

HB 7101

2019

1 A bill to be entitled
2 An act relating to elections; amending s. 97.012,
3 F.S.; requiring the Secretary of State to provide
4 signature matching training to certain persons;
5 amending s. 98.077, F.S.; revising deadlines for voter
6 signature updates for purposes of vote-by-mail and
7 provisional ballots; providing an exception; amending
8 s. 98.0981, F.S.; revising the voter threshold
9 necessary to require the reporting of certain
10 precinct-level results by ballot; amending s. 99.061,
11 F.S.; requiring a candidate to pay his or her
12 qualification fee with a certified check; amending s.
13 99.063, F.S.; removing a provision requiring certain
14 language to follow the name of gubernatorial
15 candidates in specified circumstances; amending
16 100.061, F.S.; revising the date of the primary
17 election; amending s. 101.015, F.S.; requiring the
18 Department of State to establish minimum security
19 standards to address chain of custody of ballots,
20 transport of ballots, and ballot security; amending s.
21 101.048, F.S.; requiring a county canvassing board to
22 review certain information; providing requirements for
23 the canvassing and counting of provisional ballots;
24 requiring the supervisor to process a valid
25 provisional ballot cure affidavit as a voter signature

Page 1 of 46

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

hb7101-00

26 | update; revising the form of the Provisional Ballot
27 | Voter's Certificate and Affirmation; providing a
28 | process to cure a provisional ballot with a signature
29 | deficiency; requiring a supervisor to mail a voter
30 | registration application to an elector in certain
31 | circumstances; amending s. 101.151, F.S.; revising
32 | requirements for department rules governing ballot
33 | design; amending s. 101.20, F.S.; authorizing the
34 | distribution of sample ballots by e-mail or mail in
35 | lieu of newspaper publication; amending s. 101.5614,
36 | F.S.; authorizing certain individuals to serve as
37 | witnesses during the vote-by-mail duplicating process;
38 | amending s. 101.62, F.S.; revising the deadlines by
39 | which requests for vote-by-mail ballots must be
40 | received and by which vote-by-mail ballots shall be
41 | mailed by the supervisor; amending s. 101.64, F.S.;
42 | requiring the secrecy envelope included with vote-by-
43 | mail ballots to include a specified statement;
44 | amending s. 101.65, F.S.; revising requirements for
45 | vote-by-mail ballot instructions; amending s. 101.657,
46 | F.S.; allowing a supervisor to create two early voting
47 | sites per election in certain areas; requiring a
48 | supervisor to report the total amount of vote-by-mail
49 | ballots received at each early voting location;
50 | amending 101.68, F.S.; revising the date that

HB 7101

2019

51 canvassing of vote-by-mail ballots may begin; revising
52 requirements related to the canvassing and counting of
53 vote-by-mail ballots; revising the deadline by which
54 vote-by-mail ballot cure affidavits must be submitted;
55 requiring the supervisor to process a valid vote-by-
56 mail ballot cure affidavit as a voter signature
57 update; amending s. 101.69, F.S.; requiring a
58 supervisor to provide secure drop boxes in specified
59 locations for an elector to place his or her vote-by-
60 mail ballot; amending s. 101.6923, F.S.; revising
61 vote-by-mail ballot instructions for certain first-
62 time voters; amending s. 102.031, F.S.; revising the
63 size of certain areas in which voter solicitation is
64 prohibited; authorizing an elector to photograph his
65 or her own ballot; amending s. 102.141, F.S.; limiting
66 the number of alternate members that may be appointed
67 per county canvassing board member; providing notice
68 requirements for meetings of a county canvassing
69 board; requiring certain individuals to wear
70 identification badges during certain periods; amending
71 s. 104.051, F.S.; providing a penalty for certain
72 supervisors who willfully violate the Florida Election
73 Code; providing an effective date.

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75 Be It Enacted by the Legislature of the State of Florida:

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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.

Section 2. Subsection (4) of section 98.077, Florida Statutes, is amended to read:

98.077 Update of voter signature.—

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

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

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

Section 3. Paragraph (a) of subsection (2) of section 98.0981, Florida Statutes, is amended to read:

HB 7101

2019

101 98.0981 Reports; voting history; statewide voter
 102 registration system information; precinct-level election
 103 results; book closing statistics.-

104 (2) PRECINCT-LEVEL ELECTION RESULTS.-

105 (a) Within 30 days after certification by the Elections
 106 Canvassing Commission of a presidential preference primary
 107 election, special election, primary election, or general
 108 election, the supervisors of elections shall collect and submit
 109 to the department precinct-level election results for the
 110 election in a uniform electronic format specified by paragraph
 111 (c). The precinct-level election results shall be compiled
 112 separately for the primary or special primary election that
 113 preceded the general or special general election, respectively.
 114 The results shall specifically include for each precinct the
 115 total of all ballots cast for each candidate or nominee to fill
 116 a national, state, county, or district office or proposed
 117 constitutional amendment, with subtotals for each candidate and
 118 ballot type, unless fewer than 30 ~~10~~ voters voted a ballot type.
 119 "All ballots cast" means ballots cast by voters who cast a
 120 ballot whether at a precinct location, by vote-by-mail ballot
 121 including overseas vote-by-mail ballots, during the early voting
 122 period, or by provisional ballot.

123 Section 4. Paragraph (a) of subsection (7) of section
 124 99.061, Florida Statutes, is amended to read:

125 99.061 Method of qualifying for nomination or election to

HB 7101

2019

126 federal, state, county, or district office.—

127 (7) (a) In order for a candidate to be qualified, the
128 following items must be received by the filing officer by the
129 end of the qualifying period:

130 1. A certified ~~properly executed~~ check drawn upon the
131 candidate's campaign account payable to the person or entity as
132 prescribed by the filing officer in an amount not less than the
133 fee required by s. 99.092, unless the candidate obtained the
134 required number of signatures on petitions pursuant to s.
135 99.095. The filing fee for a special district candidate is not
136 required to be drawn upon the candidate's campaign account. If a
137 candidate's check is returned by the bank for any reason, the
138 filing officer shall immediately notify the candidate and the
139 candidate shall have until the end of qualifying to pay the fee
140 with a cashier's check purchased from funds of the campaign
141 account. Failure to pay the fee as provided in this subparagraph
142 shall disqualify the candidate.

143 2. The candidate's oath required by s. 99.021, which must
144 contain the name of the candidate as it is to appear on the
145 ballot; the office sought, including the district or group
146 number if applicable; and the signature of the candidate, which
147 must be verified under oath or affirmation pursuant to s.
148 92.525(1) (a).

149 3. If the office sought is partisan, the written statement
150 of political party affiliation required by s. 99.021(1) (b).

HB 7101

2019

151 4. The completed form for the appointment of campaign
152 treasurer and designation of campaign depository, as required by
153 s. 106.021.

154 5. The full and public disclosure or statement of
155 financial interests required by subsection (5). A public officer
156 who has filed the full and public disclosure or statement of
157 financial interests with the Commission on Ethics or the
158 supervisor ~~of elections~~ prior to qualifying for office may file
159 a copy of that disclosure at the time of qualifying.

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

162 99.063 Candidates for Governor and Lieutenant Governor.—

163 (4) In order to have the name of the candidate for
164 Lieutenant Governor printed on the primary election ballot, a
165 candidate for Governor participating in the primary must
166 designate the candidate for Lieutenant Governor, and the
167 designated candidate must qualify no later than the end of the
168 qualifying period specified in s. 99.061. ~~If the candidate for~~
169 ~~Lieutenant Governor has not been designated and has not~~
170 ~~qualified by the end of the qualifying period specified in s.~~
171 ~~99.061, the phrase "Not Yet Designated" must be included in lieu~~
172 ~~of the candidate's name on the primary election ballot.~~

173 Section 6. Section 100.061, Florida Statutes, is amended
174 to read:

175 100.061 Primary election.—In each year in which a general

HB 7101

2019

176 election is held, a primary election for nomination of
177 candidates of political parties shall be held on the Tuesday 11
178 ~~10~~ weeks prior to the general election. The candidate receiving
179 the highest number of votes cast in each contest in the primary
180 election shall be declared nominated for such office. If two or
181 more candidates receive an equal and highest number of votes for
182 the same office, such candidates shall draw lots to determine
183 which candidate is nominated.

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

186 101.015 Standards for voting systems.—

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

190 1. Chain of custody of ballots, including a detailed
191 description of procedures to create a complete written record of
192 the chain of custody of ballots and paper outputs beginning with
193 their receipt from a printer or manufacturer until such time as
194 they are destroyed.

195 2. Transport of ballots, including a description of the
196 type of vehicles used and a detailed list of the names of all
197 individuals involved in such transport.

198 3. Ballot security, including a requirement that all
199 ballots be kept in a locked room in the supervisor's office, a
200 facility controlled by the supervisor or county canvassing

HB 7101

2019

201 board, or a public place in which the county canvassing board is
202 canvassing votes until needed for canvassing and returned
203 thereafter.

204 (b)1. Each supervisor ~~of elections~~ shall establish written
205 procedures to assure accuracy and security in his or her county,
206 including procedures related to early voting pursuant to s.
207 101.657. Such procedures shall be reviewed in each odd-numbered
208 year by the department ~~of State~~.

209 2.(c) Each supervisor ~~of elections~~ shall submit any
210 revisions to the security procedures to the department ~~of State~~
211 at least 45 days before early voting commences pursuant to s.
212 101.657 in an election in which they are to take effect.

213 Section 8. Subsection (6) of section 101.048, Florida
214 Statutes, is renumbered as subsection (7), subsections (2), (3),
215 and (5) and present subsection (6) are amended, and a new
216 subsection (6) is added to that section, to read:

217 101.048 Provisional ballots.—

218 (2) (a) The county canvassing board shall examine each
219 Provisional Ballot Voter's Certificate and Affirmation to
220 determine if the person voting that ballot was entitled to vote
221 at the precinct where the person cast a vote in the election and
222 that the person had not already cast a ballot in the election.
223 In determining whether a person casting a provisional ballot is
224 entitled to vote, the county canvassing board shall review the
225 information provided in the Voter's Certificate and Affirmation,

226 written evidence provided by the person pursuant to subsection
 227 (1), information provided in any cure affidavit and accompanying
 228 supporting documentation pursuant to subsection (6), any other
 229 evidence presented by the supervisor ~~of elections,~~ and, in the
 230 case of a challenge, any evidence presented by the challenger. A
 231 ballot of a person casting a provisional ballot shall be
 232 canvassed pursuant to paragraph (b) ~~counted~~ unless the
 233 canvassing board determines by a preponderance of the evidence
 234 that the person was not entitled to vote.

235 (b)~~1~~. If it is determined that the person was registered
 236 and entitled to vote at the precinct where the person cast a
 237 vote in the election, the canvassing board shall compare the
 238 signature on the Provisional Ballot Voter's Certificate and
 239 Affirmation or the provisional ballot cure affidavit with the
 240 signature on the voter's registration or precinct register ~~and,~~
 241 ~~if it matches, shall count the ballot.~~ A provisional ballot
 242 shall be counted if:

243 1. The signature on the voter's certificate or the cure
 244 affidavit matches the elector's signature in the registration
 245 books or the precinct register; however, in the case of a cure
 246 affidavit, the supporting identification listed in subsection
 247 (6) must also confirm the identity of the elector; or

248 2. The cure affidavit contains a signature that does not
 249 match the elector's signature in the registration books or the
 250 precinct register, but the elector has submitted a current and

HB 7101

2019

251 valid Tier 1 form of identification confirming his or her
252 identity pursuant to subsection (6).

253
254 For purposes of this paragraph, any canvassing board finding
255 that an elector's signatures do not match must be by majority
256 vote and beyond a reasonable doubt.

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

260 (c) Any provisional ballot shall not be counted and the
261 ballot shall remain in the envelope containing the Provisional
262 Ballot Voter's Certificate and Affirmation and the envelope
263 shall be marked "Rejected as Illegal."

264 (d) If a provisional ballot is validated following the
265 submission of a cure affidavit, the supervisor shall make a copy
266 of the affidavit, affix it to a voter registration application,
267 and immediately process it as a valid request for a signature
268 update pursuant to s. 98.077.

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

271 STATE OF FLORIDA

272 COUNTY OF

273 I do solemnly swear (or affirm) that my name is; that
274 my date of birth is; that I am registered and qualified to
275 vote in County, Florida; that I am registered in the

HB 7101

2019

276 Party; that I am a qualified voter of the county; and that I
 277 have not voted in this election. I understand that if I commit
 278 any fraud in connection with voting, vote a fraudulent ballot,
 279 or vote more than once in an election, I can be convicted of a
 280 felony of the third degree and fined up to \$5,000 and/or
 281 imprisoned for up to 5 years. Further, by providing my
 282 information below, I authorize the use of e-mail, text message,
 283 and phone call for the limited purpose of signature and ballot
 284 validation.

285 ... (Printed Name of Voter)...
 286 ... (Signature of Voter) ...
 287 ... (Current Residence Address) ...
 288 ... (Current Mailing Address) ...
 289 ... (City, State, Zip Code) ...
 290 ... (Driver License Number or Last Four Digits of Social Security
 291 Number) ...
 292 ... (E-Mail Address) ...
 293 ... (Home Telephone Number) ...
 294 ... (Mobile Telephone Number) ...

295 Sworn to and subscribed before me this day of,
 296 ... (year)
 297 ... (Election Official) ...

298 Precinct # Ballot Style/Party Issued:

299 (5) Each person casting a provisional ballot shall be
 300 given written instructions regarding the person's right to

301 provide the supervisor ~~of elections~~ with written evidence of his
302 or her eligibility to vote and regarding the free access system
303 established pursuant to subsection (7)~~(6)~~. The instructions must
304 ~~shall~~ contain the supervisor's contact information along with
305 information on how to access the system and the information the
306 voter will need to provide to obtain information on his or her
307 particular ballot. The instructions shall also include the
308 following statement: "If this is a primary election, you should
309 contact the supervisor of elections' office immediately to
310 confirm that you are registered and can vote in the general
311 election."

312 (6) (a) As soon as practicable, the supervisor shall, on
313 behalf of the county canvassing board, attempt to notify an
314 elector who has submitted a provisional ballot that does not
315 include the elector's signature or contains a signature that
316 does not match the elector's signature in the registration books
317 or precinct register by:

318 1. Providing notice of the signature deficiency to the
319 elector by e-mail and directing the elector to the cure
320 affidavit and instructions on the supervisor's website;

321 2. Notifying the elector of the signature deficiency by
322 text message and directing the elector to the cure affidavit and
323 instructions on the supervisor's website;

324 3. Notifying the elector of the signature deficiency by
325 telephone and directing the elector to the cure affidavit and

326 instructions on the supervisor's website; and
 327 4. Notifying the elector of the signature deficiency by
 328 first-class mail and directing the elector to the cure affidavit
 329 and instructions on the supervisor's website. Beginning the day
 330 before the election, the supervisor is not required to provide
 331 notice of the signature deficiency by first-class mail, but
 332 shall continue to provide notice as required in subparagraphs 1.
 333 through 3.

334 (b) Until 5 p.m. on the 2nd day after an election, the
 335 supervisor shall allow an elector who has submitted a
 336 provisional ballot with a signature deficiency to complete and
 337 submit a cure affidavit.

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

341 PROVISIONAL BALLOT CURE AFFIDAVIT

342 I,, am a qualified voter in this election and a
 343 registered voter of County, Florida. I do solemnly swear or
 344 affirm that I voted a provisional ballot and that I have not and
 345 will not vote more than one ballot in this election. I
 346 understand that if I commit or attempt any fraud in connection
 347 with voting, vote a fraudulent ballot, or vote more than once in
 348 an election, I may be convicted of a felony of the third degree,
 349 fined up to \$5,000, and imprisoned for up to 5 years. I
 350 understand that my failure to sign this affidavit will

HB 7101

2019

351 invalidate my ballot.

352

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

354

355 ...(Address)...

356

357 (d) Instructions must accompany the cure affidavit in
 358 substantially the following form:

359

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

363

364 1. In order to cure the missing signature or the signature
 365 discrepancy on your Provisional Ballot Voter's Certificate and
 366 Affirmation, your affidavit should be completed and returned as
 367 soon as possible so that it can reach the supervisor of
 368 elections of the county in which your precinct is located no
 369 later than 5 p.m. on the 2nd day after the election.

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

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

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

HB 7101

2019

376 Florida identification card issued by the Department of Highway
377 Safety and Motor Vehicles; United States passport; debit or
378 credit card; military identification; student identification;
379 retirement center identification; neighborhood association
380 identification; public assistance identification; veteran health
381 identification card issued by the United States Department of
382 Veterans Affairs; Florida license to carry a concealed weapon or
383 firearm; or employee identification card issued by any branch,
384 department, agency, or entity of the Federal Government, the
385 state, a county, or a municipality; or

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

391 4. Place the envelope bearing the affidavit into a mailing
392 envelope addressed to the supervisor. Insert a copy of your
393 identification in the mailing envelope. Mail (if time permits),
394 deliver, or have delivered the completed affidavit along with
395 the copy of your identification to your county supervisor of
396 elections. Be sure there is sufficient postage if mailed and
397 that the supervisor's address is correct. Remember, your
398 information MUST reach your county supervisor of elections no
399 later than 5 p.m. on the 2nd day following the election or your
400 ballot will not count.

401 5. Alternatively, you may fax or e-mail your completed
402 affidavit and a copy of your identification to the supervisor of
403 elections. If e-mailing, please provide these documents as
404 attachments.

405 6. Submitting a provisional ballot affidavit does not
406 establish your eligibility to vote in this election or guarantee
407 that your ballot will be counted. The county canvassing board
408 determines your eligibility to vote through information provided
409 on the Provisional Ballot Voter's Certificate and Affirmation,
410 written evidence provided by you, including information in your
411 cure affidavit along with any supporting identification, and any
412 other evidence presented by the supervisor of elections or a
413 challenger. You may still be required to present additional
414 written evidence to support your eligibility to vote.

415 (e) The department and each supervisor shall include the
416 affidavit and instructions on their respective websites. The
417 supervisor shall include his or her office mailing address, e-
418 mail address, and fax number on the page containing the
419 affidavit instructions, and the department's instruction page
420 shall include the office mailing addresses, e-mail addresses,
421 and fax numbers of all supervisors or provide a conspicuous link
422 to such addresses.

423 (f) The supervisor shall attach each affidavit received to
424 the appropriate provisional ballot envelope containing the
425 Provisional Ballot Voter's Certificate and Affirmation.

426 (7) (a) ~~(6)~~ Each supervisor ~~of elections~~ shall establish a
 427 free access system that allows each person who casts a
 428 provisional ballot to determine whether his or her provisional
 429 ballot was counted in the final canvass of votes and, if not,
 430 the reasons why. Information regarding provisional ballots shall
 431 be available no later than 30 days following the election. The
 432 system established must restrict information regarding an
 433 individual ballot to the person who cast the ballot.

434 (b) Unless processed as a signature update pursuant to
 435 subsection (2), the supervisor shall mail a voter registration
 436 application to the elector to be completed indicating the
 437 elector's current signature if the signature on the voter's
 438 certificate or cure affidavit did not match the elector's
 439 signature in the registration books or precinct register.

440 Section 9. Paragraph (b) of subsection (1) and subsection
 441 (9) of section 101.151, Florida Statutes, are amended to read:

442 101.151 Specifications for ballots.—

443 (1)

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

449 (9) (a) The Department of State shall adopt rules
 450 prescribing a uniform primary and general election ballot for

HB 7101

2019

451 each certified voting system. The rules shall incorporate the
452 requirements set forth in this section and shall prescribe
453 additional matters and forms that include, without limitation:

454 1. The ballot title followed by clear and unambiguous
455 ballot instructions and directions limited to a single location
456 on the ballot, either:

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

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

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

461 3. Overall ballot layout; ~~and~~

462 4. Oval vote targets as the only permissible type of vote
463 target.

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

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

469 101.20 Publication of ballot form; sample ballots.—

470 (2) (a) Upon completion of the list of qualified
471 candidates, a sample ballot shall be published by the supervisor
472 ~~of elections~~ in a newspaper of general circulation in the
473 county, before the day of election.

474 (b) In lieu of the publication required under paragraph
475 (a), a supervisor may send a sample ballot to each registered

HB 7101

2019

476 | elector by e-mail at least 7 days before an election if an e-
477 | mail address has been provided and the elector has opted to
478 | receive a sample ballot by electronic delivery. If an e-mail
479 | address has not been provided, or if the elector has not opted
480 | for electronic delivery, a sample ballot may be mailed to each
481 | registered elector or to each household in which there is a
482 | registered elector at least 7 days before an election.

483 | Section 11. Paragraph (a) of subsection (4) of section
484 | 101.5614, Florida Statutes, is amended to read:

485 | 101.5614 Canvass of returns.—

486 | (4) (a) If any vote-by-mail ballot is physically damaged so
487 | that it cannot properly be counted by the automatic tabulating
488 | equipment, a true duplicate copy shall be made of the damaged
489 | ballot in the presence of witnesses and substituted for the
490 | damaged ballot. Likewise, a duplicate ballot shall be made of a
491 | vote-by-mail ballot containing an overvoted race or a marked
492 | vote-by-mail ballot in which every race is undervoted which
493 | shall include all valid votes as determined by the canvassing
494 | board based on rules adopted by the division pursuant to s.
495 | 102.166(4). Upon request, a physically present candidate,
496 | political party official, political committee official, or an
497 | authorized designee thereof, must be allowed to observe the
498 | duplication of ballots. All duplicate ballots shall be clearly
499 | labeled "duplicate," bear a serial number which shall be
500 | recorded on the defective ballot, and be counted in lieu of the

501 defective ballot. After a ballot has been duplicated, the
 502 defective ballot shall be placed in an envelope provided for
 503 that purpose, and the duplicate ballot shall be tallied with the
 504 other ballots for that precinct.

505 Section 12. Subsection (2) and paragraph (b) of subsection
 506 (4) of section 101.62, Florida Statutes, are amended to read:

507 101.62 Request for vote-by-mail ballots.—

508 (2) A request for a vote-by-mail ballot to be mailed to a
 509 voter must be received no later than 5 p.m. on the 10th ~~sixth~~
 510 day before the election by the supervisor ~~of elections~~. The
 511 supervisor ~~of elections~~ shall mail vote-by-mail ballots to
 512 voters requesting ballots by such deadline no later than 8 4
 513 days before the election.

514 (4)

515 (b) The supervisor ~~of elections~~ shall mail a vote-by-mail
 516 ballot to each absent qualified voter, other than those listed
 517 in paragraph (a), who has requested such a ballot, between the
 518 40th ~~35th~~ and 28th days before the presidential preference
 519 primary election, primary election, and general election. Except
 520 as otherwise provided in subsection (2) and after the period
 521 described in this paragraph, the supervisor shall mail vote-by-
 522 mail ballots within 2 business days after receiving a request
 523 for such a ballot.

524 Section 13. Subsection (1) of section 101.64, Florida
 525 Statutes, is amended, and subsection (5) is added to that

526 | section, to read:

527 | 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

528 | (1) The supervisor shall enclose with each vote-by-mail
 529 | ballot two envelopes: a secrecy envelope, into which the absent
 530 | elector shall enclose his or her marked ballot; and a mailing
 531 | envelope, into which the absent elector shall then place the
 532 | secrecy envelope, which shall be addressed to the supervisor and
 533 | also bear on the back side a certificate in substantially the
 534 | following form:

535 | Note: Please Read Instructions Carefully Before
 536 | Marking Ballot and Completing Voter's Certificate.

537 | VOTER'S CERTIFICATE

538 | I,, do solemnly swear or affirm that I am a qualified
 539 | and registered voter of County, Florida, and that I have
 540 | not and will not vote more than one ballot in this election. I
 541 | understand that if I commit or attempt to commit any fraud in
 542 | connection with voting, vote a fraudulent ballot, or vote more
 543 | than once in an election, I can be convicted of a felony of the
 544 | third degree and fined up to \$5,000 and/or imprisoned for up to
 545 | 5 years. I also understand that failure to sign this certificate
 546 | will invalidate my ballot.

547 ... (Date) (Voter's Signature) ...
548 <u>... (E-Mail Address) ...</u>	... (Home Telephone Number) ...
549	<u>... (Mobile Telephone Number) ...</u>

550 | (5) The secrecy envelope must include, in capitalized text

HB 7101

2019

551 and in bold font, substantially the following message:

552

553 IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR

554 OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY.

555 IF YOU WAIT TO MAIL YOUR BALLOT YOUR VOTE MIGHT NOT COUNT. TO

556 PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT

557 AS SOON AS POSSIBLE.

558 Section 14. Section 101.65, Florida Statutes, is amended
559 to read:

560 101.65 Instructions to absent electors.—The supervisor
561 shall enclose with each vote-by-mail ballot separate printed
562 instructions in substantially the following form; however, where
563 the instructions appear in capitalized text, the text of the
564 printed instructions must be capitalized and in bold font:

565 READ THESE INSTRUCTIONS CAREFULLY

566 BEFORE MARKING BALLOT.

567 1. VERY IMPORTANT. In order to ensure that your vote-by-
568 mail ballot will be counted, it should be completed and returned
569 as soon as possible so that it can reach the supervisor of
570 elections of the county in which your precinct is located no
571 later than 7 p.m. on the day of the election. However, if you
572 are an overseas voter casting a ballot in a presidential
573 preference primary or general election, your vote-by-mail ballot
574 must be postmarked or dated no later than the date of the
575 election and received by the supervisor of elections of the

HB 7101

2019

576 county in which you are registered to vote no later than 10 days
577 after the date of the election. Note that the later you return
578 your ballot, the less time you will have to cure any signature
579 deficiencies, which is authorized until 5 p.m. on the 2nd day
580 after the election.

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

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

588 4. Place your marked ballot in the enclosed secrecy
589 envelope.

590 5. Insert the secrecy envelope into the enclosed mailing
591 envelope which is addressed to the supervisor.

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

594 7. VERY IMPORTANT. In order for your vote-by-mail ballot
595 to be counted, you must sign your name on the line above
596 (Voter's Signature). A vote-by-mail ballot will be considered
597 illegal and not be counted if the signature on the voter's
598 certificate does not match the signature on record. The
599 signature on file at the time the supervisor of elections in the
600 county in which your precinct is located receives your vote-by-

601 mail ballot ~~start of the canvass of the vote-by-mail ballots~~ is
 602 the signature that will be used to verify your signature on the
 603 voter's certificate. If you need to update your signature for
 604 this election, send your signature update on a voter
 605 registration application to your supervisor of elections so that
 606 it is received before your vote-by-mail ballot is received ~~no~~
 607 ~~later than the start of the canvassing of vote-by-mail ballots,~~
 608 ~~which occurs no earlier than the 15th day before election day.~~

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

612 9. Mail, deliver, or have delivered the completed mailing
 613 envelope. Be sure there is sufficient postage if mailed. THE
 614 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
 615 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
 616 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE DROP BOX,
 617 AVAILABLE AT EACH EARLY VOTING LOCATION.

618 10. FELONY NOTICE. It is a felony under Florida law to
 619 accept any gift, payment, or gratuity in exchange for your vote
 620 for a candidate. It is also a felony under Florida law to vote
 621 in an election using a false identity or false address, or under
 622 any other circumstances making your ballot false or fraudulent.

623 Section 15. Paragraph (a) of subsection (1) and subsection
 624 (2) of section 101.657, Florida Statutes, are amended to read:

625 101.657 Early voting.—

HB 7101

2019

626 (1) (a) As a convenience to the voter, the supervisor ~~of~~
627 ~~elections~~ shall allow an elector to vote early in the main or
628 branch office of the supervisor. The supervisor shall mark,
629 code, indicate on, or otherwise track the voter's precinct for
630 each early voted ballot. In order for a branch office to be used
631 for early voting, it shall be a permanent facility of the
632 supervisor and shall have been designated and used as such for
633 at least 1 year prior to the election. The supervisor may also
634 designate any city hall, permanent public library facility,
635 fairground, civic center, courthouse, county commission
636 building, stadium, convention center, government-owned senior
637 center, or government-owned community center as early voting
638 sites; however, if so designated, the sites must be
639 geographically located so as to provide all voters in the county
640 an equal opportunity to cast a ballot, insofar as is
641 practicable. In addition, a supervisor may designate two ~~one~~
642 early voting sites ~~site~~ per election in an area of the county
643 that does not have any of the eligible early voting locations.
644 Such additional early voting sites ~~site~~ must be geographically
645 located so as to provide all voters in those areas ~~that area~~
646 with an equal opportunity to cast a ballot, insofar as is
647 practicable. Each county shall, at a minimum, operate the same
648 total number of early voting sites for a general election which
649 the county operated for the 2012 general election. The results
650 or tabulation of votes cast during early voting may not be made

HB 7101

2019

651 before the close of the polls on election day. Results shall be
652 reported by precinct.

653 (2) During any early voting period, each supervisor ~~of~~
654 ~~elections~~ shall make available the total number of voters
655 casting a ballot at each early voting location and the total
656 number of vote-by-mail ballots received under s. 101.69(2)
657 during the previous day. Each supervisor shall prepare an
658 electronic data file listing the individual voters who cast a
659 ballot during the early voting period. This information shall be
660 provided in electronic format as provided by rule adopted by the
661 division. The information shall be updated and made available no
662 later than noon of each day and shall be contemporaneously
663 provided to the division.

664 Section 16. Paragraphs (a) and (c) of subsection (2) and
665 subsection (4) of section 101.68, Florida Statutes, are amended
666 to read:

667 101.68 Canvassing of vote-by-mail ballot.—

668 (2) (a) The county canvassing board may begin the
669 canvassing of vote-by-mail ballots at 7 a.m. on the 22nd ~~15th~~
670 day before the election, but not later than noon on the day
671 following the election. In addition, for any county using
672 electronic tabulating equipment, the processing of vote-by-mail
673 ballots through such tabulating equipment may begin at 7 a.m. on
674 the 22nd ~~15th~~ day before the election. However, notwithstanding
675 any such authorization to begin canvassing or otherwise

HB 7101

2019

676 processing vote-by-mail ballots early, no result shall be
677 released until after the closing of the polls in that county on
678 election day. Any supervisor ~~of elections~~, deputy supervisor ~~of~~
679 ~~elections~~, canvassing board member, election board member, or
680 election employee who releases the results of a canvassing or
681 processing of vote-by-mail ballots prior to the closing of the
682 polls in that county on election day commits a felony of the
683 third degree, punishable as provided in s. 775.082, s. 775.083,
684 or s. 775.084.

685 (c)1. The canvassing board must, if the supervisor has not
686 already done so, compare the signature of the elector on the
687 voter's certificate or on the vote-by-mail ballot cure affidavit
688 as provided in subsection (4) with the signature of the elector
689 in the registration books or the precinct register to see that
690 the elector is duly registered in the county and to determine
691 the legality of that vote-by-mail ballot. A vote-by-mail ballot
692 may only be counted if:

693 a. The signature on the voter's certificate or the cure
694 affidavit matches the elector's signature in the registration
695 books or precinct register; however, in the case of a cure
696 affidavit, the supporting identification listed in subsection
697 (4) must also confirm the identity of the elector; or

698 b. The cure affidavit contains a signature that does not
699 match the elector's signature in the registration books or
700 precinct register, but the elector has submitted a current and

HB 7101

2019

701 valid Tier 1 identification pursuant to subsection (4) which
702 confirms the identity of the elector.

703

704 For purposes of this paragraph, any canvassing board finding
705 that an elector's signatures do not match must be by majority
706 vote and beyond a reasonable doubt.

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

713 3. A vote-by-mail ballot is not considered illegal if the
714 signature of the elector does not cross the seal of the mailing
715 envelope.

716 4. If any elector or candidate present believes that a
717 vote-by-mail ballot is illegal due to a defect apparent on the
718 voter's certificate or the cure affidavit, he or she may, at any
719 time before the ballot is removed from the envelope, file with
720 the canvassing board a protest against the canvass of that
721 ballot, specifying the precinct, the ballot, and the reason he
722 or she believes the ballot to be illegal. A challenge based upon
723 a defect in the voter's certificate or cure affidavit may not be
724 accepted after the ballot has been removed from the mailing
725 envelope.

HB 7101

2019

726 5. If the canvassing board determines that a ballot is
727 illegal, a member of the board must, without opening the
728 envelope, mark across the face of the envelope: "rejected as
729 illegal." The cure affidavit, if applicable, the envelope, and
730 the ballot therein shall be preserved in the manner that
731 official ballots are preserved.

732 (4) (a) As soon as practicable, the supervisor shall, on
733 behalf of the county canvassing board, attempt to ~~immediately~~
734 notify an elector who has returned a vote-by-mail ballot that
735 does not include the elector's signature or contains a signature
736 that does not match the elector's signature in the registration
737 books or precinct register by:-

738 1. Providing notice of the signature deficiency to the
739 elector by e-mail and directing the elector to the cure
740 affidavit and instructions on the supervisor's website;

741 2. Notifying the elector of the signature deficiency by
742 text message and directing the elector to the cure affidavit and
743 instructions on the supervisor's website;

744 3. Notifying the elector of the signature deficiency by
745 telephone and directing the elector to the cure affidavit and
746 instructions on the supervisor's website; and

747 4. Notifying the elector of the signature deficiency by
748 first-class mail and directing the elector to the cure affidavit
749 and instructions on the supervisor's website. Beginning the day
750 before the election, the supervisor is not required to provide

751 notice of the signature deficiency by first-class mail, but
 752 shall continue to provide notice as required in subparagraphs
 753 1., 2., and 3.

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

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

759 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

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

771 ... (Address) ...

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

774 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 775 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR

HB 7101

2019

776 | BALLOT NOT TO COUNT.

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

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

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

786 | a. Tier 1 identification.—Current and valid identification
787 | that includes your name and photograph: Florida driver license;
788 | Florida identification card issued by the Department of Highway
789 | Safety and Motor Vehicles; United States passport; debit or
790 | credit card; military identification; student identification;
791 | retirement center identification; neighborhood association
792 | identification; public assistance identification; veteran health
793 | identification card issued by the United States Department of
794 | Veterans Affairs; a Florida license to carry a concealed weapon
795 | or firearm; or an employee identification card issued by any
796 | branch, department, agency, or entity of the Federal Government,
797 | the state, a county, or a municipality; or

798 | b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
799 | FORM OF IDENTIFICATION, identification that shows your name and
800 | current residence address: current utility bill, bank statement,

HB 7101

2019

801 government check, paycheck, or government document (excluding
802 voter information ~~identification~~ card).

803 4. Place the envelope bearing the affidavit into a mailing
804 envelope addressed to the supervisor. Insert a copy of your
805 identification in the mailing envelope. Mail (if time permits),
806 deliver, or have delivered the completed affidavit along with
807 the copy of your identification to your county supervisor of
808 elections. Be sure there is sufficient postage if mailed and
809 that the supervisor's address is correct. Remember, your
810 information MUST reach your county supervisor of elections no
811 later than 5 p.m. on the 2nd day after the election, or your
812 ballot will not count.

813 5. Alternatively, you may fax or e-mail your completed
814 affidavit and a copy of your identification to the supervisor of
815 elections. If e-mailing, please provide these documents as
816 attachments.

817 (f) ~~(d)~~ The department and each supervisor shall include
818 the affidavit and instructions on their respective websites. The
819 supervisor must include his or her office's mailing address, e-
820 mail address, and fax number on the page containing the
821 affidavit instructions, and ~~the~~ department's instruction page
822 must include the office mailing addresses, e-mail addresses, and
823 fax numbers of all supervisors of elections or provide a
824 conspicuous link to such addresses.

825 (g) ~~(e)~~ The supervisor shall attach each affidavit received

826 to the appropriate vote-by-mail ballot mailing envelope.

827 (h) ~~(f)~~ If a vote-by-mail ballot is validated following the
 828 submission of a cure affidavit, the supervisor shall make a copy
 829 of the affidavit, affix it to a voter registration application,
 830 and immediately process it as a valid request for a signature
 831 update pursuant to s. 98.077.

832 (i) After all election results on the ballot have been
 833 certified, the supervisor shall, on behalf of the county
 834 canvassing board, notify each elector whose ballot has been
 835 rejected as illegal and provide the specific reason the ballot
 836 was rejected. In addition, unless processed as a signature
 837 update pursuant to paragraph (h), the supervisor shall mail a
 838 voter registration application to the elector to be completed
 839 indicating the elector's current signature if the signature on
 840 the voter's certificate or cure affidavit did not match the
 841 elector's signature in the registration books or precinct
 842 register. ~~This section does not prohibit the supervisor from~~
 843 ~~providing additional methods for updating an elector's~~
 844 ~~signature.~~

845 Section 17. Section 101.69, Florida Statutes, is amended
 846 to read:

847 101.69 Voting in person; return of vote-by-mail ballot.—

848 (1) The provisions of this code shall not be construed to
 849 prohibit any elector from voting in person at the elector's
 850 precinct on the day of an election or at an early voting site,

HB 7101

2019

851 notwithstanding that the elector has requested a vote-by-mail
852 ballot for that election. An elector who has returned a voted
853 vote-by-mail ballot to the supervisor, however, is deemed to
854 have cast his or her ballot and is not entitled to vote another
855 ballot or to have a provisional ballot counted by the county
856 canvassing board. An elector who has received a vote-by-mail
857 ballot and has not returned the voted ballot to the supervisor,
858 but desires to vote in person, shall return the ballot, whether
859 voted or not, to the election board in the elector's precinct or
860 to an early voting site. The returned ballot shall be marked
861 "canceled" by the board and placed with other canceled ballots.
862 However, if the elector does not return the ballot and the
863 election official:

864 (a)~~(1)~~ Confirms that the supervisor has received the
865 elector's vote-by-mail ballot, the elector shall not be allowed
866 to vote in person. If the elector maintains that he or she has
867 not returned the vote-by-mail ballot or remains eligible to
868 vote, the elector shall be provided a provisional ballot as
869 provided in s. 101.048.

870 (b)~~(2)~~ Confirms that the supervisor has not received the
871 elector's vote-by-mail ballot, the elector shall be allowed to
872 vote in person as provided in this code. The elector's vote-by-
873 mail ballot, if subsequently received, shall not be counted and
874 shall remain in the mailing envelope, and the envelope shall be
875 marked "Rejected as Illegal."

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

879 (2) The supervisor shall allow an elector who has received
 880 a vote-by-mail ballot to physically return a voted vote-by-mail
 881 ballot to the supervisor by placing the envelope containing his
 882 or her marked ballot in a secure drop box. A secure drop box
 883 shall be placed at the main office of the supervisor, at each
 884 branch office of the supervisor, and at each early voting site.

885 Section 18. Subsection (2) of section 101.6923, Florida
 886 Statutes, is amended to read:

887 101.6923 Special vote-by-mail ballot instructions for
 888 certain first-time voters.—

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

892 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
 893 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
 894 TO COUNT.

895 1. In order to ensure that your vote-by-mail ballot will
 896 be counted, it should be completed and returned as soon as
 897 possible so that it can reach the supervisor of elections of the
 898 county in which your precinct is located no later than 7 p.m. on
 899 the date of the election. However, if you are an overseas voter
 900 casting a ballot in a presidential preference primary or general

HB 7101

2019

901 election, your vote-by-mail ballot must be postmarked or dated
902 no later than the date of the election and received by the
903 supervisor of elections of the county in which you are
904 registered to vote no later than 10 days after the date of the
905 election.

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

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

913 4. Place your marked ballot in the enclosed secrecy
914 envelope and seal the envelope.

915 5. Insert the secrecy envelope into the enclosed envelope
916 bearing the Voter's Certificate. Seal the envelope and
917 completely fill out the Voter's Certificate on the back of the
918 envelope.

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

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

924 c. A vote-by-mail ballot will be considered illegal and
925 will not be counted if the signature on the Voter's Certificate

HB 7101

2019

926 | does not match the signature on record. The signature on file at
927 | the start of the canvass of the vote-by-mail ballots is the
928 | signature that will be used to verify your signature on the
929 | Voter's Certificate. If you need to update your signature for
930 | this election, send your signature update on a voter
931 | registration application to your supervisor of elections so that
932 | it is received before your vote-by-mail ballot is received ~~no~~
933 | ~~later than the start of canvassing of vote-by-mail ballots,~~
934 | ~~which occurs no earlier than the 15th day before election day.~~

935 | 6. Unless you meet one of the exemptions in Item 7., you
936 | must make a copy of one of the following forms of
937 | identification:

938 | a. Identification which must include your name and
939 | photograph: United States passport; debit or credit card;
940 | military identification; student identification; retirement
941 | center identification; neighborhood association identification;
942 | public assistance identification; veteran health identification
943 | card issued by the United States Department of Veterans Affairs;
944 | a Florida license to carry a concealed weapon or firearm; or an
945 | employee identification card issued by any branch, department,
946 | agency, or entity of the Federal Government, the state, a
947 | county, or a municipality; or

948 | b. Identification which shows your name and current
949 | residence address: current utility bill, bank statement,
950 | government check, paycheck, or government document (excluding

HB 7101

2019

951 voter information ~~identification~~ card).

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

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

955 b. You have a temporary or permanent physical disability.

956 c. You are a member of a uniformed service on active duty
957 who, by reason of such active duty, will be absent from the
958 county on election day.

959 d. You are a member of the Merchant Marine who, by reason
960 of service in the Merchant Marine, will be absent from the
961 county on election day.

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

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

967 8. Place the envelope bearing the Voter's Certificate into
968 the mailing envelope addressed to the supervisor. Insert a copy
969 of your identification in the mailing envelope. DO NOT PUT YOUR
970 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
971 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
972 BALLOT WILL NOT COUNT.

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

975 10. FELONY NOTICE. It is a felony under Florida law to

HB 7101

2019

976 | accept any gift, payment, or gratuity in exchange for your vote
977 | for a candidate. It is also a felony under Florida law to vote
978 | in an election using a false identity or false address, or under
979 | any other circumstances making your ballot false or fraudulent.

980 | Section 19. Paragraph (a) of subsection (4) and subsection
981 | (5) of section 102.031, Florida Statutes, are amended to read:

982 | 102.031 Maintenance of good order at polls; authorities;
983 | persons allowed in polling rooms and early voting areas;
984 | unlawful solicitation of voters.—

985 | (4) (a) No person, political committee, or other group or
986 | organization may solicit voters inside the polling place or
987 | within 150 ~~100~~ feet of the entrance to any polling place, a
988 | polling room where the polling place is also a polling room, an
989 | early voting site, or an office of the supervisor ~~of elections~~
990 | where vote-by-mail ballots are requested and printed on demand
991 | for the convenience of electors who appear in person to request
992 | them. Before the opening of the polling place or early voting
993 | site, the clerk or supervisor shall designate the no-
994 | solicitation zone and mark the boundaries.

995 | (5) No photography is permitted in the polling room or
996 | early voting area, except an elector may photograph his or her
997 | own ballot.

998 | Section 20. Subsections (9) and (10) of section 102.141,
999 | Florida Statutes, are renumbered as subsections (10) and (11),
1000 | respectively, subsections (1) and (2) are amended, and a new

HB 7101

2019

1001 subsection (9) is added to that section, to read:

1002 102.141 County canvassing board; duties.—

1003 (1) The county canvassing board shall be composed of the
1004 supervisor ~~of elections~~; a county court judge, who shall act as
1005 chair; and the chair of the board of county commissioners.
1006 Alternate canvassing board members must be appointed pursuant to
1007 paragraph (e). In the event any member of the county canvassing
1008 board is unable to serve, is a candidate who has opposition in
1009 the election being canvassed, or is an active participant in the
1010 campaign or candidacy of any candidate who has opposition in the
1011 election being canvassed, such member shall be replaced as
1012 follows:

1013 (a) If no county court judge is able to serve or if all
1014 are disqualified, the chief judge of the judicial circuit in
1015 which the county is located shall appoint as a substitute member
1016 a qualified elector of the county who is not a candidate with
1017 opposition in the election being canvassed and who is not an
1018 active participant in the campaign or candidacy of any candidate
1019 with opposition in the election being canvassed. In such event,
1020 the members of the county canvassing board shall meet and elect
1021 a chair.

1022 (b) If the supervisor ~~of elections~~ is unable to serve or
1023 is disqualified, the chair of the board of county commissioners
1024 shall appoint as a substitute member a member of the board of
1025 county commissioners who is not a candidate with opposition in

HB 7101

2019

1026 | the election being canvassed and who is not an active
1027 | participant in the campaign or candidacy of any candidate with
1028 | opposition in the election being canvassed. The supervisor,
1029 | however, shall act in an advisory capacity to the canvassing
1030 | board.

1031 | (c) If the chair of the board of county commissioners is
1032 | unable to serve or is disqualified, the board of county
1033 | commissioners shall appoint as a substitute member one of its
1034 | members who is not a candidate with opposition in the election
1035 | being canvassed and who is not an active participant in the
1036 | campaign or candidacy of any candidate with opposition in the
1037 | election being canvassed.

1038 | (d) If a substitute member or alternate member cannot be
1039 | appointed as provided elsewhere in this subsection, or in the
1040 | event of a vacancy in such office, the chief judge of the
1041 | judicial circuit in which the county is located shall appoint as
1042 | a substitute member or alternate member a qualified elector of
1043 | the county who is not a candidate with opposition in the
1044 | election being canvassed and who is not an active participant in
1045 | the campaign or candidacy of any candidate with opposition in
1046 | the election being canvassed.

1047 | (e)1. The chief judge of the judicial circuit in which the
1048 | county is located shall appoint a county court judge as an
1049 | alternate member of the county canvassing board or, if each
1050 | county court judge is unable to serve or is disqualified, shall

HB 7101

2019

1051 appoint an alternate member who is qualified to serve as a
1052 substitute member under paragraph (a).

1053 2. The chair of the board of county commissioners shall
1054 appoint a member of the board of county commissioners as an
1055 alternate member of the county canvassing board or, if each
1056 member of the board of county commissioners is unable to serve
1057 or is disqualified, shall appoint an alternate member who is
1058 qualified to serve as a substitute member under paragraph (d).

1059 3. No more than seven alternate members per county
1060 canvassing board member may be appointed.

1061 ~~4.3.~~ If a member of the county canvassing board is unable
1062 to participate in a meeting of the board, the chair of the
1063 county canvassing board or his or her designee shall designate
1064 which alternate member will serve as a member of the board in
1065 the place of the member who is unable to participate at that
1066 meeting.

1067 ~~5.4.~~ If not serving as one of the three members of the
1068 county canvassing board, an alternate member may be present,
1069 observe, and communicate with the three members constituting the
1070 county canvassing board, but may not vote in the board's
1071 decisions or determinations.

1072 (2) (a) The county canvassing board shall meet in a
1073 building accessible to the public in the county where the
1074 election occurred at a time and place to be designated by the
1075 supervisor ~~of elections~~ to publicly canvass the absent electors'

HB 7101

2019

1076 ballots as provided for in s. 101.68 and provisional ballots as
1077 provided by ss. 101.048, 101.049, and 101.6925. Provisional
1078 ballots cast pursuant to s. 101.049 shall be canvassed in a
1079 manner that votes for candidates and issues on those ballots can
1080 be segregated from other votes. ~~Public notice of the time and~~
1081 ~~place at which the county canvassing board shall meet to canvass~~
1082 ~~the absent electors' ballots and provisional ballots shall be~~
1083 ~~given at least 48 hours prior thereto by publication on the~~
1084 ~~supervisor of elections' website and once in one or more~~
1085 ~~newspapers of general circulation in the county or, if there is~~
1086 ~~no newspaper of general circulation in the county, by posting~~
1087 ~~such notice in at least four conspicuous places in the county.~~
1088 As soon as the absent electors' ballots and the provisional
1089 ballots are canvassed, the board shall proceed to publicly
1090 canvass the vote given each candidate, nominee, constitutional
1091 amendment, or other measure submitted to the electorate of the
1092 county, as shown by the returns then on file in the office of
1093 the supervisor ~~of elections.~~

1094 (b) Public notice of the time and place at which the
1095 county canvassing board shall meet to canvass the absent
1096 electors' ballots and provisional ballots must be given at least
1097 48 hours prior thereto by publication on the supervisor's
1098 website and published in one or more newspapers of general
1099 circulation in the county or, if there is no newspaper of
1100 general circulation in the county, by posting such notice in at

HB 7101

2019

1101 least four conspicuous places in the county. The time given in
1102 the notice as to the convening of the meeting of the county
1103 canvassing board must be specific and may not be a time period
1104 during which the board may meet.

1105 (c) If the county canvassing board suspends or recesses a
1106 meeting publicly noticed pursuant to paragraph (b) for a period
1107 lasting in excess of 60 minutes, the board must post on the
1108 county's website and on the supervisor's website the anticipated
1109 time that the board expects to reconvene. If the county
1110 canvassing board does not reconvene at the specified time, the
1111 board must provide at least 2 hours' notice, which must posted
1112 on the county's website and the supervisor's website, before
1113 reconvening.

1114 (d) During any meeting of the county canvassing board, a
1115 physical notice must be placed in a conspicuous area near the
1116 public entrance to the building in which the meeting is taking
1117 place. The physical notice must include the names of the
1118 individuals officially serving as the county canvassing board,
1119 the names of any alternate members, the time of the meeting, and
1120 a brief statement as to the anticipated activities of the county
1121 canvassing board.

1122 (9) Each member, substitute member, and alternate member
1123 of the county canvassing board and all clerical help must wear
1124 identification badges during any period in which the county
1125 canvassing board is canvassing votes or engaging in other

HB 7101

2019

1126 official duties. The identification badges should be worn in a
1127 conspicuous, unobstructed area and include the name of the
1128 individual and his or her official position.

1129 Section 21. Subsection (5) is added to section 104.051,
1130 Florida Statutes, to read:

1131 104.051 Violations; neglect of duty; corrupt practices.—

1132 (5) Any supervisor who willfully violates any provision of
1133 the Florida Election Code is, upon a finding of such a violation
1134 by a court of competent jurisdiction, prohibited from receiving
1135 the special qualification salary pursuant to s. 145.09(3) for a
1136 period of 24 months, dating from the time of the violation.

1137 Section 22. This act shall take effect July 1, 2019.