



834194

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/23/2019	.	
	.	
	.	
	.	

The Committee on Rules (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (17) is added to section 97.012,
Florida Statutes, to read:

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

(17) Provide formal signature matching training to
supervisors of elections and county canvassing board members.



834194

12 Section 2. Effective January 1, 2020, subsection (41) of
13 section 97.021, Florida Statutes, is amended to read:

14 97.021 Definitions.—For the purposes of this code, except
15 where the context clearly indicates otherwise, the term:

16 (41) "Voter interface device" means any device that
17 communicates voting instructions and ballot information to a
18 voter and allows the voter to select and vote for candidates and
19 issues. A voter interface device may not be used to tabulate
20 votes. Any vote tabulation must be based upon a subsequent scan
21 of the marked marksense ballot or the voter-verifiable paper
22 output after the voter interface device process has been
23 completed.

24 Section 3. Subsection (4) of section 98.077, Florida
25 Statutes, is amended to read:

26 98.077 Update of voter signature.—

27 (4) Except as authorized in ss. 101.048 and 101.68:

28 (a) All signature updates for use in verifying vote-by-mail
29 and provisional ballots must be received by the appropriate
30 supervisor before the elector's ballot is received by the
31 supervisor or, in the case of provisional ballots, before the
32 elector's ballot is cast ~~of elections no later than the start of~~
33 ~~the canvassing of vote-by-mail ballots by the canvassing board.~~

34 (b) The signature on file at the time the vote-by-mail
35 ballot is received or at the time the provisional ballot is cast
36 ~~start of the canvass of the vote-by-mail ballots~~ is the
37 signature that shall be used in verifying the signature on the
38 vote-by-mail and provisional ballot certificates, respectively.

39 Section 4. Paragraph (a) of subsection (2) of section
40 98.0981, Florida Statutes, is amended to read:



834194

41 98.0981 Reports; voting history; statewide voter
42 registration system information; precinct-level election
43 results; book closing statistics.—

44 (2) PRECINCT-LEVEL ELECTION RESULTS.—

45 (a) Within 30 days after certification by the Elections
46 Canvassing Commission of a presidential preference primary
47 election, special election, primary election, or general
48 election, the supervisors of elections shall collect and submit
49 to the department precinct-level election results for the
50 election in a uniform electronic format specified by paragraph
51 (c). The precinct-level election results shall be compiled
52 separately for the primary or special primary election that
53 preceded the general or special general election, respectively.
54 The results shall specifically include for each precinct the
55 total of all ballots cast for each candidate or nominee to fill
56 a national, state, county, or district office or proposed
57 constitutional amendment, with subtotals for each candidate and
58 ballot type, unless fewer than 30 ~~40~~ voters voted a ballot type.
59 "All ballots cast" means ballots cast by voters who cast a
60 ballot whether at a precinct location, by vote-by-mail ballot
61 including overseas vote-by-mail ballots, during the early voting
62 period, or by provisional ballot.

63 Section 5. Subsection (4) of section 99.063, Florida
64 Statutes, is amended to read:

65 99.063 Candidates for Governor and Lieutenant Governor.—

66 (4) In order to have the name of the candidate for
67 Lieutenant Governor printed on the primary election ballot, a
68 candidate for Governor participating in the primary must
69 designate the candidate for Lieutenant Governor, and the



834194

70 designated candidate must qualify no later than the end of the
71 qualifying period specified in s. 99.061. ~~If the candidate for~~
72 ~~Lieutenant Governor has not been designated and has not~~
73 ~~qualified by the end of the qualifying period specified in s.~~
74 ~~99.061, the phrase "Not Yet Designated" must be included in lieu~~
75 ~~of the candidate's name on the primary election ballot.~~

76 Section 6. Section 100.061, Florida Statutes, is amended to
77 read:

78 100.061 Primary election.—In each year in which a general
79 election is held, a primary election for nomination of
80 candidates of political parties shall be held on the Tuesday 11
81 ~~10~~ weeks prior to the general election. The candidate receiving
82 the highest number of votes cast in each contest in the primary
83 election shall be declared nominated for such office. If two or
84 more candidates receive an equal and highest number of votes for
85 the same office, such candidates shall draw lots to determine
86 which candidate is nominated.

87 Section 7. Subsection (4) of section 101.015, Florida
88 Statutes, is amended to read:

89 101.015 Standards for voting systems.—

90 (4) (a) The Department of State shall adopt rules
91 establishing minimum security standards for voting systems. The
92 standards, at a minimum, must address the following:

93 1. Chain of custody of ballots, including a detailed
94 description of procedures to create a complete written record of
95 the chain of custody of ballots and paper outputs beginning with
96 their receipt from a printer or manufacturer until such time as
97 they are destroyed.

98 2. Transport of ballots, including a description of the



834194

99 method and equipment used and a detailed list of the names of
100 all individuals involved in such transport.

101 3. Ballot security, including a requirement that all
102 ballots be kept in a locked room in the supervisor's office, a
103 facility controlled by the supervisor or county canvassing
104 board, or a public place in which the county canvassing board is
105 canvassing votes until needed for canvassing and returned
106 thereafter.

107 (b)1. Each supervisor ~~of elections~~ shall establish written
108 procedures to assure accuracy and security in his or her county,
109 including procedures related to early voting pursuant to s.
110 101.657. Such procedures shall be reviewed in each odd-numbered
111 year by the department ~~of State~~.

112 ~~2.(e)~~ Each supervisor ~~of elections~~ shall submit any
113 revisions to the security procedures to the department ~~of State~~
114 at least 45 days before early voting commences pursuant to s.
115 101.657 in an election in which they are to take effect.

116 Section 8. Present subsection (6) of section 101.048,
117 Florida Statutes, is renumbered as subsection (7), subsections
118 (2), (3), and (5) and present subsection (6) of that section are
119 amended, and a new subsection (6) is added to that section, to
120 read:

121 101.048 Provisional ballots.—

122 (2) (a) The county canvassing board shall examine each
123 Provisional Ballot Voter's Certificate and Affirmation to
124 determine if the person voting that ballot was entitled to vote
125 at the precinct where the person cast a vote in the election and
126 that the person had not already cast a ballot in the election.
127 In determining whether a person casting a provisional ballot is



834194

128 entitled to vote, the county canvassing board shall review the
129 information provided in the Voter's Certificate and Affirmation,
130 written evidence provided by the person pursuant to subsection
131 (1), information provided in any cure affidavit and accompanying
132 supporting documentation pursuant to subsection (6), any other
133 evidence presented by the supervisor ~~of elections~~, and, in the
134 case of a challenge, any evidence presented by the challenger. A
135 ballot of a person casting a provisional ballot shall be
136 canvassed pursuant to paragraph (b) ~~counted~~ unless the
137 canvassing board determines by a preponderance of the evidence
138 that the person was not entitled to vote.

139 (b)~~1~~. If it is determined that the person was registered
140 and entitled to vote at the precinct where the person cast a
141 vote in the election, the canvassing board must ~~shall~~ compare
142 the signature on the Provisional Ballot Voter's Certificate and
143 Affirmation or the provisional ballot cure affidavit with the
144 signature on the voter's registration or precinct register ~~and,~~
145 ~~if it matches, shall count the ballot.~~ A provisional ballot may
146 be counted only if:

147 1. The signature on the voter's certificate or the cure
148 affidavit matches the elector's signature in the registration
149 books or the precinct register; however, in the case of a cure
150 affidavit, the supporting identification listed in subsection
151 (6) must also confirm the identity of the elector; or

152 2. The cure affidavit contains a signature that does not
153 match the elector's signature in the registration books or the
154 precinct register, but the elector has submitted a current and
155 valid Tier 1 form of identification confirming his or her
156 identity pursuant to subsection (6).



834194

157
158 For purposes of this paragraph, any canvassing board finding
159 that signatures do not match must be by majority vote and beyond
160 a reasonable doubt.

161 ~~2. If it is determined that the person voting the~~
162 ~~provisional ballot was not registered or entitled to vote at the~~
163 ~~precinct where the person cast a vote in the election, the~~

164 (c) Any provisional ballot shall not be counted must and
165 ~~the ballot shall remain in the envelope containing the~~
166 Provisional Ballot Voter's Certificate and Affirmation and the
167 envelope shall be marked "Rejected as Illegal."

168 (d) If a provisional ballot is validated following the
169 submission of a cure affidavit, the supervisor must make a copy
170 of the affidavit, affix it to a voter registration application,
171 and immediately process it as a valid request for a signature
172 update pursuant to s. 98.077.

173 (3) The Provisional Ballot Voter's Certificate and
174 Affirmation shall be in substantially the following form:

175 STATE OF FLORIDA

176 COUNTY OF

177 I do solemnly swear (or affirm) that my name is; that
178 my date of birth is; that I am registered and qualified to
179 vote in County, Florida; that I am registered in the
180 Party; that I am a qualified voter of the county; and that I
181 have not voted in this election. I understand that if I commit
182 any fraud in connection with voting, vote a fraudulent ballot,
183 or vote more than once in an election, I can be convicted of a
184 felony of the third degree and fined up to \$5,000 and/or
185 imprisoned for up to 5 years. Further, by providing my



834194

186 information below, I authorize the use of e-mail, text message,
187 and telephone call for the limited purpose of signature and
188 ballot validation.

189 ...(Printed Name of Voter)...
190 ...(Signature of Voter)...
191 ...(Current Residence Address)...
192 ...(Current Mailing Address)...
193 ...(City, State, Zip Code)...
194 ...(Driver License Number or Last Four Digits of Social Security
195 Number)...
196 ...(E-Mail Address)...
197 ...(Home Telephone Number)...
198 ...(Mobile Telephone Number)...

199 Sworn to and subscribed before me this day of,
200 ...(year)....
201 ...(Election Official)...

202 Precinct # Ballot Style/Party Issued:

203 (5) Each person casting a provisional ballot shall be given
204 written instructions regarding the person's right to provide the
205 supervisor ~~of elections~~ with written evidence of his or her
206 eligibility to vote and regarding the free access system
207 established pursuant to subsection (7) ~~(6)~~. The instructions
208 must shall contain the supervisor's contact information along
209 with information on how to access the system and the information
210 the voter will need to provide to obtain information on his or
211 her particular ballot. The instructions shall also include the
212 following statement: "If this is a primary election, you should
213 contact the supervisor of elections' office immediately to
214 confirm that you are registered and can vote in the general



834194

215 election.”

216 (6) (a) As soon as practicable, the supervisor shall, on
217 behalf of the county canvassing board, attempt to notify an
218 elector who has submitted a provisional ballot that does not
219 include the elector’s signature or contains a signature that
220 does not match the elector’s signature in the registration books
221 or precinct register by:

222 1. Notifying the elector of the signature deficiency by e-
223 mail and directing the elector to the cure affidavit and
224 instructions on the supervisor’s website;

225 2. Notifying the elector of the signature deficiency by
226 text message and directing the elector to the cure affidavit and
227 instructions on the supervisor’s website; or

228 3. Notifying the elector of the signature deficiency by
229 telephone and directing the elector to the cure affidavit and
230 instructions on the supervisor’s website.

231
232 In addition to the notification required under subparagraph 1.,
233 subparagraph 2., or subparagraph 3., the supervisor must notify
234 the elector of the signature deficiency by first-class mail and
235 direct the elector to the cure affidavit and instructions on the
236 supervisor’s website. Beginning the day before the election, the
237 supervisor is not required to provide notice of the signature
238 deficiency by first-class mail, but shall continue to provide
239 notice as required in subparagraph 1., subparagraph 2., or
240 subparagraph 3.

241 (b) Until 5 p.m. on the 2nd day after an election, the
242 supervisor shall allow an elector who has submitted a
243 provisional ballot with a signature deficiency to complete and



834194

244 submit a cure affidavit.

245 (c) The elector must complete a cure affidavit in
246 substantially the following form:

247

248 PROVISIONAL BALLOT CURE AFFIDAVIT

249 I,, am a qualified voter in this election and a
250 registered voter of County, Florida. I do solemnly swear or
251 affirm that I voted a provisional ballot and that I have not and
252 will not vote more than one ballot in this election. I
253 understand that if I commit or attempt any fraud in connection
254 with voting, vote a fraudulent ballot, or vote more than once in
255 an election, I may be convicted of a felony of the third degree,
256 fined up to \$5,000, and imprisoned for up to 5 years. I
257 understand that my failure to sign this affidavit will
258 invalidate my ballot.

259

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

261

262 ... (Address) ...

263

264 (d) Instructions must accompany the cure affidavit in
265 substantially the following form:

266

267 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
268 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
269 BALLOT NOT TO COUNT.

270

271 1. In order to cure the missing signature or the signature
272 discrepancy on your Provisional Ballot Voter's Certificate and



834194

273 Affirmation, your affidavit should be completed and returned as
274 soon as possible so that it can reach the supervisor of
275 elections of the county in which your precinct is located no
276 later than 5 p.m. on the 2nd day after the election.

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

279 3. You must make a copy of one of the following forms of
280 identification:

281 a. Tier 1 identification.—Current and valid identification
282 that includes your name and photograph: Florida driver license;
283 Florida identification card issued by the Department of Highway
284 Safety and Motor Vehicles; United States passport; debit or
285 credit card; military identification; student identification;
286 retirement center identification; neighborhood association
287 identification; public assistance identification; veteran health
288 identification card issued by the United States Department of
289 Veterans Affairs; Florida license to carry a concealed weapon or
290 firearm; or employee identification card issued by any branch,
291 department, agency, or entity of the Federal Government, the
292 state, a county, or a municipality; or

293 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
294 FORM OF IDENTIFICATION, identification that shows your name and
295 current residence address: current utility bill; bank statement;
296 government check; paycheck; or government document (excluding
297 voter information card).

298 4. Place the envelope bearing the affidavit into a mailing
299 envelope addressed to the supervisor. Insert a copy of your
300 identification in the mailing envelope. Mail (if time permits),
301 deliver, or have delivered the completed affidavit along with



834194

302 the copy of your identification to your county supervisor of
303 elections. Be sure there is sufficient postage if mailed and
304 that the supervisor's address is correct. Remember, your
305 information MUST reach your county supervisor of elections no
306 later than 5 p.m. on the 2nd day following the election or your
307 ballot will not count.

308 5. Alternatively, you may fax or e-mail your completed
309 affidavit and a copy of your identification to the supervisor of
310 elections. If e-mailing, please provide these documents as
311 attachments.

312 6. Submitting a provisional ballot affidavit does not
313 establish your eligibility to vote in this election or guarantee
314 that your ballot will be counted. The county canvassing board
315 determines your eligibility to vote through information provided
316 on the Provisional Ballot Voter's Certificate and Affirmation,
317 written evidence provided by you, including information in your
318 cure affidavit along with any supporting identification, and any
319 other evidence presented by the supervisor of elections or a
320 challenger. You may still be required to present additional
321 written evidence to support your eligibility to vote.

322 (e) The department and each supervisor shall include the
323 affidavit and instructions on their respective websites. The
324 supervisor shall include his or her office mailing address, e-
325 mail address, and fax number on the page containing the
326 affidavit instructions, and the department's instruction page
327 shall include the office mailing addresses, e-mail addresses,
328 and fax numbers of all supervisors or provide a conspicuous link
329 to such addresses.

330 (f) The supervisor shall attach each affidavit received to



834194

331 the appropriate provisional ballot envelope containing the
332 Provisional Ballot Voter's Certificate and Affirmation.

333 (7) (a) ~~(6)~~ Each supervisor of elections shall establish a
334 free access system that allows each person who casts a
335 provisional ballot to determine whether his or her provisional
336 ballot was counted in the final canvass of votes and, if not,
337 the reasons why. Information regarding provisional ballots shall
338 be available no later than 30 days following the election. The
339 system established must restrict information regarding an
340 individual ballot to the person who cast the ballot.

341 (b) Unless processed as a signature update pursuant to
342 subsection (2), the supervisor shall mail a voter registration
343 application to the elector to be completed indicating the
344 elector's current signature if the signature on the voter's
345 certificate or cure affidavit did not match the elector's
346 signature in the registration books or precinct register.

347 Section 9. Paragraph (b) of subsection (1) and subsection
348 (9) of section 101.151, Florida Statutes, are amended to read:
349 101.151 Specifications for ballots.-

350 (1)

351 (b) Polling places and early voting sites may employ a
352 ballot-on-demand production system to print individual marksense
353 ballots, including provisional ballots, for eligible electors
354 ~~pursuant to s. 101.657~~. Ballot-on-demand technology may be used
355 to produce marksense vote-by-mail and election-day ballots.

356 (9) (a) The Department of State shall adopt rules
357 prescribing a uniform primary and general election ballot for
358 each certified voting system. The rules shall incorporate the
359 requirements set forth in this section and shall prescribe



834194

360 additional matters and forms that include, without limitation:

361 1. The ballot title followed by clear and unambiguous
362 ballot instructions and directions limited to a single location
363 on the ballot, either:

364 a. Centered across the top of the ballot; or

365 b. In the leftmost column, with no individual races in that
366 column unless it is the only column on the ballot;

367 2. Individual race layout; ~~and~~

368 3. Overall ballot layout; ~~and-~~

369 4. Oval vote targets as the only permissible type of vote
370 target.

371 (b) The ~~department~~ rules must ~~shall~~ graphically depict a
372 sample uniform primary and general election ballot form for each
373 certified voting system.

374 Section 10. Subsection (2) of section 101.20, Florida
375 Statutes, is amended to read:

376 101.20 Publication of ballot form; sample ballots.-

377 (2) (a) Upon completion of the list of qualified candidates,
378 a sample ballot shall be published by the supervisor ~~of~~
379 ~~elections~~ in a newspaper of general circulation in the county,
380 before the day of election.

381 (b) In lieu of the publication required under paragraph
382 (a), a supervisor may send a sample ballot to each registered
383 elector by e-mail at least 7 days before an election if an e-
384 mail address has been provided and the elector has opted to
385 receive a sample ballot by electronic delivery. If an e-mail
386 address has not been provided, or if the elector has not opted
387 for electronic delivery, a sample ballot may be mailed to each
388 registered elector or to each household in which there is a



834194

389 registered elector at least 7 days before an election.

390 Section 11. Effective January 1, 2020, section 101.56075,
391 Florida Statutes, is amended to read:

392 101.56075 Voting methods.—For the purpose of designating
393 ballot selections,

394 ~~(1) Except as provided in subsection (2), all voting must~~
395 ~~shall be by marksense ballot, using utilizing a marking device~~
396 ~~or a voter interface device that produces a voter-verifiable~~
397 ~~paper output and for the purpose of designating ballot~~
398 ~~selections.~~

399 ~~(2) Persons with disabilities may vote on a voter interface~~
400 ~~device that meets the voting system accessibility requirements~~
401 ~~for individuals with disabilities pursuant to s. 301 of the~~
402 ~~federal Help America Vote Act of 2002 and s. 101.56062.~~

403 ~~(3) By 2020, persons with disabilities shall vote on a~~
404 ~~voter interface device that meets the voter accessibility~~
405 ~~requirements for individuals with disabilities under s. 301 of~~
406 ~~the federal Help America Vote Act of 2002 and s. 101.56062 which~~
407 ~~are consistent with subsection (1) of this section.~~

408 Section 12. Paragraph (a) of subsection (4) of section
409 101.5614, Florida Statutes, is amended to read:

410 101.5614 Canvass of returns.—

411 (4) (a) If any vote-by-mail ballot is physically damaged so
412 that it cannot properly be counted by the automatic tabulating
413 equipment, a true duplicate copy shall be made of the damaged
414 ballot in the presence of witnesses and substituted for the
415 damaged ballot. Likewise, a duplicate ballot shall be made of a
416 vote-by-mail ballot containing an overvoted race or a marked
417 vote-by-mail ballot in which every race is undervoted which



834194

418 shall include all valid votes as determined by the canvassing
419 board based on rules adopted by the division pursuant to s.
420 102.166(4). Upon request, a physically present candidate, a
421 political party official, a political committee official, or an
422 authorized designee thereof, must be allowed to observe the
423 duplication of ballots. All duplicate ballots shall be clearly
424 labeled "duplicate," bear a serial number which shall be
425 recorded on the defective ballot, and be counted in lieu of the
426 defective ballot. After a ballot has been duplicated, the
427 defective ballot shall be placed in an envelope provided for
428 that purpose, and the duplicate ballot shall be tallied with the
429 other ballots for that precinct.

430 Section 13. Subsection (2) and paragraphs (b) and (c) of
431 subsection (4) of section 101.62, Florida Statutes, are amended
432 to read:

433 101.62 Request for vote-by-mail ballots.—

434 (2) A request for a vote-by-mail ballot to be mailed to a
435 voter must be received no later than 5 p.m. on the 10th ~~sixth~~
436 day before the election by the supervisor ~~of elections~~. The
437 supervisor ~~of elections~~ shall mail vote-by-mail ballots to
438 voters requesting ballots by such deadline no later than 8 4
439 days before the election.

440 (4)

441 (b) The supervisor ~~of elections~~ shall mail a vote-by-mail
442 ballot to each absent qualified voter, other than those listed
443 in paragraph (a), who has requested such a ballot, between the
444 40th ~~35th~~ and 33rd ~~28th~~ days before the presidential preference
445 primary election, primary election, and general election. Except
446 as otherwise provided in subsection (2) and after the period



834194

447 described in this paragraph, the supervisor shall mail vote-by-
448 mail ballots within 2 business days after receiving a request
449 for such a ballot.

450 (c) The supervisor shall provide a vote-by-mail ballot to
451 each elector by whom a request for that ballot has been made by
452 one of the following means:

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

456 2. By forwardable mail, e-mail, or facsimile machine
457 transmission to absent uniformed services voters and overseas
458 voters. The absent uniformed services voter or overseas voter
459 may designate in the vote-by-mail ballot request the preferred
460 method of transmission. If the voter does not designate the
461 method of transmission, the vote-by-mail ballot shall be mailed.

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

465 4. By delivery to a designee on election day or up to 9 ~~5~~
466 days prior to the day of an election. Any elector may designate
467 in writing a person to pick up the ballot for the elector;
468 however, the person designated may not pick up more than two
469 vote-by-mail ballots per election, other than the designee's own
470 ballot, except that additional ballots may be picked up for
471 members of the designee's immediate family. For purposes of this
472 section, "immediate family" means the designee's spouse or the
473 parent, child, grandparent, or sibling of the designee or of the
474 designee's spouse. The designee shall provide to the supervisor
475 the written authorization by the elector and a picture



834194

476 identification of the designee and must complete an affidavit.
477 The designee shall state in the affidavit that the designee is
478 authorized by the elector to pick up that ballot and shall
479 indicate if the elector is a member of the designee's immediate
480 family and, if so, the relationship. The department shall
481 prescribe the form of the affidavit. If the supervisor is
482 satisfied that the designee is authorized to pick up the ballot
483 and that the signature of the elector on the written
484 authorization matches the signature of the elector on file, the
485 supervisor shall give the ballot to that designee for delivery
486 to the elector.

487 5. Except as provided in s. 101.655, the supervisor may not
488 deliver a vote-by-mail ballot to an elector or an elector's
489 immediate family member on the day of the election unless there
490 is an emergency, to the extent that the elector will be unable
491 to go to his or her assigned polling place. If a vote-by-mail
492 ballot is delivered, the elector or his or her designee shall
493 execute an affidavit affirming to the facts which allow for
494 delivery of the vote-by-mail ballot. The department shall adopt
495 a rule providing for the form of the affidavit.

496 Section 14. Subsection (1) of section 101.64, Florida
497 Statutes, is amended, and subsection (5) is added to that
498 section, to read:

499 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

500 (1) The supervisor shall enclose with each vote-by-mail
501 ballot two envelopes: a secrecy envelope, into which the absent
502 elector shall enclose his or her marked ballot; and a mailing
503 envelope, into which the absent elector shall then place the
504 secrecy envelope, which shall be addressed to the supervisor and



834194

505 also bear on the back side a certificate in substantially the
506 following form:

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

509 VOTER'S CERTIFICATE

510 I,, do solemnly swear or affirm that I am a qualified
511 and registered voter of County, Florida, and that I have
512 not and will not vote more than one ballot in this election. I
513 understand that if I commit or attempt to commit any fraud in
514 connection with voting, vote a fraudulent ballot, or vote more
515 than once in an election, I can be convicted of a felony of the
516 third degree and fined up to \$5,000 and/or imprisoned for up to
517 5 years. I also understand that failure to sign this certificate
518 will invalidate my ballot.

519
520 ... (Date) (Voter's Signature) ...
521 ... (E-Mail Address) (Home Telephone Number) ...
522 ... (Mobile Telephone Number) ...

523 (5) The secrecy envelope must include, in bold font,
524 substantially the following message:

525
526 IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR
527 OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY.
528 IF YOU WAIT TO MAIL YOUR BALLOT, YOUR VOTE MIGHT NOT COUNT. TO
529 PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT
530 AS SOON AS POSSIBLE.

531 Section 15. Section 101.65, Florida Statutes, is amended to
532 read:

533 101.65 Instructions to absent electors.—The supervisor



834194

534 shall enclose with each vote-by-mail ballot separate printed
535 instructions in substantially the following form; however, where
536 the instructions appear in capitalized text, the text of the
537 printed instructions must be in bold font:

538 READ THESE INSTRUCTIONS CAREFULLY
539 BEFORE MARKING BALLOT.

540 1. VERY IMPORTANT. In order to ensure that your vote-by-
541 mail ballot will be counted, it should be completed and returned
542 as soon as possible so that it can reach the supervisor of
543 elections of the county in which your precinct is located no
544 later than 7 p.m. on the day of the election. However, if you
545 are an overseas voter casting a ballot in a presidential
546 preference primary or general election, your vote-by-mail ballot
547 must be postmarked or dated no later than the date of the
548 election and received by the supervisor of elections of the
549 county in which you are registered to vote no later than 10 days
550 after the date of the election. Note that the later you return
551 your ballot, the less time you will have to cure any signature
552 deficiencies, which is authorized until 5 p.m. on the 2nd day
553 after the election.

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

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

561 4. Place your marked ballot in the enclosed secrecy
562 envelope.



834194

- 563 5. Insert the secrecy envelope into the enclosed mailing
564 envelope which is addressed to the supervisor.
- 565 6. Seal the mailing envelope and completely fill out the
566 Voter's Certificate on the back of the mailing envelope.
- 567 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
568 be counted, you must sign your name on the line above (Voter's
569 Signature). A vote-by-mail ballot will be considered illegal and
570 not be counted if the signature on the voter's certificate does
571 not match the signature on record. The signature on file at the
572 time the supervisor of elections in the county in which your
573 precinct is located receives your vote-by-mail ballot ~~start of~~
574 ~~the canvass of the vote-by-mail ballots~~ is the signature that
575 will be used to verify your signature on the voter's
576 certificate. If you need to update your signature for this
577 election, send your signature update on a voter registration
578 application to your supervisor of elections so that it is
579 received before your vote-by-mail ballot is received ~~no later~~
580 ~~than the start of the canvassing of vote-by-mail ballots, which~~
581 ~~occurs no earlier than the 15th day before election day.~~
- 582 8. VERY IMPORTANT. If you are an overseas voter, you must
583 include the date you signed the Voter's Certificate on the line
584 above (Date) or your ballot may not be counted.
- 585 9. Mail, deliver, or have delivered the completed mailing
586 envelope. Be sure there is sufficient postage if mailed. THE
587 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
588 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
589 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE DROP BOX,
590 AVAILABLE AT EACH EARLY VOTING LOCATION.
- 591 10. FELONY NOTICE. It is a felony under Florida law to



834194

592 accept any gift, payment, or gratuity in exchange for your vote
593 for a candidate. It is also a felony under Florida law to vote
594 in an election using a false identity or false address, or under
595 any other circumstances making your ballot false or fraudulent.

596 Section 16. Subsection (2) of section 101.657, Florida
597 Statutes, is amended to read:

598 101.657 Early voting.—

599 (2) During any early voting period, each supervisor ~~of~~
600 ~~elections~~ shall make available the total number of voters
601 casting a ballot at each early voting location and the total
602 number of vote-by-mail ballots received under s. 101.69(2)
603 during the previous day. Each supervisor shall prepare an
604 electronic data file listing the individual voters who cast a
605 ballot during the early voting period. This information shall be
606 provided in electronic format as provided by rule adopted by the
607 division. The information shall be updated and made available no
608 later than noon of each day and shall be contemporaneously
609 provided to the division.

610 Section 17. Paragraphs (a) and (c) of subsection (2) and
611 subsection (4) of section 101.68, Florida Statutes, are amended
612 to read:

613 101.68 Canvassing of vote-by-mail ballot.—

614 (2) (a) The county canvassing board may begin the canvassing
615 of vote-by-mail ballots at 7 a.m. on the 22nd ~~15th~~ day before
616 the election, but not later than noon on the day following the
617 election. In addition, for any county using electronic
618 tabulating equipment, the processing of vote-by-mail ballots
619 through such tabulating equipment may begin at 7 a.m. on the
620 22nd ~~15th~~ day before the election. However, notwithstanding any



834194

621 such authorization to begin canvassing or otherwise processing
622 vote-by-mail ballots early, no result shall be released until
623 after the closing of the polls in that county on election day.
624 Any supervisor ~~of elections~~, deputy supervisor ~~of elections~~,
625 canvassing board member, election board member, or election
626 employee who releases the results of a canvassing or processing
627 of vote-by-mail ballots prior to the closing of the polls in
628 that county on election day commits a felony of the third
629 degree, punishable as provided in s. 775.082, s. 775.083, or s.
630 775.084.

631 (c)1. The canvassing board must, if the supervisor has not
632 already done so, compare the signature of the elector on the
633 voter's certificate or on the vote-by-mail ballot cure affidavit
634 as provided in subsection (4) with the signature of the elector
635 in the registration books or the precinct register to see that
636 the elector is duly registered in the county and to determine
637 the legality of that vote-by-mail ballot. A vote-by-mail ballot
638 may only be counted if:

639 a. The signature on the voter's certificate or the cure
640 affidavit matches the elector's signature in the registration
641 books or precinct register; however, in the case of a cure
642 affidavit, the supporting identification listed in subsection
643 (4) must also confirm the identity of the elector; or

644 b. The cure affidavit contains a signature that does not
645 match the elector's signature in the registration books or
646 precinct register, but the elector has submitted a current and
647 valid Tier 1 identification pursuant to subsection (4) which
648 confirms the identity of the elector.

649



834194

650 For purposes of this subparagraph, any canvassing board finding
651 that an elector's signatures do not match must be by majority
652 vote and beyond a reasonable doubt.

653 2. The ballot of an elector who casts a vote-by-mail ballot
654 shall be counted even if the elector dies on or before election
655 day, as long as, before the death of the voter, the ballot was
656 postmarked by the United States Postal Service, date-stamped
657 with a verifiable tracking number by a common carrier, or
658 already in the possession of the supervisor ~~of elections.~~

659 3. A vote-by-mail ballot is not considered illegal if the
660 signature of the elector does not cross the seal of the mailing
661 envelope.

662 4. If any elector or candidate present believes that a
663 vote-by-mail ballot is illegal due to a defect apparent on the
664 voter's certificate or the cure affidavit, he or she may, at any
665 time before the ballot is removed from the envelope, file with
666 the canvassing board a protest against the canvass of that
667 ballot, specifying the precinct, the ballot, and the reason he
668 or she believes the ballot to be illegal. A challenge based upon
669 a defect in the voter's certificate or cure affidavit may not be
670 accepted after the ballot has been removed from the mailing
671 envelope.

672 5. If the canvassing board determines that a ballot is
673 illegal, a member of the board must, without opening the
674 envelope, mark across the face of the envelope: "rejected as
675 illegal." The cure affidavit, if applicable, the envelope, and
676 the ballot therein shall be preserved in the manner that
677 official ballots are preserved.

678 (4) (a) As soon as practicable, the supervisor shall, on



834194

679 behalf of the county canvassing board, attempt to immediately
680 notify an elector who has returned a vote-by-mail ballot that
681 does not include the elector's signature or contains a signature
682 that does not match the elector's signature in the registration
683 books or precinct register by:-

684 1. Notifying the elector of the signature deficiency by e-
685 mail and directing the elector to the cure affidavit and
686 instructions on the supervisor's website;

687 2. Notifying the elector of the signature deficiency by
688 text message and directing the elector to the cure affidavit and
689 instructions on the supervisor's website; or

690 3. Notifying the elector of the signature deficiency by
691 telephone and directing the elector to the cure affidavit and
692 instructions on the supervisor's website.

693
694 In addition to the notification required under subparagraph 1.,
695 subparagraph 2., or subparagraph 3., the supervisor must notify
696 the elector of the signature deficiency by first-class mail and
697 direct the elector to the cure affidavit and instructions on the
698 supervisor's website. Beginning the day before the election, the
699 supervisor is not required to provide notice of the signature
700 deficiency by first-class mail, but shall continue to provide
701 notice as required under subparagraph 1., subparagraph 2., or
702 subparagraph 3.

703 (b) The supervisor shall allow such an elector to complete
704 and submit an affidavit in order to cure the vote-by-mail ballot
705 until 5 p.m. on the 2nd day after ~~before~~ the election.

706 (c) ~~(b)~~ The elector must complete a cure affidavit in
707 substantially the following form:



834194

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

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

... (Address) ...

(d) ~~(e)~~ Instructions must accompany the cure affidavit in substantially the following form:

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

1. In order to ensure that your vote-by-mail ballot will be counted, your affidavit 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 later than 5 p.m. on the 2nd day after ~~before~~ the election.

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

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

a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license;



834194

737 Florida identification card issued by the Department of Highway
738 Safety and Motor Vehicles; United States passport; debit or
739 credit card; military identification; student identification;
740 retirement center identification; neighborhood association
741 identification; public assistance identification; veteran health
742 identification card issued by the United States Department of
743 Veterans Affairs; a Florida license to carry a concealed weapon
744 or firearm; or an employee identification card issued by any
745 branch, department, agency, or entity of the Federal Government,
746 the state, a county, or a municipality; or

747 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
748 FORM OF IDENTIFICATION, identification that shows your name and
749 current residence address: current utility bill, bank statement,
750 government check, paycheck, or government document (excluding
751 voter information ~~identification~~ card).

752 4. Place the envelope bearing the affidavit into a mailing
753 envelope addressed to the supervisor. Insert a copy of your
754 identification in the mailing envelope. Mail (if time permits),
755 deliver, or have delivered the completed affidavit along with
756 the copy of your identification to your county supervisor of
757 elections. Be sure there is sufficient postage if mailed and
758 that the supervisor's address is correct. Remember, your
759 information MUST reach your county supervisor of elections no
760 later than 5 p.m. on the 2nd day after the election, or your
761 ballot will not count.

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



834194

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

774 (f)~~(e)~~ The supervisor shall attach each affidavit received
775 to the appropriate vote-by-mail ballot mailing envelope.

776 (g)~~(f)~~ If a vote-by-mail ballot is validated following the
777 submission of a cure affidavit, the supervisor shall make a copy
778 of the affidavit, affix it to a voter registration application,
779 and immediately process it as a valid request for a signature
780 update pursuant to s. 98.077.

781 (h) After all election results on the ballot have been
782 certified, the supervisor shall, on behalf of the county
783 canvassing board, notify each elector whose ballot has been
784 rejected as illegal and provide the specific reason the ballot
785 was rejected. In addition, unless processed as a signature
786 update pursuant to paragraph (g), the supervisor shall mail a
787 voter registration application to the elector to be completed
788 indicating the elector's current signature if the signature on
789 the voter's certificate or cure affidavit did not match the
790 elector's signature in the registration books or precinct
791 register. ~~This section does not prohibit the supervisor from~~
792 ~~providing additional methods for updating an elector's~~
793 ~~signature.~~

794 Section 18. Section 101.69, Florida Statutes, is amended to



834194

795 read:

796 101.69 Voting in person; return of vote-by-mail ballot.—

797 (1) The provisions of this code shall not be construed to
798 prohibit any elector from voting in person at the elector's
799 precinct on the day of an election or at an early voting site,
800 notwithstanding that the elector has requested a vote-by-mail
801 ballot for that election. An elector who has returned a voted
802 vote-by-mail ballot to the supervisor, however, is deemed to
803 have cast his or her ballot and is not entitled to vote another
804 ballot or to have a provisional ballot counted by the county
805 canvassing board. An elector who has received a vote-by-mail
806 ballot and has not returned the voted ballot to the supervisor,
807 but desires to vote in person, shall return the ballot, whether
808 voted or not, to the election board in the elector's precinct or
809 to an early voting site. The returned ballot shall be marked
810 "canceled" by the board and placed with other canceled ballots.
811 However, if the elector does not return the ballot and the
812 election official:

813 (a)~~(1)~~ Confirms that the supervisor has received the
814 elector's vote-by-mail ballot, the elector shall not be allowed
815 to vote in person. If the elector maintains that he or she has
816 not returned the vote-by-mail ballot or remains eligible to
817 vote, the elector shall be provided a provisional ballot as
818 provided in s. 101.048.

819 (b)~~(2)~~ Confirms that the supervisor has not received the
820 elector's vote-by-mail ballot, the elector shall be allowed to
821 vote in person as provided in this code. The elector's vote-by-
822 mail ballot, if subsequently received, shall not be counted and
823 shall remain in the mailing envelope, and the envelope shall be



834194

824 marked "Rejected as Illegal."

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

828 (2) The supervisor shall allow an elector who has received
829 a vote-by-mail ballot to physically return a voted vote-by-mail
830 ballot to the supervisor by placing the envelope containing his
831 or her marked ballot in a secure drop box. Secure drop boxes
832 shall only be placed at the main office of the supervisor, at
833 each branch office of the supervisor, and at each early voting
834 site.

835 Section 19. Subsection (2) of section 101.6923, Florida
836 Statutes, is amended to read:

837 101.6923 Special vote-by-mail ballot instructions for
838 certain first-time voters.—

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

842 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
843 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
844 TO COUNT.

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



834194

853 supervisor of elections of the county in which you are
854 registered to vote no later than 10 days after the date of the
855 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).

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 ballot will be considered illegal and
875 will not be counted if the signature on the Voter's Certificate
876 does not match the signature on record. The signature on file at
877 the start of the canvass of the vote-by-mail ballots is the
878 signature that will be used to verify your signature on the
879 Voter's Certificate. If you need to update your signature for
880 this election, send your signature update on a voter
881 registration application to your supervisor of elections so that



834194

882 it is received before your vote-by-mail ballot is received ~~no~~
883 ~~later than the start of canvassing of vote-by-mail ballots,~~
884 ~~which occurs no 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 public assistance identification; veteran health identification
893 card issued by the United States Department of Veterans Affairs;
894 a Florida license to carry a concealed weapon or firearm; or an
895 employee identification card issued by any branch, department,
896 agency, or entity of the Federal Government, the state, a
897 county, or a municipality; or

898 b. Identification which shows your name and current
899 residence address: current utility bill, bank statement,
900 government check, paycheck, or government document (excluding
901 voter information ~~identification~~ card).

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

904 a. You are 65 years of age or older.
905 b. You have a temporary or permanent physical disability.
906 c. You are a member of a uniformed service on active duty
907 who, by reason of such active duty, will be absent from the
908 county on election day.

909 d. You are a member of the Merchant Marine who, by reason
910 of service in the Merchant Marine, will be absent from the



834194

911 county on election day.

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

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

917 8. Place the envelope bearing the Voter's Certificate into
918 the mailing envelope addressed to the supervisor. Insert a copy
919 of your identification in the mailing envelope. DO NOT PUT YOUR
920 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
921 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
922 BALLOT WILL NOT COUNT.

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

925 10. FELONY NOTICE. It is a felony under Florida law to
926 accept any gift, payment, or gratuity in exchange for your vote
927 for a candidate. It is also a felony under Florida law to vote
928 in an election using a false identity or false address, or under
929 any other circumstances making your ballot false or fraudulent.

930 Section 20. Paragraph (a) of subsection (4) and subsection
931 (5) of section 102.031, Florida Statutes, are amended to read:

932 102.031 Maintenance of good order at polls; authorities;
933 persons allowed in polling rooms and early voting areas;
934 unlawful solicitation of voters.-

935 (4) (a) No person, political committee, or other group or
936 organization may solicit voters inside the polling place or
937 within 150 ~~100~~ feet of the entrance to any polling place, a
938 polling room where the polling place is also a polling room, an
939 early voting site, or an office of the supervisor ~~of elections~~



834194

940 where vote-by-mail ballots are requested and printed on demand
941 for the convenience of electors who appear in person to request
942 them. Before the opening of the polling place or early voting
943 site, the clerk or supervisor shall designate the no-
944 solicitation zone and mark the boundaries.

945 (5) No photography is permitted in the polling room or
946 early voting area, except an elector may photograph his or her
947 own ballot.

948 Section 21. Present subsections (9) and (10) of section
949 102.141, Florida Statutes, are renumbered as subsections (10)
950 and (11), respectively, subsection (2) of that section is
951 amended, and a new subsection (9) is added to that section, to
952 read:

953 102.141 County canvassing board; duties.—

954 (2) (a) The county canvassing board shall meet in a building
955 accessible to the public in the county where the election
956 occurred at a time and place to be designated by the supervisor
957 ~~of elections~~ to publicly canvass the absent electors' ballots as
958 provided for in s. 101.68 and provisional ballots as provided by
959 ss. 101.048, 101.049, and 101.6925. Provisional ballots cast
960 pursuant to s. 101.049 shall be canvassed in a manner that votes
961 for candidates and issues on those ballots can be segregated
962 from other votes. ~~Public notice of the time and place at which~~
963 ~~the county canvassing board shall meet to canvass the absent~~
964 ~~electors' ballots and provisional ballots shall be given at~~
965 ~~least 48 hours prior thereto by publication on the supervisor of~~
966 ~~elections' website and once in one or more newspapers of general~~
967 ~~circulation in the county or, if there is no newspaper of~~
968 ~~general circulation in the county, by posting such notice in at~~



834194

969 ~~least four conspicuous places in the county.~~ As soon as the
970 absent electors' ballots and the provisional ballots are
971 canvassed, the board shall proceed to publicly canvass the vote
972 given each candidate, nominee, constitutional amendment, or
973 other measure submitted to the electorate of the county, as
974 shown by the returns then on file in the office of the
975 supervisor ~~of elections.~~

976 (b) Public notice of the time and place at which the county
977 canvassing board shall meet to canvass the absent electors'
978 ballots and provisional ballots must be given at least 48 hours
979 prior thereto by publication on the supervisor's website and
980 published in one or more newspapers of general circulation in
981 the county or, if there is no newspaper of general circulation
982 in the county, by posting such notice in at least four
983 conspicuous places in the county. The time given in the notice
984 as to the convening of the meeting of the county canvassing
985 board must be specific and may not be a time period during which
986 the board may meet.

987 (c) If the county canvassing board suspends or recesses a
988 meeting publicly noticed pursuant to paragraph (b) for a period
989 lasting more than 60 minutes, the board must post on the
990 supervisor's website the anticipated time at which the board
991 expects to reconvene. If the county canvassing board does not
992 reconvene at the specified time, the board must provide at least
993 2 hours' notice, which must be posted on the supervisor's
994 website, before reconvening.

995 (d) During any meeting of the county canvassing board, a
996 physical notice must be placed in a conspicuous area near the
997 public entrance to the building in which the meeting is taking



834194

998 place. The physical notice must include the names of the
999 individuals officially serving as the county canvassing board,
1000 the names of any alternate members, the time of the meeting, and
1001 a brief statement as to the anticipated activities of the county
1002 canvassing board.

1003 (9) Each member, substitute member, and alternate member of
1004 the county canvassing board and all clerical help must wear
1005 identification badges during any period in which the county
1006 canvassing board is canvassing votes or engaging in other
1007 official duties. The identification badges should be worn in a
1008 conspicuous and unobstructed area, and include the name of the
1009 individual and his or her official position.

1010 Section 22. Subsection (2) and paragraph (b) of subsection
1011 (4) of section 102.166, Florida Statutes, are amended to read:

1012 102.166 Manual recounts of overvotes and undervotes.—

1013 (2) ~~(a)~~ Any hardware or software used to identify and sort
1014 overvotes and undervotes for a given race or ballot measure must
1015 be certified by the Department of State as part of the voting
1016 system pursuant to s. 101.015. Any such hardware or software
1017 must be capable of simultaneously identifying and sorting
1018 overvotes and undervotes in multiple races while simultaneously
1019 counting votes.

1020 ~~(b)~~ Overvotes and undervotes must ~~shall~~ be identified and
1021 sorted while recounting ballots pursuant to s. 102.141, ~~if the~~
1022 ~~hardware or software for this purpose has been certified or the~~
1023 ~~department's rules so provide.~~

1024 (4)

1025 (b) The Department of State shall adopt specific rules for
1026 the federal write-in absentee ballot and for each certified



834194

1027 voting system prescribing what constitutes a "clear indication
1028 on the ballot that the voter has made a definite choice." The
1029 rules shall be consistent, to the extent practicable, and may
1030 not:

1031 1. Authorize the use of any electronic or electromechanical
1032 reading device to review a hybrid voting system ballot that is
1033 produced using a voter interface device and that contains both
1034 machine-readable fields and machine-printed text of the contest
1035 titles and voter selections, unless the printed text is
1036 illegible;

1037 2. Exclusively provide that the voter must properly mark or
1038 designate his or her choice on the ballot; or

1039 ~~3.2. Contain a catch-all provision that fails to identify~~
1040 ~~specific standards, such as "any other mark or indication~~
1041 ~~clearly indicating that the voter has made a definite choice."~~

1042 Section 23. Subsection (8) of section 102.168, Florida
1043 Statutes, is amended to read:

1044 102.168 Contest of election.—

1045 (8) In any contest that requires a review of the canvassing
1046 board's decision on the legality of a provisional or vote-by-
1047 mail ballot pursuant to s. 101.048 or s. 101.68 based upon a
1048 comparison of the signature of the elector in the registration
1049 records with the signature on the provisional or vote-by-mail
1050 voter's certificate or the provisional or vote-by-mail cure
1051 affidavit ~~and the signature of the elector in the registration~~
1052 ~~records~~, the circuit court may not review or consider any
1053 evidence other than the signature of the elector in the
1054 registration records, the signature on the respective voter's
1055 certificate or cure affidavit, and any supporting identification



834194

1056 that the elector submitted with the cure affidavit and the
1057 signature of the elector in the registration records. The
1058 court's review of such issue shall be to determine only if the
1059 canvassing board abused its discretion in making its decision.

1060 Section 24. Subsection (5) is added to section 104.051,
1061 Florida Statutes, to read:

1062 104.051 Violations; neglect of duty; corrupt practices.-

1063 (5) Any supervisor who willfully violates any provision of
1064 the Florida Election Code is, upon a finding of such violation
1065 by a court of competent jurisdiction, prohibited from receiving
1066 the special qualification salary pursuant to s. 145.09(3) for a
1067 period of 24 months, dating from the time of the violation.

1068 Section 25. Except as otherwise expressly provided in this
1069 act, this act shall take effect July 1, 2019.

1070
1071 ===== T I T L E A M E N D M E N T =====

1072 And the title is amended as follows:

1073 Delete everything before the enacting clause
1074 and insert:

1075 A bill to be entitled
1076 An act relating to election administration; amending
1077 s. 97.012, F.S.; requiring the Secretary of State to
1078 provide signature matching training to certain
1079 persons; amending s. 97.021, F.S.; revising the
1080 definition of the term "voter interface device";
1081 amending s. 98.077, F.S.; revising deadlines for voter
1082 signature updates for purposes of vote-by-mail and
1083 provisional ballots; providing an exception; amending
1084 s. 98.0981, F.S.; revising the voter threshold



834194

1085 necessary to require the reporting of certain
1086 precinct-level results by ballot; amending s. 99.063,
1087 F.S.; removing a provision requiring certain language
1088 to follow the name of gubernatorial candidates in
1089 specified circumstances; amending s. 100.061, F.S.;
1090 revising the date of the primary election; amending s.
1091 101.015, F.S.; requiring the Department of State to
1092 establish minimum security standards to address chain
1093 of custody of ballots, transport of ballots, and
1094 ballot security; amending s. 101.048, F.S.; requiring
1095 a county canvassing board to review certain
1096 information; providing requirements for the canvassing
1097 and counting of provisional ballots; requiring the
1098 supervisor of elections to process a valid provisional
1099 ballot cure affidavit as a voter signature update;
1100 revising the Provisional Ballot Voter's Certificate
1101 and Affirmation form; providing a process to cure a
1102 provisional ballot with a signature deficiency;
1103 requiring a supervisor to mail a voter registration
1104 application to an elector in certain circumstances;
1105 amending s. 101.151, F.S.; revising requirements for
1106 department rules governing ballot design; amending s.
1107 101.20, F.S.; authorizing the distribution of sample
1108 ballots by e-mail or mail in lieu of newspaper
1109 publication; amending s. 101.56075, F.S.; authorizing
1110 voting to be conducted using a voter interface device
1111 that produces a voter-verifiable paper output;
1112 amending s. 101.5614, F.S.; authorizing certain
1113 individuals to serve as witnesses during the ballot



834194

1114 duplication process; amending s. 101.62, F.S.;

1115 revising the deadlines by which requests for vote-by-

1116 mail ballots must be received and by which vote-by-

1117 mail ballots shall be mailed by the supervisor;

1118 expanding the period during which a designee may

1119 physically collect a vote-by-mail ballot; amending s.

1120 101.64, F.S.; requiring the secrecy envelope included

1121 with a vote-by-mail ballot to include a specified

1122 statement; amending s. 101.65, F.S.; revising

1123 requirements for vote-by-mail ballot instructions;

1124 amending s. 101.657, F.S.; requiring a supervisor to

1125 report the total number of vote-by-mail ballots

1126 received at each early voting location; amending s.

1127 101.68, F.S.; revising the date that canvassing of

1128 vote-by-mail ballots may begin; revising requirements

1129 related to the canvassing and counting of vote-by-mail

1130 ballots; revising the deadline by which vote-by-mail

1131 ballot cure affidavits must be submitted; requiring

1132 the supervisor to process a valid vote-by-mail ballot

1133 cure affidavit as a voter signature update; amending

1134 s. 101.69, F.S.; requiring a supervisor to provide

1135 secure drop boxes in specified locations for an

1136 elector to place his or her vote-by-mail ballot;

1137 amending s. 101.6923, F.S.; revising vote-by-mail

1138 ballot instructions for certain first-time voters;

1139 amending s. 102.031, F.S.; expanding the area in which

1140 voter solicitation is prohibited; authorizing an

1141 elector to photograph his or her own ballot; amending

1142 s. 102.141, F.S.; providing notice requirements for



834194

1143 meetings of a county canvassing board; requiring
1144 certain individuals to wear identification badges
1145 during certain periods; amending s. 102.166, F.S.;
1146 modifying certification requirements for voting
1147 systems to require the functionality to simultaneously
1148 sort and count ballot overvotes and undervotes;
1149 revising requirements for Department of State rules
1150 regarding manual recounts of certain ballots; amending
1151 s. 102.168, F.S.; modifying provisions governing
1152 election contests to authorize judicial review of
1153 additional information related to determining validity
1154 of provisional and vote-by-mail ballot signatures to
1155 conform to changes made by the act; amending s.
1156 104.051, F.S.; providing a penalty for certain
1157 supervisors who willfully violate the Florida Election
1158 Code; providing effective dates.