.052(2) and direct the

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88 applicant to print, sign, and date the application and deliver  
89 the application to the supervisor of elections for disposition  
90 pursuant to s. 97.073.

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

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

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

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

109 Section 2. No later than January 1, 2016, the Division of  
110 Elections shall submit a report to the President of the Senate  
111 and the Speaker of the House of Representatives regarding the  
112 implementation of online voter registration. In the report, the  
113 division shall summarize progress to date in implementing online  
114 voter registration and expected implementation timeframes, and  
115 shall propose any further legislation needed to facilitate  
116 online voter registration.

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

119 97.0535 Special requirements for certain applicants.-

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

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

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

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

136 98.077 Update of voter signature.-

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

145 Section 5. Effective January 1, 2021, paragraph (e) of

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146 subsection (3) of section 101.001, Florida Statutes, is amended  
147 to read:

148 101.001 Precincts and polling places; boundaries.—

149 (3)

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

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

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

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

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

170 Section 6. Paragraph (a) of subsection (1) of section  
171 101.043, Florida Statutes, is amended to read:

172 101.043 Identification required at polls.—

173 (1) (a) The precinct register, as prescribed in s. 98.461,  
174 shall be used at the polls for the purpose of identifying the

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175 elector at the polls before allowing him or her to vote. The  
176 clerk or inspector shall require each elector, upon entering the  
177 polling place, to present one of the following current and valid  
178 picture identifications:

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

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

195 101.20 Publication of ballot form; sample ballots.—

196 (2) Upon completion of the list of qualified candidates, a  
197 sample ballot shall be published by the supervisor of elections  
198 in a newspaper of general circulation in the county, before the  
199 day of election. A supervisor may send a sample ballot to each  
200 registered elector by e-mail at least 7 days before an election  
201 if an e-mail address has been provided and the elector has opted  
202 to receive a sample ballot by electronic delivery. If an e-mail  
203 address has not been provided, or if the elector has not opted

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204 for electronic delivery, a sample ballot may be mailed to each  
205 registered elector or to each household in which there is a  
206 registered elector in lieu of publication at least 7 days before  
207 an election.

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

210 101.6102 Mail ballot elections; limitations.—

211 (1)

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

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

217 101.62 Request for absentee ballots.—

218 (3) For each request for an absentee ballot received, the  
219 supervisor shall record the date the request was made, the date  
220 the absentee ballot was delivered to the voter or the voter's  
221 designee or the date the absentee ballot was delivered to the  
222 post office or other carrier, the date the ballot was received  
223 by the supervisor, the absence of the voter's signature on the  
224 voter's certificate, if applicable, and such other information  
225 he or she may deem necessary. This information shall be provided  
226 in electronic format as provided by rule adopted by the  
227 division. The information shall be updated and made available no  
228 later than noon ~~8 a.m.~~ of each day, including weekends,  
229 beginning 60 days before the primary until 15 days after the  
230 general election and shall be contemporaneously provided to the  
231 division. This information shall be confidential and exempt from  
232 s. 119.07(1) and shall be made available to or reproduced only



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233 for the voter requesting the ballot, a canvassing board, an  
234 election official, a political party or official thereof, a  
235 candidate who has filed qualification papers and is opposed in  
236 an upcoming election, and registered political committees for  
237 political purposes only.

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

240 101.65 Instructions to absent electors.—The supervisor  
241 shall enclose with each absentee ballot separate printed  
242 instructions in substantially the following form:

243

244 READ THESE INSTRUCTIONS CAREFULLY

245 BEFORE MARKING BALLOT.

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

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

260 3. Mark only the number of candidates or issue choices for  
261 a race as indicated on the ballot. If you are allowed to "Vote

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262 for One" candidate and you vote for more than one candidate,  
263 your vote in that race will not be counted.

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

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

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

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

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

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

288 10. FELONY NOTICE. It is a felony under Florida law to  
289 accept any gift, payment, or gratuity in exchange for your vote  
290 for a candidate. It is also a felony under Florida law to vote

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291 in an election using a false identity or false address, or under  
292 any other circumstances making your ballot false or fraudulent.

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

295 101.657 Early voting.—

296 (1)

297 (b) The supervisor shall designate each early voting site  
298 by no later than the 30th day before ~~prior to~~ an election and  
299 shall designate an early voting area, as defined in s. 97.021,  
300 at each early voting site. The supervisor shall designate, as  
301 necessary, the early voting sites in a special election held in  
302 a county. The supervisor shall provide to the division no later  
303 than the 30th day before an election the address of each early  
304 voting site and the hours that early voting will occur at each  
305 site.

306 Section 12. Paragraph (d) of subsection (4) of section  
307 101.68, Florida Statutes, is amended, and subsection (5) is  
308 added to that section, to read:

309 101.68 Canvassing of absentee ballot.—

310 (4)

311 (d) Instructions must accompany the absentee ballot  
312 affidavit in substantially the following form:

313

314 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE  
315 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
316 BALLOT NOT TO COUNT.

317

318 1. In order to ensure that your absentee ballot will be  
319 counted, your affidavit should be completed and returned as soon

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320 as possible so that it can reach the supervisor of elections of  
321 the county in which your precinct is located no later than 5  
322 p.m. on the ~~2nd~~ day before the election.

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

325 3. You must make a copy of one of the following forms of  
326 identification:

327 a. Identification that includes your name and photograph:  
328 United States passport or passport card; debit or credit card;  
329 military identification; student identification; retirement  
330 center identification; neighborhood association identification;  
331 ~~or~~ public assistance identification; United States Department of  
332 Veterans Affairs veteran health identification card; or license  
333 to carry a concealed weapon or firearm issued pursuant to s.  
334 790.06; or

335 b. Identification that shows your name and current  
336 residence address: current utility bill, bank statement,  
337 government check, paycheck, or government document (excluding  
338 voter identification card).

339 4. Place the envelope bearing the affidavit into a mailing  
340 envelope addressed to the supervisor. Insert a copy of your  
341 identification in the mailing envelope. Mail, deliver, or have  
342 delivered the completed affidavit along with the copy of your  
343 identification to your county supervisor of elections. Be sure  
344 there is sufficient postage if mailed and that the supervisor's  
345 address is correct.

346 5. Alternatively, you may fax or e-mail your completed  
347 affidavit and a copy of your identification to the supervisor of  
348 elections. If e-mailing, please provide these documents as

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349 attachments.

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

354 Section 13. Subsection (2) of section 101.6923, Florida  
355 Statutes, is amended to read:

356 101.6923 Special absentee ballot instructions for certain  
357 first-time voters.-

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

361  
362 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.  
363 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT  
364 TO COUNT.

365  
366 1. In order to ensure that your absentee ballot will be  
367 counted, it should be completed and returned as soon as possible  
368 so that it can reach the supervisor of elections of the county  
369 in which your precinct is located no later than 7 p.m. on the  
370 date of the election. However, if you are an overseas voter  
371 casting a ballot in a presidential preference primary or general  
372 election, your absentee ballot must be postmarked or dated no  
373 later than the date of the election and received by the  
374 supervisor of elections of the county in which you are  
375 registered to vote no later than 10 days after the date of the  
376 election.

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

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

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

384 4. Place your marked ballot in the enclosed secrecy  
385 envelope and seal the envelope.

386 5. Insert the secrecy envelope into the enclosed envelope  
387 bearing the Voter's Certificate. Seal the envelope and  
388 completely fill out the Voter's Certificate on the back of the  
389 envelope.

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

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

395 c. An absentee ballot will be considered illegal and will  
396 not be counted if the signature on the Voter's Certificate does  
397 not match the signature on record. The signature on file at the  
398 start of the canvass of the absentee ballots is the signature  
399 that will be used to verify your signature on the Voter's  
400 Certificate. If you need to update your signature for this  
401 election, send your signature update on a voter registration  
402 application to your supervisor of elections so that it is  
403 received no later than 5 p.m. on the day before an election ~~the~~  
404 ~~start of canvassing of absentee ballots, which occurs no earlier~~  
405 ~~than the 15th day before election day.~~

406 6. Unless you meet one of the exemptions in Item 7., you

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407 must make a copy of one of the following forms of  
408 identification:

409 a. Identification which must include your name and  
410 photograph: United States passport or passport card; debit or  
411 credit card; military identification; student identification;  
412 retirement center identification; neighborhood association  
413 identification; ~~or~~ public assistance identification; United  
414 States Department of Veterans Affairs veteran health  
415 identification card; or license to carry a concealed weapon or  
416 firearm issued pursuant to s. 790.06; or

417 b. Identification that ~~which~~ shows your name and current  
418 residence address: current utility bill, bank statement,  
419 government check, paycheck, or government document (excluding  
420 voter identification card).

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

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

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

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

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

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

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

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436           8. Place the envelope bearing the Voter's Certificate into  
437 the mailing envelope addressed to the supervisor. Insert a copy  
438 of your identification in the mailing envelope. DO NOT PUT YOUR  
439 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
440 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
441 BALLOT WILL NOT COUNT.

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

444           10. FELONY NOTICE. It is a felony under Florida law to  
445 accept any gift, payment, or gratuity in exchange for your vote  
446 for a candidate. It is also a felony under Florida law to vote  
447 in an election using a false identity or false address, or under  
448 any other circumstances making your ballot false or fraudulent.

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