

By Senator Thompson

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1 A bill to be entitled
 2 An act relating to absentee voting; amending ss.
 3 97.012, 97.021, 97.026, 98.065, 98.077, 98.0981,
 4 98.255, 101.051, 101.151, 101.5612, 101.5614, 101.572,
 5 101.591, 101.6105, 101.62, 101.64, 101.65, 101.655,
 6 101.661, 101.662, 101.67, 101.68, 101.69, 101.6921,
 7 101.6923, 101.6925, 101.694, 101.6951, 101.6952,
 8 101.697, 102.031, 102.141, 102.168, 104.047, 104.0616,
 9 104.17, 117.05, 394.459, 741.406, and 916.107, F.S.;
 10 revising references of "absentee ballot" to "vote-by-
 11 mail ballot"; conforming terminology to changes made
 12 by the act; providing an effective date.

13
 14 Be It Enacted by the Legislature of the State of Florida:

15
 16 Section 1. Subsection (13) of section 97.012, Florida
 17 Statutes, is amended to read:

18 97.012 Secretary of State as chief election officer.—The
 19 Secretary of State is the chief election officer of the state,
 20 and it is his or her responsibility to:

21 (13) Designate an office within the department to be
 22 responsible for providing information regarding voter
 23 registration procedures and vote-by-mail ~~absentee~~ ballot
 24 procedures to absent uniformed services voters and overseas
 25 voters.

26 Section 2. Subsections (1) and (13) of section 97.021,
 27 Florida Statutes, are amended to read:

28 97.021 Definitions.—For the purposes of this code, except
 29 where the context clearly indicates otherwise, the term:

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30 (1) "Absent elector" means any registered and qualified
31 voter who casts a vote-by-mail ~~an absentee~~ ballot.

32 (13) "Election costs" shall include, but not be limited to,
33 expenditures for all paper supplies such as envelopes,
34 instructions to voters, affidavits, reports, ballot cards,
35 ballot booklets for vote-by-mail ~~absentee~~ voters, postage,
36 notices to voters; advertisements for registration book
37 closings, testing of voting equipment, sample ballots, and
38 polling places; forms used to qualify candidates; polling site
39 rental and equipment delivery and pickup; data processing time
40 and supplies; election records retention; and labor costs,
41 including those costs uniquely associated with vote-by-mail
42 ~~absentee~~ ballot preparation, poll workers, and election night
43 canvass.

44 Section 3. Section 97.026, Florida Statutes, is amended to
45 read:

46 97.026 Forms to be available in alternative formats and via
47 the Internet.—It is the intent of the Legislature that all forms
48 required to be used in chapters 97-106 shall be made available
49 upon request, in alternative formats. Such forms shall include
50 vote-by-mail ~~absentee~~ ballots as alternative formats for such
51 ballots become available and the Division of Elections is able
52 to certify systems that provide them. Whenever possible, such
53 forms, with the exception of vote-by-mail ~~absentee~~ ballots,
54 shall be made available by the Department of State via the
55 Internet. Sections that contain such forms include, but are not
56 limited to, ss. 97.051, 97.052, 97.053, 97.057, 97.058, 97.0583,
57 97.071, 97.073, 97.1031, 98.075, 99.021, 100.361, 100.371,
58 101.045, 101.171, 101.20, 101.6103, 101.62, 101.64, 101.65,

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59 101.657, 105.031, 106.023, and 106.087.

60 Section 4. Paragraph (c) of subsection (4) of section
61 98.065, Florida Statutes, is amended to read:

62 98.065 Registration list maintenance programs.—

63 (4)

64 (c) The supervisor must designate as inactive all voters
65 who have been sent an address confirmation final notice and who
66 have not returned the postage prepaid, preaddressed return form
67 within 30 days or for which the final notice has been returned
68 as undeliverable. Names on the inactive list may not be used to
69 calculate the number of signatures needed on any petition. A
70 voter on the inactive list may be restored to the active list of
71 voters upon the voter updating his or her registration,
72 requesting a vote-by-mail ~~an absentee~~ ballot, or appearing to
73 vote. However, if the voter does not update his or her voter
74 registration information, request a vote-by-mail ~~an absentee~~
75 ballot, or vote by the second general election after being
76 placed on the inactive list, the voter's name shall be removed
77 from the statewide voter registration system and the voter shall
78 be required to reregister to have his or her name restored to
79 the statewide voter registration system.

80 Section 5. Subsection (4) of section 98.077, Florida
81 Statutes, is amended to read:

82 98.077 Update of voter signature.—

83 (4) All signature updates for use in verifying vote-by-mail
84 ~~absentee~~ and provisional ballots must be received by the
85 appropriate supervisor of elections no later than the start of
86 the canvassing of vote-by-mail ~~absentee~~ ballots by the
87 canvassing board. The signature on file at the start of the

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88 canvass of the vote-by-mail ~~absentee~~ ballots is the signature
89 that shall be used in verifying the signature on the vote-by-
90 mail ~~absentee~~ and provisional ballot certificates.

91 Section 6. Paragraphs (b) and (d) of subsection (1) and
92 paragraph (a) of subsection (2) of section 98.0981, Florida
93 Statutes, are amended to read:

94 98.0981 Reports; voting history; statewide voter
95 registration system information; precinct-level election
96 results; book closing statistics.-

97 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
98 INFORMATION.-

99 (b) After receipt of the information in paragraph (a), the
100 department shall prepare a report in electronic format which
101 contains the following information, separately compiled for the
102 primary and general election for all voters qualified to vote in
103 either election:

104 1. The unique identifier assigned to each qualified voter
105 within the statewide voter registration system;

106 2. All information provided by each qualified voter on his
107 or her voter registration application pursuant to s. 97.052(2),
108 except that which is confidential or exempt from public records
109 requirements;

110 3. Each qualified voter's date of registration;

111 4. Each qualified voter's current state representative
112 district, state senatorial district, and congressional district,
113 assigned by the supervisor of elections;

114 5. Each qualified voter's current precinct; and

115 6. Voting history as transmitted under paragraph (a) to
116 include whether the qualified voter voted at a precinct

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117 location, voted during the early voting period, voted by vote-
118 by-mail ~~absentee~~ ballot, attempted to vote by vote-by-mail
119 ~~absentee~~ ballot that was not counted, attempted to vote by
120 provisional ballot that was not counted, or did not vote.

121 (d) File specifications are as follows:

122 1. The file shall contain records designated by the
123 categories below for all qualified voters who, regardless of the
124 voter's county of residence or active or inactive registration
125 status at the book closing for the corresponding election that
126 the file is being created for:

127 a. Voted a regular ballot at a precinct location.

128 b. Voted at a precinct location using a provisional ballot
129 that was subsequently counted.

130 c. Voted a regular ballot during the early voting period.

131 d. Voted during the early voting period using a provisional
132 ballot that was subsequently counted.

133 e. Voted by vote-by-mail ~~absentee~~ ballot.

134 f. Attempted to vote by vote-by-mail ~~absentee~~ ballot, but
135 the ballot was not counted.

136 g. Attempted to vote by provisional ballot, but the ballot
137 was not counted in that election.

138 2. Each file shall be created or converted into a tab-
139 delimited format.

140 3. File names shall adhere to the following convention:

141 a. Three-character county identifier as established by the
142 department followed by an underscore.

143 b. Followed by four-character file type identifier of
144 'VH03' followed by an underscore.

145 c. Followed by FVRS election ID followed by an underscore.

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146 d. Followed by Date Created followed by an underscore.
147 e. Date format is YYYYMMDD.
148 f. Followed by Time Created - HHMMSS.
149 g. Followed by ".txt".
150 4. Each record shall contain the following columns: Record
151 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote
152 Date, Vote History Code, Precinct, Congressional District, House
153 District, Senate District, County Commission District, and
154 School Board District.

155 (2) PRECINCT-LEVEL ELECTION RESULTS.—

156 (a) Within 30 days after certification by the Elections
157 Canvassing Commission of a presidential preference primary
158 election, special election, primary election, or general
159 election, the supervisors of elections shall collect and submit
160 to the department precinct-level election results for the
161 election in a uniform electronic format specified by paragraph
162 (c). The precinct-level election results shall be compiled
163 separately for the primary or special primary election that
164 preceded the general or special general election, respectively.
165 The results shall specifically include for each precinct the
166 total of all ballots cast for each candidate or nominee to fill
167 a national, state, county, or district office or proposed
168 constitutional amendment, with subtotals for each candidate and
169 ballot type, unless fewer than 10 voters voted a ballot type.
170 "All ballots cast" means ballots cast by voters who cast a
171 ballot whether at a precinct location, by vote-by-mail ~~absentee~~
172 ballot including overseas vote-by-mail ~~absentee~~ ballots, during
173 the early voting period, or by provisional ballot.

174 Section 7. Paragraph (b) of subsection (1) of section

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175 98.255, Florida Statutes, is amended to read:

176 98.255 Voter education programs.—

177 (1) The Department of State shall adopt rules prescribing
178 minimum standards for nonpartisan voter education. The standards
179 shall, at a minimum, address:

180 (a) Voter registration;

181 (b) Balloting procedures, by mail ~~absentee~~ and polling
182 place;

183 (c) Voter rights and responsibilities;

184 (d) Distribution of sample ballots; and

185 (e) Public service announcements.

186 Section 8. Subsection (3) of section 101.051, Florida
187 Statutes, is amended to read:

188 101.051 Electors seeking assistance in casting ballots;
189 oath to be executed; forms to be furnished.—

190 (3) Any elector applying to cast a vote-by-mail ~~an absentee~~
191 ballot in the office of the supervisor, in any election, who
192 requires assistance to vote by reason of blindness, disability,
193 or inability to read or write may request the assistance of some
194 person of his or her own choice, other than the elector's
195 employer, an agent of the employer, or an officer or agent of
196 his or her union, in casting his or her vote-by-mail ~~absentee~~
197 ballot.

198 Section 9. Paragraph (b) of subsection (1) of section
199 101.151, Florida Statutes, is amended to read:

200 101.151 Specifications for ballots.—

201 (1)

202 (b) Early voting sites may employ a ballot-on-demand
203 production system to print individual marksense ballots,

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204 including provisional ballots, for eligible electors pursuant to
205 s. 101.657. Ballot-on-demand technology may be used to produce
206 marksense vote-by-mail ~~absentee~~ and election-day ballots.

207 Section 10. Subsection (3) of section 101.5612, Florida
208 Statutes, is amended to read:

209 101.5612 Testing of tabulating equipment.—

210 (3) For electronic or electromechanical voting systems
211 configured to tabulate vote-by-mail ~~absentee~~ ballots at a
212 central or regional site, the public testing shall be conducted
213 by processing a preaudited group of ballots so produced as to
214 record a predetermined number of valid votes for each candidate
215 and on each measure and to include one or more ballots for each
216 office which have activated voting positions in excess of the
217 number allowed by law in order to test the ability of the
218 automatic tabulating equipment to reject such votes. If any
219 error is detected, the cause therefor shall be corrected and an
220 errorless count shall be made before the automatic tabulating
221 equipment is approved. The test shall be repeated and errorless
222 results achieved immediately before the start of the official
223 count of the ballots and again after the completion of the
224 official count. The programs and ballots used for testing shall
225 be sealed and retained under the custody of the county
226 canvassing board.

227 Section 11. Paragraph (a) of subsection (5) and subsections
228 (7) and (8) of section 101.5614, Florida Statutes, are amended
229 to read:

230 101.5614 Canvass of returns.—

231 (5) (a) If any vote-by-mail ~~absentee~~ ballot is physically
232 damaged so that it cannot properly be counted by the automatic

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233 tabulating equipment, a true duplicate copy shall be made of the
234 damaged ballot in the presence of witnesses and substituted for
235 the damaged ballot. Likewise, a duplicate ballot shall be made
236 of a vote-by-mail ~~an absentee~~ ballot containing an overvoted
237 race or a marked vote-by-mail ~~absentee~~ ballot in which every
238 race is undervoted which shall include all valid votes as
239 determined by the canvassing board based on rules adopted by the
240 division pursuant to s. 102.166(4). All duplicate ballots shall
241 be clearly labeled "duplicate," bear a serial number which shall
242 be recorded on the defective ballot, and be counted in lieu of
243 the defective ballot. After a ballot has been duplicated, the
244 defective ballot shall be placed in an envelope provided for
245 that purpose, and the duplicate ballot shall be tallied with the
246 other ballots for that precinct.

247 (7) Vote-by-mail ~~Absentee~~ ballots may be counted by
248 automatic tabulating equipment if they have been marked in a
249 manner which will enable them to be properly counted by such
250 equipment.

251 (8) The return printed by the automatic tabulating
252 equipment, to which has been added the return of write-in, vote-
253 by-mail ~~absentee~~, and manually counted votes and votes from
254 provisional ballots, shall constitute the official return of the
255 election upon certification by the canvassing board. Upon
256 completion of the count, the returns shall be open to the
257 public. A copy of the returns may be posted at the central
258 counting place or at the office of the supervisor of elections
259 in lieu of the posting of returns at individual precincts.

260 Section 12. Section 101.572, Florida Statutes, is amended
261 to read:

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262 101.572 Public inspection of ballots.—The official ballots
263 and ballot cards received from election boards and removed from
264 vote-by-mail ~~absentee~~ ballot mailing envelopes shall be open for
265 public inspection or examination while in the custody of the
266 supervisor of elections or the county canvassing board at any
267 reasonable time, under reasonable conditions; however, no
268 persons other than the supervisor of elections or his or her
269 employees or the county canvassing board shall handle any
270 official ballot or ballot card. If the ballots are being
271 examined prior to the end of the contest period in s. 102.168,
272 the supervisor of elections shall make a reasonable effort to
273 notify all candidates whose names appear on such ballots or
274 ballot cards by telephone or otherwise of the time and place of
275 the inspection or examination. All such candidates, or their
276 representatives, shall be allowed to be present during the
277 inspection or examination.

278 Section 13. Paragraphs (a) and (b) of subsection (2) of
279 section 101.591, Florida Statutes, are amended to read:

280 101.591 Voting system audit.—

281 (2) (a) A manual audit shall consist of a public manual
282 tally of the votes cast in one randomly selected race that
283 appears on the ballot. The tally sheet shall include election-
284 day, vote-by-mail ~~absentee~~, early voting, provisional, and
285 overseas ballots, in at least 1 percent but no more than 2
286 percent of the precincts chosen at random by the county
287 canvassing board or the local board responsible for certifying
288 the election. If 1 percent of the precincts is less than one
289 entire precinct, the audit shall be conducted using at least one
290 precinct chosen at random by the county canvassing board or the

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291 local board responsible for certifying the election. Such
292 precincts shall be selected at a publicly noticed canvassing
293 board meeting.

294 (b) An automated audit shall consist of a public automated
295 tally of the votes cast across every race that appears on the
296 ballot. The tally sheet shall include election day, vote-by-mail
297 ~~absentee~~, early voting, provisional, and overseas ballots in at
298 least 20 percent of the precincts chosen at random by the county
299 canvassing board or the local board responsible for certifying
300 the election. Such precincts shall be selected at a publicly
301 noticed canvassing board meeting.

302 Section 14. Section 101.6105, Florida Statutes, is amended
303 to read:

304 101.6105 Vote-by-mail ~~Absentee~~ voting.—The provisions of
305 the election code relating to vote-by-mail ~~absentee~~ voting and
306 vote-by-mail ~~absentee~~ ballots shall apply to elections under ss.
307 101.6101-101.6107 only insofar as they do not conflict with the
308 provisions of ss. 101.6101-101.6107.

309 Section 15. Section 101.62, Florida Statutes, is amended to
310 read:

311 101.62 Request for vote-by-mail ~~absentee~~ ballots.—

312 (1) (a) The supervisor shall accept a request for a vote-by-
313 mail ~~an absentee~~ ballot from an elector in person or in writing.
314 One request shall be deemed sufficient to receive a vote-by-mail
315 ~~an absentee~~ ballot for all elections through the end of the
316 calendar year of the second ensuing regularly scheduled general
317 election, unless the elector or the elector's designee indicates
318 at the time the request is made the elections for which the
319 elector desires to receive a vote-by-mail ~~an absentee~~ ballot.

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320 Such request may be considered canceled when any first-class
321 mail sent by the supervisor to the elector is returned as
322 undeliverable.

323 (b) The supervisor may accept a written or telephonic
324 request for a vote-by-mail ~~an absentee~~ ballot to be mailed to an
325 elector's address on file in the Florida Voter Registration
326 System from the elector, or, if directly instructed by the
327 elector, a member of the elector's immediate family, or the
328 elector's legal guardian; if the ballot is requested to be
329 mailed to an address other than the elector's address on file in
330 the Florida Voter Registration System, the request must be made
331 in writing and signed by the elector. However, an absent
332 uniformed service voter or an overseas voter seeking a vote-by-
333 mail ~~an absentee~~ ballot is not required to submit a signed,
334 written request for a vote-by-mail ~~an absentee~~ ballot that is
335 being mailed to an address other than the elector's address on
336 file in the Florida Voter Registration System. For purposes of
337 this section, the term "immediate family" has the same meaning
338 as specified in paragraph (4) (c). The person making the request
339 must disclose:

- 340 1. The name of the elector for whom the ballot is
341 requested.
- 342 2. The elector's address.
- 343 3. The elector's date of birth.
- 344 4. The requester's name.
- 345 5. The requester's address.
- 346 6. The requester's driver license number, if available.
- 347 7. The requester's relationship to the elector.
- 348 8. The requester's signature (written requests only).

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349 (c) Upon receiving a request for a vote-by-mail ~~an absentee~~
350 ballot from an absent voter, the supervisor of elections shall
351 notify the voter of the free access system that has been
352 designated by the department for determining the status of his
353 or her vote-by-mail ~~absentee~~ ballot.

354 (2) A request for a vote-by-mail ~~an absentee~~ ballot to be
355 mailed to a voter must be received no later than 5 p.m. on the
356 sixth day before the election by the supervisor of elections.
357 The supervisor of elections shall mail vote-by-mail ~~absentee~~
358 ballots to voters requesting ballots by such deadline no later
359 than 4 days before the election.

360 (3) For each request for a vote-by-mail ~~an absentee~~ ballot
361 received, the supervisor shall record the date the request was
362 made, the date the vote-by-mail ~~absentee~~ ballot was delivered to
363 the voter or the voter's designee or the date the vote-by-mail
364 ~~absentee~~ ballot was delivered to the post office or other
365 carrier, the date the ballot was received by the supervisor, the
366 absence of the voter's signature on the voter's certificate, if
367 applicable, and such other information he or she may deem
368 necessary. This information shall be provided in electronic
369 format as provided by rule adopted by the division. The
370 information shall be updated and made available no later than 8
371 a.m. of each day, including weekends, beginning 60 days before
372 the primary until 15 days after the general election and shall
373 be contemporaneously provided to the division. This information
374 shall be confidential and exempt from s. 119.07(1) and shall be
375 made available to or reproduced only for the voter requesting
376 the ballot, a canvassing board, an election official, a
377 political party or official thereof, a candidate who has filed

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378 qualification papers and is opposed in an upcoming election, and
379 registered political committees for political purposes only.

380 (4) (a) No later than 45 days before each presidential
381 preference primary election, primary election, and general
382 election, the supervisor of elections shall send a vote-by-mail
383 ~~an absentee~~ ballot as provided in subparagraph (c)2. to each
384 absent uniformed services voter and to each overseas voter who
385 has requested a vote-by-mail ~~an absentee~~ ballot.

386 (b) The supervisor of elections shall mail a vote-by-mail
387 ~~an absentee~~ ballot to each absent qualified voter, other than
388 those listed in paragraph (a), who has requested such a ballot,
389 between the 35th and 28th days before the presidential
390 preference primary election, primary election, and general
391 election. Except as otherwise provided in subsection (2) and
392 after the period described in this paragraph, the supervisor
393 shall mail vote-by-mail ~~absentee~~ ballots within 2 business days
394 after receiving a request for such a ballot.

395 (c) The supervisor shall provide a vote-by-mail ~~an absentee~~
396 ballot to each elector by whom a request for that ballot has
397 been made by one of the following means:

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

401 2. By forwardable mail, e-mail, or facsimile machine
402 transmission to absent uniformed services voters and overseas
403 voters. The absent uniformed services voter or overseas voter
404 may designate in the vote-by-mail ~~absentee~~ ballot request the
405 preferred method of transmission. If the voter does not
406 designate the method of transmission, the vote-by-mail ~~absentee~~

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407 ballot shall be mailed.

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

411 4. By delivery to a designee on election day or up to 5
412 days prior to the day of an election. Any elector may designate
413 in writing a person to pick up the ballot for the elector;
414 however, the person designated may not pick up more than two
415 vote-by-mail ~~absentee~~ ballots per election, other than the
416 designee's own ballot, except that additional ballots may be
417 picked up for members of the designee's immediate family. For
418 purposes of this section, "immediate family" means the
419 designee's spouse or the parent, child, grandparent, or sibling
420 of the designee or of the designee's spouse. The designee shall
421 provide to the supervisor the written authorization by the
422 elector and a picture identification of the designee and must
423 complete an affidavit. The designee shall state in the affidavit
424 that the designee is authorized by the elector to pick up that
425 ballot and shall indicate if the elector is a member of the
426 designee's immediate family and, if so, the relationship. The
427 department shall prescribe the form of the affidavit. If the
428 supervisor is satisfied that the designee is authorized to pick
429 up the ballot and that the signature of the elector on the
430 written authorization matches the signature of the elector on
431 file, the supervisor shall give the ballot to that designee for
432 delivery to the elector.

433 5. Except as provided in s. 101.655, the supervisor may not
434 deliver a vote-by-mail ~~an absentee~~ ballot to an elector or an
435 elector's immediate family member on the day of the election

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436 unless there is an emergency, to the extent that the elector
437 will be unable to go to his or her assigned polling place. If a
438 vote-by-mail ~~an absentee~~ ballot is delivered, the elector or his
439 or her designee shall execute an affidavit affirming to the
440 facts which allow for delivery of the vote-by-mail ~~absentee~~
441 ballot. The department shall adopt a rule providing for the form
442 of the affidavit.

443 (5) If the department is unable to certify candidates for
444 an election in time to comply with paragraph (4) (a), the
445 Department of State is authorized to prescribe rules for a
446 ballot to be sent to absent uniformed services voters and
447 overseas voters.

448 (6) Nothing other than the materials necessary to vote by
449 mail ~~absentee~~ shall be mailed or delivered with any vote-by-mail
450 ~~absentee~~ ballot.

451 Section 16. Subsections (1) and (4) of section 101.64,
452 Florida Statutes, are amended to read:

453 101.64 Delivery of vote-by-mail ~~absentee~~ ballots;
454 envelopes; form.—

455 (1) The supervisor shall enclose with each vote-by-mail
456 ~~absentee~~ ballot two envelopes: a secrecy envelope, into which
457 the absent elector shall enclose his or her marked ballot; and a
458 mailing envelope, into which the absent elector shall then place
459 the secrecy envelope, which shall be addressed to the supervisor
460 and also bear on the back side a certificate in substantially
461 the following form:

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

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VOTER'S CERTIFICATE

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

... (Date) ...

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

(4) The supervisor shall mark, code, indicate on, or otherwise track the precinct of the absent elector for each vote-by-mail ~~absentee~~ ballot.

Section 17. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each vote-by-mail ~~absentee~~ ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY
BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your vote-by-mail ~~absentee~~ ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no

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494 later than 7 p.m. on the day of the election. However, if you
495 are an overseas voter casting a ballot in a presidential
496 preference primary or general election, your vote-by-mail
497 ~~absentee~~ ballot must be postmarked or dated no later than the
498 date of the election and received by the supervisor of elections
499 of the county in which you are registered to vote no later than
500 10 days after the date of the election.

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

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

508 4. Place your marked ballot in the enclosed secrecy
509 envelope.

510 5. Insert the secrecy envelope into the enclosed mailing
511 envelope which is addressed to the supervisor.

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

514 7. VERY IMPORTANT. In order for your vote-by-mail ~~absentee~~
515 ballot to be counted, you must sign your name on the line above
516 (Voter's Signature). A vote-by-mail ~~An absentee~~ ballot will be
517 considered illegal and not be counted if the signature on the
518 voter's certificate does not match the signature on record. The
519 signature on file at the start of the canvass of the vote-by-
520 mail ~~absentee~~ ballots is the signature that will be used to
521 verify your signature on the voter's certificate. If you need to
522 update your signature for this election, send your signature

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523 update on a voter registration application to your supervisor of
524 elections so that it is received no later than the start of the
525 canvassing of vote-by-mail ~~absentee~~ ballots, which occurs no
526 earlier than the 15th day before election day.

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

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

532 10. FELONY NOTICE. It is a felony under Florida law to
533 accept any gift, payment, or gratuity in exchange for your vote
534 for a candidate. It is also a felony under Florida law to vote
535 in an election using a false identity or false address, or under
536 any other circumstances making your ballot false or fraudulent.

537 Section 18. Subsections (1) and (2) of section 101.655,
538 Florida Statutes, are amended to read:

539 101.655 Supervised voting by absent electors in certain
540 facilities.—

541 (1) The supervisor of elections of a county shall provide
542 supervised voting for absent electors residing in any assisted
543 living facility, as defined in s. 429.02, or nursing home
544 facility, as defined in s. 400.021, within that county at the
545 request of any administrator of such a facility. Such request
546 for supervised voting in the facility shall be made by
547 submitting a written request to the supervisor of elections no
548 later than 21 days prior to the election for which that request
549 is submitted. The request shall specify the name and address of
550 the facility and the name of the electors who wish to vote by
551 mail ~~absentee~~ in that election. If the request contains the

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552 names of fewer than five voters, the supervisor of elections is
553 not required to provide supervised voting.

554 (2) The supervisor of elections may, in the absence of a
555 request from the administrator of a facility, provide for
556 supervised voting in the facility for those persons who have
557 requested vote-by-mail ~~absentee~~ ballots. The supervisor of
558 elections shall notify the administrator of the facility that
559 supervised voting will occur.

560 Section 19. Section 101.661, Florida Statutes, is amended
561 to read:

562 101.661 Voting vote-by-mail ~~absentee~~ ballots.—All electors
563 must personally mark or designate their choices on the vote-by-
564 mail ~~absentee~~ ballot, except:

565 (1) Electors who require assistance to vote because of
566 blindness, disability, or inability to read or write, who may
567 have some person of the elector's choice, other than the
568 elector's employer, an agent of the employer, or an officer or
569 agent of the elector's union, mark the elector's choices or
570 assist the elector in marking his or her choices on the ballot.

571 (2) As otherwise provided in s. 101.051 or s. 101.655.

572 Section 20. Section 101.662, Florida Statutes, is amended
573 to read:

574 101.662 Accessibility of vote-by-mail ~~absentee~~ ballots.—It
575 is the intent of the Legislature that voting by vote-by-mail
576 ~~absentee~~ ballot be by methods that are fully accessible to all
577 voters, including voters having a disability. The Department of
578 State shall work with the supervisors of elections and the
579 disability community to develop and implement procedures and
580 technologies, as possible, which will include procedures for

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581 providing vote-by-mail ~~absentee~~ ballots, upon request, in
582 alternative formats that will allow all voters to cast a secret,
583 independent, and verifiable vote-by-mail ~~absentee~~ ballot without
584 the assistance of another person.

585 Section 21. Section 101.67, Florida Statutes, is amended to
586 read:

587 101.67 Safekeeping of mailed ballots; deadline for
588 receiving vote-by-mail ~~absentee~~ ballots.—

589 (1) The supervisor of elections shall safely keep in his or
590 her office any envelopes received containing marked ballots of
591 absent electors, and he or she shall, before the canvassing of
592 the election returns, deliver the envelopes to the county
593 canvassing board along with his or her file or list kept
594 regarding said ballots.

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

600 Section 22. Section 101.68, Florida Statutes, is amended to
601 read:

602 101.68 Canvassing of vote-by-mail ~~absentee~~ ballot.—

603 (1) The supervisor of the county where the absent elector
604 resides shall receive the voted ballot, at which time the
605 supervisor shall compare the signature of the elector on the
606 voter's certificate with the signature of the elector in the
607 registration books or the precinct register to determine whether
608 the elector is duly registered in the county and may record on
609 the elector's registration certificate that the elector has

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610 voted. However, effective July 1, 2005, an elector who dies
611 after casting a vote-by-mail ~~an absentee~~ ballot but on or before
612 election day shall remain listed in the registration books until
613 the results have been certified for the election in which the
614 ballot was cast. The supervisor shall safely keep the ballot
615 unopened in his or her office until the county canvassing board
616 canvasses the vote. Except as provided in subsection (4), after
617 a vote-by-mail ~~an absentee~~ ballot is received by the supervisor,
618 the ballot is deemed to have been cast, and changes or additions
619 may not be made to the voter's certificate.

620 (2) (a) The county canvassing board may begin the canvassing
621 of vote-by-mail ~~absentee~~ ballots at 7 a.m. on the 15th day
622 before the election, but not later than noon on the day
623 following the election. In addition, for any county using
624 electronic tabulating equipment, the processing of vote-by-mail
625 ~~absentee~~ ballots through such tabulating equipment may begin at
626 7 a.m. on the 15th day before the election. However,
627 notwithstanding any such authorization to begin canvassing or
628 otherwise processing vote-by-mail ~~absentee~~ ballots early, no
629 result shall be released until after the closing of the polls in
630 that county on election day. Any supervisor of elections, deputy
631 supervisor of elections, canvassing board member, election board
632 member, or election employee who releases the results of a
633 canvassing or processing of vote-by-mail ~~absentee~~ ballots prior
634 to the closing of the polls in that county on election day
635 commits a felony of the third degree, punishable as provided in
636 s. 775.082, s. 775.083, or s. 775.084.

637 (b) To ensure that all vote-by-mail ~~absentee~~ ballots to be
638 counted by the canvassing board are accounted for, the

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639 canvassing board shall compare the number of ballots in its
640 possession with the number of requests for ballots received to
641 be counted according to the supervisor's file or list.

642 (c)1. The canvassing board shall, if the supervisor has not
643 already done so, compare the signature of the elector on the
644 voter's certificate or on the vote-by-mail ~~absentee~~ ballot
645 affidavit as provided in subsection (4) with the signature of
646 the elector in the registration books or the precinct register
647 to see that the elector is duly registered in the county and to
648 determine the legality of that vote-by-mail ~~absentee~~ ballot. The
649 ballot of an elector who casts a vote-by-mail ~~an absentee~~ ballot
650 shall be counted even if the elector dies on or before election
651 day, as long as, prior to the death of the voter, the ballot was
652 postmarked by the United States Postal Service, date-stamped
653 with a verifiable tracking number by a common carrier, or
654 already in the possession of the supervisor of elections. A
655 vote-by-mail ~~An absentee~~ ballot shall be considered illegal if
656 the voter's certificate or vote-by-mail ~~absentee~~ ballot
657 affidavit does not include the signature of the elector, as
658 shown by the registration records or the precinct register.
659 However, a vote-by-mail ~~an absentee~~ ballot is not considered
660 illegal if the signature of the elector does not cross the seal
661 of the mailing envelope. If the canvassing board determines that
662 any ballot is illegal, a member of the board shall, without
663 opening the envelope, mark across the face of the envelope:
664 "rejected as illegal." The vote-by-mail ~~absentee~~ ballot
665 affidavit, if applicable, the envelope, and the ballot contained
666 therein shall be preserved in the manner that official ballots
667 voted are preserved.

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668 2. If any elector or candidate present believes that a
669 vote-by-mail ~~an absentee~~ ballot is illegal due to a defect
670 apparent on the voter's certificate or the vote-by-mail ~~absentee~~
671 ballot affidavit, he or she may, at any time before the ballot
672 is removed from the envelope, file with the canvassing board a
673 protest against the canvass of that ballot, specifying the
674 precinct, the ballot, and the reason he or she believes the
675 ballot to be illegal. A challenge based upon a defect in the
676 voter's certificate or vote-by-mail ~~absentee~~ ballot affidavit
677 may not be accepted after the ballot has been removed from the
678 mailing envelope.

679 (d) The canvassing board shall record the ballot upon the
680 proper record, unless the ballot has been previously recorded by
681 the supervisor. The mailing envelopes shall be opened and the
682 secrecy envelopes shall be mixed so as to make it impossible to
683 determine which secrecy envelope came out of which signed
684 mailing envelope; however, in any county in which an electronic
685 or electromechanical voting system is used, the ballots may be
686 sorted by ballot styles and the mailing envelopes may be opened
687 and the secrecy envelopes mixed separately for each ballot
688 style. The votes on vote-by-mail ~~absentee~~ ballots shall be
689 included in the total vote of the county.

690 (3) The supervisor or the chair of the county canvassing
691 board shall, after the board convenes, have custody of the vote-
692 by-mail ~~absentee~~ ballots until a final proclamation is made as
693 to the total vote received by each candidate.

694 (4) (a) The supervisor of elections shall, on behalf of the
695 county canvassing board, notify each elector whose ballot was
696 rejected as illegal and provide the specific reason the ballot

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697 was rejected. The supervisor shall mail a voter registration
698 application to the elector to be completed indicating the
699 elector's current signature if the elector's ballot was rejected
700 due to a difference between the elector's signature on the
701 voter's certificate or vote-by-mail ~~absentee~~ ballot affidavit
702 and the elector's signature in the registration books or
703 precinct register. This section does not prohibit the supervisor
704 from providing additional methods for updating an elector's
705 signature.

706 (b) Until 5 p.m. on the day before an election, the
707 supervisor shall allow an elector who has returned a vote-by-
708 mail ~~an absentee~~ ballot that does not include the elector's
709 signature to complete and submit an affidavit in order to cure
710 the unsigned vote-by-mail ~~absentee~~ ballot.

711 (c) The elector shall provide identification to the
712 supervisor and must complete a vote-by-mail ~~an absentee~~ ballot
713 affidavit in substantially the following form:

714

715 VOTE-BY-MAIL ~~ABSENTEE~~ BALLOT AFFIDAVIT

716 I,, am a qualified voter in this election and
717 registered voter of County, Florida. I do solemnly swear or
718 affirm that I requested and returned the vote-by-mail ~~absentee~~
719 ballot and that I have not and will not vote more than one
720 ballot in this election. I understand that if I commit or
721 attempt any fraud in connection with voting, vote a fraudulent
722 ballot, or vote more than once in an election, I may be
723 convicted of a felony of the third degree and fined up to \$5,000
724 and imprisoned for up to 5 years. I understand that my failure
725 to sign this affidavit means that my vote-by-mail ~~absentee~~

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726 ballot will be invalidated.

727

728 ... (Voter's Signature) ...

729

730 ... (Address) ...

731

732 (d) Instructions must accompany the vote-by-mail ~~absentee~~
733 ballot affidavit in substantially the following form:

734

735 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
736 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
737 BALLOT NOT TO COUNT.

738

739 1. In order to ensure that your vote-by-mail ~~absentee~~
740 ballot will be counted, your affidavit should be completed and
741 returned as soon as possible so that it can reach the supervisor
742 of elections of the county in which your precinct is located no
743 later than 5 p.m. on the 2nd day before the election.

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

746 3. You must make a copy of one of the following forms of
747 identification:

748 a. Identification that includes your name and photograph:
749 United States passport; debit or credit card; military
750 identification; student identification; retirement center
751 identification; neighborhood association identification; or
752 public assistance identification; or

753 b. Identification that shows your name and current
754 residence address: current utility bill, bank statement,

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755 government check, paycheck, or government document (excluding
756 voter identification card).

757 4. Place the envelope bearing the affidavit into a mailing
758 envelope addressed to the supervisor. Insert a copy of your
759 identification in the mailing envelope. Mail, deliver, or have
760 delivered the completed affidavit along with the copy of your
761 identification to your county supervisor of elections. Be sure
762 there is sufficient postage if mailed and that the supervisor's
763 address is correct.

764 5. Alternatively, you may fax or e-mail your completed
765 affidavit and a copy of your identification to the supervisor of
766 elections. If e-mailing, please provide these documents as
767 attachments.

768 (e) The department and each supervisor shall include the
769 affidavit and instructions on their respective websites. The
770 supervisor must include his or her office's mailing address, e-
771 mail address, and fax number on the page containing the
772 affidavit instructions; the department's instruction page must
773 include the office mailing addresses, e-mail addresses, and fax
774 numbers of all supervisors of elections or provide a conspicuous
775 link to such addresses.

776 (f) The supervisor shall attach each affidavit received to
777 the appropriate vote-by-mail ~~absentee~~ ballot mailing envelope.

778 Section 23. Section 101.69, Florida Statutes, is amended to
779 read:

780 101.69 Voting in person; return of vote-by-mail ~~absentee~~
781 ballot.—The provisions of this code shall not be construed to
782 prohibit any elector from voting in person at the elector's
783 precinct on the day of an election or at an early voting site,

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784 notwithstanding that the elector has requested a vote-by-mail ~~an~~
785 ~~absentee~~ ballot for that election. An elector who has returned a
786 voted vote-by-mail ~~absentee~~ ballot to the supervisor, however,
787 is deemed to have cast his or her ballot and is not entitled to
788 vote another ballot or to have a provisional ballot counted by
789 the county canvassing board. An elector who has received a vote-
790 by-mail ~~an absentee~~ ballot and has not returned the voted ballot
791 to the supervisor, but desires to vote in person, shall return
792 the ballot, whether voted or not, to the election board in the
793 elector's precinct or to an early voting site. The returned
794 ballot shall be marked "canceled" by the board and placed with
795 other canceled ballots. However, if the elector does not return
796 the ballot and the election official:

797 (1) Confirms that the supervisor has received the elector's
798 vote-by-mail ~~absentee~~ ballot, the elector shall not be allowed
799 to vote in person. If the elector maintains that he or she has
800 not returned the vote-by-mail ~~absentee~~ ballot or remains
801 eligible to vote, the elector shall be provided a provisional
802 ballot as provided in s. 101.048.

803 (2) Confirms that the supervisor has not received the
804 elector's vote-by-mail ~~absentee~~ ballot, the elector shall be
805 allowed to vote in person as provided in this code. The
806 elector's vote-by-mail ~~absentee~~ ballot, if subsequently
807 received, shall not be counted and shall remain in the mailing
808 envelope, and the envelope shall be marked "Rejected as
809 Illegal."

810 (3) Cannot determine whether the supervisor has received
811 the elector's vote-by-mail ~~absentee~~ ballot, the elector may vote
812 a provisional ballot as provided in s. 101.048.

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813 Section 24. Subsections (1) and (2) of section 101.6921,
814 Florida Statutes, are amended to read:

815 101.6921 Delivery of special vote-by-mail ~~absentee~~ ballot
816 to certain first-time voters.—

817 (1) The provisions of this section apply to voters who are
818 subject to the provisions of s. 97.0535 and who have not
819 provided the identification or certification required by s.
820 97.0535 by the time the vote-by-mail ~~absentee~~ ballot is mailed.

821 (2) The supervisor shall enclose with each vote-by-mail
822 ~~absentee~~ ballot three envelopes: a secrecy envelope, into which
823 the absent elector will enclose his or her marked ballot; an
824 envelope containing the Voter's Certificate, into which the
825 absent elector shall place the secrecy envelope; and a mailing
826 envelope, which shall be addressed to the supervisor and into
827 which the absent elector will place the envelope containing the
828 Voter's Certificate and a copy of the required identification.

829 Section 25. Section 101.6923, Florida Statutes, is amended
830 to read:

831 101.6923 Special vote-by-mail ~~absentee~~ ballot instructions
832 for certain first-time voters.—

833 (1) The provisions of this section apply to voters who are
834 subject to the provisions of s. 97.0535 and who have not
835 provided the identification or information required by s.
836 97.0535 by the time the vote-by-mail ~~absentee~~ ballot is mailed.

837 (2) A voter covered by this section shall be provided with
838 printed instructions with his or her vote-by-mail ~~absentee~~
839 ballot in substantially the following form:

840

841 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR

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842 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
843 YOUR BALLOT NOT TO COUNT.

844

845 1. In order to ensure that your vote-by-mail ~~absentee~~
846 ballot will be counted, it should be completed and returned as
847 soon as possible so that it can reach the supervisor of
848 elections of the county in which your precinct is located no
849 later than 7 p.m. on the date of the election. However, if you
850 are an overseas voter casting a ballot in a presidential
851 preference primary or general election, your vote-by-mail
852 ~~absentee~~ ballot must be postmarked or dated no later than the
853 date of the election and received by the supervisor of elections
854 of the county in which you are registered to vote no later than
855 10 days after the date of the election.

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

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

863 4. Place your marked ballot in the enclosed secrecy
864 envelope and seal the envelope.

865 5. Insert the secrecy envelope into the enclosed envelope
866 bearing the Voter's Certificate. Seal the envelope and
867 completely fill out the Voter's Certificate on the back of the
868 envelope.

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

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

874 c. A vote-by-mail ~~An absentee~~ ballot will be considered
875 illegal and will not be counted if the signature on the Voter's
876 Certificate does not match the signature on record. The
877 signature on file at the start of the canvass of the vote-by-
878 mail ~~absentee~~ ballots is the signature that will be used to
879 verify your signature on the Voter's Certificate. If you need to
880 update your signature for this election, send your signature
881 update on a voter registration application to your supervisor of
882 elections so that it is received no later than the start of
883 canvassing of vote-by-mail ~~absentee~~ ballots, which occurs no
884 earlier than the 15th day before election day.

885 6. Unless you meet one of the exemptions in Item 7., you
886 must make a copy of one of the following forms of
887 identification:

888 a. Identification which must include your name and
889 photograph: United States passport; debit or credit card;
890 military identification; student identification; retirement
891 center identification; neighborhood association identification;
892 or public assistance identification; or

893 b. Identification which shows your name and current
894 residence address: current utility bill, bank statement,
895 government check, paycheck, or government document (excluding
896 voter identification card).

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

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

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- 900 b. You have a temporary or permanent physical disability.
- 901 c. You are a member of a uniformed service on active duty
- 902 who, by reason of such active duty, will be absent from the
- 903 county on election day.
- 904 d. You are a member of the Merchant Marine who, by reason
- 905 of service in the Merchant Marine, will be absent from the
- 906 county on election day.
- 907 e. You are the spouse or dependent of a member referred to
- 908 in paragraph c. or paragraph d. who, by reason of the active
- 909 duty or service of the member, will be absent from the county on
- 910 election day.
- 911 f. You are currently residing outside the United States.
- 912 8. Place the envelope bearing the Voter's Certificate into
- 913 the mailing envelope addressed to the supervisor. Insert a copy
- 914 of your identification in the mailing envelope. DO NOT PUT YOUR
- 915 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
- 916 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
- 917 BALLOT WILL NOT COUNT.
- 918 9. Mail, deliver, or have delivered the completed mailing
- 919 envelope. Be sure there is sufficient postage if mailed.
- 920 10. FELONY NOTICE. It is a felony under Florida law to
- 921 accept any gift, payment, or gratuity in exchange for your vote
- 922 for a candidate. It is also a felony under Florida law to vote
- 923 in an election using a false identity or false address, or under
- 924 any other circumstances making your ballot false or fraudulent.
- 925 Section 26. Subsections (1) and (2) of section 101.6925,
- 926 Florida Statutes, are amended to read:
- 927 101.6925 Canvassing special vote-by-mail ~~absentee~~ ballots.-
- 928 (1) The supervisor of the county where the absent elector

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929 resides shall receive the voted special vote-by-mail ~~absentee~~
930 ballot, at which time the mailing envelope shall be opened to
931 determine if the voter has enclosed the identification required
932 or has indicated on the Voter's Certificate that he or she is
933 exempt from the identification requirements.

934 (2) If the identification is enclosed or the voter has
935 indicated that he or she is exempt from the identification
936 requirements, the supervisor shall make the note on the
937 registration records of the voter and proceed to canvass the
938 vote-by-mail ~~absentee~~ ballot as provided in s. 101.68.

939 Section 27. Section 101.694, Florida Statutes, is amended
940 to read:

941 101.694 Mailing of ballots upon receipt of federal postcard
942 application.—

943 (1) Upon receipt of a federal postcard application for a
944 vote-by-mail ~~an absentee~~ ballot executed by a person whose
945 registration is in order or whose application is sufficient to
946 register or update the registration of that person, the
947 supervisor shall send the ballot in accordance with s.
948 101.62(4).

949 (2) Upon receipt of a federal postcard application for a
950 vote-by-mail ~~an absentee~~ ballot executed by a person whose
951 registration is not in order and whose application is
952 insufficient to register or update the registration of that
953 person, the supervisor shall follow the procedure set forth in
954 s. 97.073.

955 (3) Vote-by-mail ~~Absentee~~ envelopes printed for voters
956 entitled to vote by mail ~~absentee~~ under the Uniformed and
957 Overseas Citizens Absentee Voting Act shall meet the

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958 specifications as determined by the Federal Voting Assistance
959 Program of the United States Department of Defense and the
960 United States Postal Service.

961 (4) Cognizance shall be taken of the fact that vote-by-mail
962 ~~absentee~~ ballots and other materials such as instructions and
963 envelopes are to be carried via air mail, and, to the maximum
964 extent possible, such ballots and materials shall be reduced in
965 size and weight of paper. The same ballot shall be used,
966 however, as is used by other vote-by-mail ~~absentee~~ voters.

967 Section 28. Subsections (1) and (4) of section 101.6951,
968 Florida Statutes, are amended to read:

969 101.6951 State write-in vote-by-mail ballot.—

970 (1) An overseas voter may request, not earlier than 180
971 days before a general election, a state write-in vote-by-mail
972 ~~absentee~~ ballot from the supervisor of elections in the county
973 of registration. In order to receive a state write-in ballot,
974 the voter shall state that due to military or other
975 contingencies that preclude normal mail delivery, the voter
976 cannot vote a vote-by-mail ~~an absentee~~ ballot during the normal
977 vote-by-mail ~~absentee~~ voting period. State write-in vote-by-mail
978 ~~absentee~~ ballots shall be made available to voters 90 to 180
979 days prior to a general election. The Department of State shall
980 prescribe by rule the form of the state write-in vote-by-mail
981 ballot.

982 (4) The state write-in vote-by-mail ballot shall contain
983 all offices, federal, state, and local, for which the voter
984 would otherwise be entitled to vote.

985 Section 29. Section 101.6952, Florida Statutes, is amended
986 to read:

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987 101.6952 Vote-by-mail ~~Absentee~~ ballots for absent uniformed
988 services and overseas voters.—

989 (1) If an absent uniformed services voter's or an overseas
990 voter's request for an official vote-by-mail ~~absentee~~ ballot
991 pursuant to s. 101.62 includes an e-mail address, the supervisor
992 of elections shall:

993 (a) Record the voter's e-mail address in the vote-by-mail
994 ~~absentee~~ ballot record;

995 (b) Confirm by e-mail that the vote-by-mail ~~absentee~~ ballot
996 request was received and include in that e-mail the estimated
997 date the vote-by-mail ~~absentee~~ ballot will be sent to the voter;
998 and

999 (c) Notify the voter by e-mail when the voted vote-by-mail
1000 ~~absentee~~ ballot is received by the supervisor of elections.

1001 (2) (a) An absent uniformed services voter or an overseas
1002 voter who makes timely application for but does not receive an
1003 official vote-by-mail ~~absentee~~ ballot may use the federal write-
1004 in absentee ballot to vote in any federal election and any state
1005 or local election involving two or more candidates.

1006 (b)1. In an election for federal office, an elector may
1007 designate a candidate by writing the name of a candidate on the
1008 ballot. Except for a primary or special primary election, the
1009 elector may alternatively designate a candidate by writing the
1010 name of a political party on the ballot. A written designation
1011 of the political party shall be counted as a vote for the
1012 candidate of that party if there is such a party candidate in
1013 the race.

1014 2. In an election for a state or local office, an elector
1015 may vote in the section of the federal write-in absentee ballot

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1016 designated for nonfederal races by writing on the ballot the
1017 title of each office and by writing on the ballot the name of
1018 the candidate for whom the elector is voting. Except for a
1019 primary, special primary, or nonpartisan election, the elector
1020 may alternatively designate a candidate by writing the name of a
1021 political party on the ballot. A written designation of the
1022 political party shall be counted as a vote for the candidate of
1023 that party if there is such a party candidate in the race.

1024 (c) In the case of a joint candidacy, such as for the
1025 offices of President/Vice President or Governor/Lieutenant
1026 Governor, a valid vote for one or both qualified candidates on
1027 the same ticket shall constitute a vote for the joint candidacy.

1028 (d) For purposes of this subsection and except where the
1029 context clearly indicates otherwise, such as where a candidate
1030 in the election is affiliated with a political party whose name
1031 includes the word "Independent," "Independence," or similar
1032 term, a voter designation of "No Party Affiliation" or
1033 "Independent," or any minor variation, misspelling, or
1034 abbreviation thereof, shall be considered a designation for the
1035 candidate, other than a write-in candidate, who qualified to run
1036 in the race with no party affiliation. If more than one
1037 candidate qualifies to run as a candidate with no party
1038 affiliation, the designation shall not count for any candidate
1039 unless there is a valid, additional designation of the
1040 candidate's name.

1041 (e) Any abbreviation, misspelling, or other minor variation
1042 in the form of the name of an office, the name of a candidate,
1043 or the name of a political party must be disregarded in
1044 determining the validity of the ballot.

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1045 (3) (a) An absent uniformed services voter or an overseas
1046 voter who submits a federal write-in absentee ballot and later
1047 receives an official vote-by-mail ~~absentee~~ ballot may submit the
1048 official vote-by-mail ~~absentee~~ ballot. An elector who submits a
1049 federal write-in absentee ballot and later receives and submits
1050 an official vote-by-mail ~~absentee~~ ballot should make every
1051 reasonable effort to inform the appropriate supervisor of
1052 elections that the elector has submitted more than one ballot.

1053 (b) A federal write-in absentee ballot may not be canvassed
1054 until 7 p.m. on the day of the election. Each federal write-in
1055 absentee ballot received by 7 p.m. on the day of the election
1056 shall be canvassed pursuant to ss. 101.5614(5) and 101.68,
1057 unless the elector's official vote-by-mail ~~absentee~~ ballot is
1058 received by 7 p.m. on election day. If the elector's official
1059 vote-by-mail ~~absentee~~ ballot is received by 7 p.m. on election
1060 day, the federal write-in absentee ballot is invalid and the
1061 official vote-by-mail ~~absentee~~ ballot shall be canvassed. The
1062 time shall be regulated by the customary time in standard use in
1063 the county seat of the locality.

1064 (4) For vote-by-mail ~~absentee~~ ballots received from absent
1065 uniformed services voters or overseas voters, there is a
1066 presumption that the envelope was mailed on the date stated on
1067 the outside of the return envelope, regardless of the absence of
1068 a postmark on the mailed envelope or the existence of a postmark
1069 date that is later than the date of the election.

1070 (5) A vote-by-mail ~~An absentee~~ ballot from an overseas
1071 voter in any presidential preference primary or general election
1072 which is postmarked or dated no later than the date of the
1073 election and is received by the supervisor of elections of the

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1074 county in which the overseas voter is registered no later than
 1075 10 days after the date of the election shall be counted as long
 1076 as the vote-by-mail ~~absentee~~ ballot is otherwise proper.

1077 Section 30. Section 101.697, Florida Statutes, is amended
 1078 to read:

1079 101.697 Electronic transmission of election materials.—The
 1080 Department of State shall determine whether secure electronic
 1081 means can be established for receiving ballots from overseas
 1082 voters. If such security can be established, the department
 1083 shall adopt rules to authorize a supervisor of elections to
 1084 accept from an overseas voter a request for a vote-by-mail ~~an~~
 1085 ~~absentee~~ ballot or a voted vote-by-mail ~~absentee~~ ballot by
 1086 secure facsimile machine transmission or other secure electronic
 1087 means. The rules must provide that in order to accept a voted
 1088 ballot, the verification of the voter must be established, the
 1089 security of the transmission must be established, and each
 1090 ballot received must be recorded.

1091 Section 31. Paragraph (a) of subsection (4) of section
 1092 102.031, Florida Statutes, is amended to read:

1093 102.031 Maintenance of good order at polls; authorities;
 1094 persons allowed in polling rooms and early voting areas;
 1095 unlawful solicitation of voters.—

1096 (4) (a) No person, political committee, or other group or
 1097 organization may solicit voters inside the polling place or
 1098 within 100 feet of the entrance to any polling place, a polling
 1099 room where the polling place is also a polling room, an early
 1100 voting site, or an office of the supervisor of elections where
 1101 vote-by-mail ~~absentee~~ ballots are requested and printed on
 1102 demand for the convenience of electors who appear in person to

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1103 request them. Before the opening of the polling place or early
1104 voting site, the clerk or supervisor shall designate the no-
1105 solicitation zone and mark the boundaries.

1106 Section 32. Subsections (2), (3), and (4) of section
1107 102.141, Florida Statutes, are amended to read:

1108 102.141 County canvassing board; duties.—

1109 (2) The county canvassing board shall meet in a building
1110 accessible to the public in the county where the election
1111 occurred at a time and place to be designated by the supervisor
1112 of elections to publicly canvass the absent ~~absentee~~ electors'
1113 ballots as provided for in s. 101.68 and provisional ballots as
1114 provided by ss. 101.048, 101.049, and 101.6925. Provisional
1115 ballots cast pursuant to s. 101.049 shall be canvassed in a
1116 manner that votes for candidates and issues on those ballots can
1117 be segregated from other votes. Public notice of the time and
1118 place at which the county canvassing board shall meet to canvass
1119 the absent ~~absentee~~ electors' ballots and provisional ballots
1120 shall be given at least 48 hours prior thereto by publication on
1121 the supervisor of elections' website and once in one or more
1122 newspapers of general circulation in the county or, if there is
1123 no newspaper of general circulation in the county, by posting
1124 such notice in at least four conspicuous places in the county.
1125 As soon as the absent ~~absentee~~ electors' ballots and the
1126 provisional ballots are canvassed, the board shall proceed to
1127 publicly canvass the vote given each candidate, nominee,
1128 constitutional amendment, or other measure submitted to the
1129 electorate of the county, as shown by the returns then on file
1130 in the office of the supervisor of elections.

1131 (3) The canvass, except the canvass of absent ~~absentee~~

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1132 electors' returns and the canvass of provisional ballots, shall
1133 be made from the returns and certificates of the inspectors as
1134 signed and filed by them with the supervisor, and the county
1135 canvassing board shall not change the number of votes cast for a
1136 candidate, nominee, constitutional amendment, or other measure
1137 submitted to the electorate of the county, respectively, in any
1138 polling place, as shown by the returns. All returns shall be
1139 made to the board on or before 2 a.m. of the day following any
1140 primary, general, or other election. If the returns from any
1141 precinct are missing, if there are any omissions on the returns
1142 from any precinct, or if there is an obvious error on any such
1143 returns, the canvassing board shall order a retabulation of the
1144 returns from such precinct. Before canvassing such returns, the
1145 canvassing board shall examine the tabulation of the ballots
1146 cast in such precinct and determine whether the returns
1147 correctly reflect the votes cast. If there is a discrepancy
1148 between the returns and the tabulation of the ballots cast, the
1149 tabulation of the ballots cast shall be presumed correct and
1150 such votes shall be canvassed accordingly.

1151 (4) (a) The supervisor of elections shall upload into the
1152 county's election management system by 7 p.m. on the day before
1153 the election the results of all early voting and vote-by-mail
1154 ~~absentee~~ ballots that have been canvassed and tabulated by the
1155 end of the early voting period. Pursuant to ss. 101.5614(9),
1156 101.657, and 101.68(2), the tabulation of votes cast or the
1157 results of such uploads may not be made public before the close
1158 of the polls on election day.

1159 (b) The canvassing board shall report all early voting and
1160 all tabulated vote-by-mail ~~absentee~~ results to the Department of

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1161 State within 30 minutes after the polls close. Thereafter, the
1162 canvassing board shall report, with the exception of provisional
1163 ballot results, updated precinct election results to the
1164 department at least every 45 minutes until all results are
1165 completely reported. The supervisor of elections shall notify
1166 the department immediately of any circumstances that do not
1167 permit periodic updates as required. Results shall be submitted
1168 in a format prescribed by the department.

1169 Section 33. Subsection (8) of section 102.168, Florida
1170 Statutes, is amended to read:

1171 102.168 Contest of election.—

1172 (8) In any contest that requires a review of the canvassing
1173 board's decision on the legality of a vote-by-mail ~~an absentee~~
1174 ballot pursuant to s. 101.68 based upon a comparison of the
1175 signature on the voter's certificate and the signature of the
1176 elector in the registration records, the circuit court may not
1177 review or consider any evidence other than the signature on the
1178 voter's certificate and the signature of the elector in the
1179 registration records. The court's review of such issue shall be
1180 to determine only if the canvassing board abused its discretion
1181 in making its decision.

1182 Section 34. Subsection (1) of section 104.047, Florida
1183 Statutes, is amended to read:

1184 104.047 Vote-by-mail ~~Absentee~~ ballots and voting;
1185 violations.—

1186 (1) Except as provided in s. 101.62 or s. 101.655, any
1187 person who requests a vote-by-mail ~~an absentee~~ ballot on behalf
1188 of an elector is guilty of a felony of the third degree,
1189 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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1190 Section 35. Section 104.0616, Florida Statutes, is amended
1191 to read:

1192 104.0616 Vote-by-mail ~~Absentee~~ ballots and voting;
1193 violations.—

1194 (1) For purposes of this section, the term "immediate
1195 family" means a person's spouse or the parent, child,
1196 grandparent, or sibling of the person or the person's spouse.

1197 (2) Any person who provides or offers to provide, and any
1198 person who accepts, a pecuniary or other benefit in exchange for
1199 distributing, ordering, requesting, collecting, delivering, or
1200 otherwise physically possessing more than two vote-by-mail
1201 ~~absentee~~ ballots per election in addition to his or her own
1202 ballot or a ballot belonging to an immediate family member,
1203 except as provided in ss. 101.6105-101.694, commits a
1204 misdemeanor of the first degree, punishable as provided in s.
1205 775.082, s. 775.083, or s. 775.084.

1206 Section 36. Section 104.17, Florida Statutes, is amended to
1207 read:

1208 104.17 Voting in person after casting vote-by-mail ~~absentee~~
1209 ballot.—Any person who willfully votes or attempts to vote both
1210 in person and by vote-by-mail ~~absentee~~ ballot at any election is
1211 guilty of a felony of the third degree, punishable as provided
1212 in s. 775.082, s. 775.083, or s. 775.084.

1213 Section 37. Paragraph (b) of subsection (2) of section
1214 117.05, Florida Statutes, is amended to read:

1215 117.05 Use of notary commission; unlawful use; notary fee;
1216 seal; duties; employer liability; name change; advertising;
1217 photocopies; penalties.—

1218 (2)

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1219 (b) A notary public may not charge a fee for witnessing a
1220 vote-by-mail ~~an absentee~~ ballot in an election, and must witness
1221 such a ballot upon the request of an elector, provided the
1222 notarial act is in accordance with the provisions of this
1223 chapter.

1224 Section 38. Subsection (7) of section 394.459, Florida
1225 Statutes, is amended to read:

1226 394.459 Rights of patients.—

1227 (7) VOTING IN PUBLIC ELECTIONS.—A patient who is eligible
1228 to vote according to the laws of the state has the right to vote
1229 in the primary and general elections. The department shall
1230 establish rules to enable patients to obtain voter registration
1231 forms, applications for vote-by-mail ~~absentee~~ ballots, and vote-
1232 by-mail ~~absentee~~ ballots.

1233 Section 39. Section 741.406, Florida Statutes, is amended
1234 to read:

1235 741.406 Voting by program participant; use of designated
1236 address by supervisor of elections.—A program participant who is
1237 otherwise qualified to vote may request a vote-by-mail ~~an~~
1238 ~~absentee~~ ballot pursuant to s. 101.62. The program participant
1239 shall automatically receive vote-by-mail ~~absentee~~ ballots for
1240 all elections in the jurisdictions in which that individual
1241 resides in the same manner as vote-by-mail ~~absentee~~ voters. The
1242 supervisor of elections shall transmit the vote-by-mail ~~absentee~~
1243 ballot to the program participant at the address designated by
1244 the participant in his or her application as a vote-by-mail ~~an~~
1245 ~~absentee~~ voter. The name, address, and telephone number of a
1246 program participant may not be included in any list of
1247 registered voters available to the public.

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1248 Section 40. Subsection (7) of section 916.107, Florida
1249 Statutes, is amended to read:

1250 916.107 Rights of forensic clients.—

1251 (7) VOTING IN PUBLIC ELECTIONS.—A forensic client who is
1252 eligible to vote according to the laws of the state has the
1253 right to vote in the primary and general elections. The
1254 department and agency shall establish rules to enable clients to
1255 obtain voter registration forms, applications for vote-by-mail
1256 ~~absentee~~ ballots, and vote-by-mail ~~absentee~~ ballots.

1257 Section 41. This act shall take effect July 1, 2015.