



193534

LEGISLATIVE ACTION

Senate

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House

Floor: 1/AD/2R

05/03/2017 11:04 AM

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Senator Powell moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 101.69, Florida Statutes, is amended to  
read:

101.69 Voting in person; return of vote-by-mail ballot.—

(1) The provisions of this code shall not be construed to  
prohibit any elector from voting in person at the elector's  
precinct on the day of an election or at an early voting site,  
notwithstanding that the elector has requested a vote-by-mail



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12 ballot for that election. An elector who has returned a voted  
13 vote-by-mail ballot to the supervisor, however, is deemed to  
14 have cast his or her ballot and is not entitled to vote another  
15 ballot or to have a provisional ballot counted by the county  
16 canvassing board. An elector who has received a vote-by-mail  
17 ballot and has not returned the voted ballot to the supervisor,  
18 but desires to vote in person, shall return the ballot, whether  
19 voted or not, to the election board in the elector's precinct or  
20 to an early voting site. The returned ballot shall be marked  
21 "canceled" by the board and placed with other canceled ballots.  
22 However, if the elector does not return the ballot and the  
23 election official:

24 (a)~~(1)~~ Confirms that the supervisor has received the  
25 elector's vote-by-mail ballot, the elector shall not be allowed  
26 to vote in person. If the elector maintains that he or she has  
27 not returned the vote-by-mail ballot or remains eligible to  
28 vote, the elector shall be provided a provisional ballot as  
29 provided in s. 101.048.

30 (b)~~(2)~~ Confirms that the supervisor has not received the  
31 elector's vote-by-mail ballot, the elector shall be allowed to  
32 vote in person as provided in this code. The elector's vote-by-  
33 mail ballot, if subsequently received, shall not be counted and  
34 shall remain in the mailing envelope, and the envelope shall be  
35 marked "Rejected as Illegal."

36 (c)~~(3)~~ Cannot determine whether the supervisor has received  
37 the elector's vote-by-mail ballot, the elector may vote a  
38 provisional ballot as provided in s. 101.048.

39 (2) (a) If the elector chooses not to vote in person as  
40 provided in subsection (1), the elector may vote by personally



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41 delivering his or her completed vote-by-mail ballot to an early  
42 voting site in the elector's county of residence during the  
43 early voting site's hours of operation.

44 (b) The division shall adopt uniform rules for the receipt  
45 of the ballots.

46 Section 2. This act shall take effect July 1, 2017.

47

48 ===== T I T L E A M E N D M E N T =====

49 And the title is amended as follows:

50 Delete everything before the enacting clause  
51 and insert:

52 A bill to be entitled  
53 An act relating to vote-by-mail ballots; amending s.  
54 101.69, F.S.; authorizing an elector to vote by  
55 personally delivering his or her completed vote-by-  
56 mail ballot to an early voting site in the elector's  
57 county of residence during the site's hours of  
58 operation; requiring the Division of Elections to  
59 adopt rules; providing an effective date.