

By Senator Sachs

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1 A bill to be entitled
2 An act relating to elections; creating s. 101.622,
3 F.S.; establishing an election alert system for
4 certain purposes; providing system requirements;
5 amending s. 101.64, F.S.; requiring absentee ballots
6 to be provided with a postage prepaid, preaddressed
7 return envelope; providing for the Division of
8 Elections to reimburse counties for certain costs;
9 amending s. 101.69, F.S.; revising requirements for
10 the return of absentee ballots; requiring the
11 Department of State to establish rules relating to the
12 return of absentee ballots; providing an effective
13 date.

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

16
17 Section 1. Section 101.622, Florida Statutes, is created to
18 read:

19 101.622 Election alert system.—

20 (1) The supervisor of elections shall establish an election
21 alert system consistent with this section.

22 (2) The supervisor of elections shall, on the supervisor's
23 Internet website or on the elector's voter registration form,
24 provide an elector with the ability to receive alerts.

25 (3) The alert system must provide electors with a text
26 message or an e-mail notification informing the elector that
27 voting has begun. The message or e-mail must be sent by 11 a.m.
28 on the first day of early voting and on election day, and it
29 must provide a link to precinct polling places and the hours the
30 precinct polling places are open.

31 Section 2. Subsection (1) of section 101.64, Florida
32 Statutes, is amended, and subsection (5) is added to that

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33 section, to read:

34 101.64 Delivery of absentee ballots; envelopes; form.—

35 (1) The supervisor shall enclose with each absentee ballot
36 two envelopes: a secrecy envelope, into which the absent elector
37 shall enclose his or her marked ballot; and a mailing envelope
38 with a postage prepaid, preaddressed return envelope, into which
39 the absent elector shall then place the secrecy envelope, which
40 shall be addressed to the supervisor and also bear on the back
41 side a certificate in substantially the following form:

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

44 VOTER'S CERTIFICATE

45 I,, do solemnly swear or affirm that I am a qualified
46 and registered voter of County, Florida, and that I have
47 not and will not vote more than one ballot in this election. I
48 understand that if I commit or attempt to commit any fraud in
49 connection with voting, vote a fraudulent ballot, or vote more
50 than once in an election, I can be convicted of a felony of the
51 third degree and fined up to \$5,000 and/or imprisoned for up to
52 5 years. I also understand that failure to sign this certificate
53 will invalidate my ballot.

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

55 (5) Costs related to the postage prepaid, preaddressed
56 return envelope in subsection (1) shall be reimbursed to each
57 county by the Division of Elections upon request by the
58 supervisor of elections.

59 Section 3. Section 101.69, Florida Statutes, is amended to
60 read:

61 101.69 Voting in person; return of absentee ballot.—The

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62 provisions of this code shall not be construed to prohibit any
63 elector from voting in person at the elector's precinct on the
64 day of an election or at an early voting site, notwithstanding
65 that the elector has requested an absentee ballot for that
66 election. An elector who has returned a voted absentee ballot to
67 the supervisor, however, is deemed to have cast his or her
68 ballot and is not entitled to vote another ballot or to have a
69 provisional ballot counted by the county canvassing board. An
70 elector who has received an absentee ballot and has not returned
71 the voted ballot to the supervisor, but desires to vote in
72 person, may ~~shall~~ return the voted ballot, ~~whether voted or not,~~
73 to the election board in the elector's precinct or to an early
74 voting site. The Department of State shall, by rule, allow the
75 elector to return an absentee ballot by hand delivery to the
76 elector's polling place on election day and allow the elector to
77 deposit the absentee ballot directly into the voting system ~~The~~
78 ~~returned ballot shall be marked "canceled" by the board and~~
79 ~~placed with other canceled ballots.~~ However, if the elector does
80 not return the ballot and the election official:

81 (1) Confirms that the supervisor has received the elector's
82 absentee ballot, the elector shall not be allowed to vote in
83 person. If the elector maintains that he or she has not returned
84 the absentee ballot or remains eligible to vote, the elector
85 shall be provided a provisional ballot as provided in s.
86 101.048.

87 (2) Confirms that the supervisor has not received the
88 elector's absentee ballot, the elector shall be allowed to vote
89 in person as provided in this code. The elector's absentee
90 ballot, if subsequently received, shall not be counted and shall

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91 remain in the mailing envelope, and the envelope shall be marked
92 "Rejected as Illegal."

93 (3) Cannot determine whether the supervisor has received
94 the elector's absentee ballot, the elector may vote a
95 provisional ballot as provided in s. 101.048.

96 Section 4. This act shall take effect July 1, 2016.