

By Senator Powell

30-00516-18

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1                   A bill to be entitled  
2       An act relating to vote-by-mail ballots; amending s.  
3       101.69, F.S.; authorizing an elector to vote by  
4       personally delivering his or her completed vote-by-  
5       mail ballot to an early voting site in the elector's  
6       county of residence during the site's hours of  
7       operation; requiring the Division of Elections to  
8       adopt rules; providing an effective date.

9  
10   Be It Enacted by the Legislature of the State of Florida:

11  
12       Section 1. Section 101.69, Florida Statutes, is amended to  
13   read:

14       101.69 Voting in person; return of vote-by-mail ballot.—

15       (1) The provisions of this code shall not be construed to  
16   prohibit any elector from voting in person at the elector's  
17   precinct on the day of an election or at an early voting site,  
18   notwithstanding that the elector has requested a vote-by-mail  
19   ballot for that election. An elector who has returned a voted  
20   vote-by-mail ballot to the supervisor, however, is deemed to  
21   have cast his or her ballot and is not entitled to vote another  
22   ballot or to have a provisional ballot counted by the county  
23   canvassing board. An elector who has received a vote-by-mail  
24   ballot and has not returned the voted ballot to the supervisor,  
25   but desires to vote in person, shall return the ballot, whether  
26   voted or not, to the election board in the elector's precinct or  
27   to an early voting site. The returned ballot shall be marked  
28   " canceled " by the board and placed with other canceled ballots.  
29   However, if the elector does not return the ballot and the

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30 election official:

31 (a)~~(1)~~ Confirms that the supervisor has received the  
32 elector's vote-by-mail ballot, the elector shall not be allowed  
33 to vote in person. If the elector maintains that he or she has  
34 not returned the vote-by-mail ballot or remains eligible to  
35 vote, the elector shall be provided a provisional ballot as  
36 provided in s. 101.048.

37 (b)~~(2)~~ Confirms that the supervisor has not received the  
38 elector's vote-by-mail ballot, the elector shall be allowed to  
39 vote in person as provided in this code. The elector's vote-by-  
40 mail ballot, if subsequently received, shall not be counted and  
41 shall remain in the mailing envelope, and the envelope shall be  
42 marked "Rejected as Illegal."

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

46 (2) (a) If the elector chooses not to vote in person as  
47 provided in subsection (1), the elector may vote by personally  
48 delivering his or her completed vote-by-mail ballot to an early  
49 voting site in the elector's county of residence during the  
50 early voting site's hours of operation.

51 (b) The division shall adopt uniform rules for the receipt  
52 of the ballots.

53 Section 2. This act shall take effect July 1, 2018.