

1                   A bill to be entitled  
2           An act relating to elections; amending s. 20.10, F.S.;  
3           requiring the Secretary of State to be elected rather  
4           than appointed; specifying when such election will  
5           occur; amending s. 97.052, F.S.; conforming provisions  
6           to changes made by the act; amending s. 97.053, F.S.;  
7           providing that an applicant must designate a party  
8           affiliation to be registered to vote; requiring a  
9           supervisor of elections to make a certain  
10          notification; requiring the voter registration  
11          application to include certain information; providing  
12          for the canvassing of provisional ballots if certain  
13          information is provided within a reasonable amount of  
14          time following an election; repealing s. 97.055, F.S.,  
15          relating to the closure of registration books for an  
16          election; repealing s. 97.0555, F.S., relating to late  
17          registration to vote; creating s. 97.0556, F.S.;  
18          providing that a person who meets certain requirements  
19          may register to vote and cast a ballot on election day  
20          or at an early voting site; amending s. 97.057, F.S.;  
21          requiring the Department of Highway Safety and Motor  
22          Vehicles to provide the opportunity to preregister to  
23          vote to certain individuals; amending s. 97.0575,  
24          F.S.; revising penalties for third parties collecting  
25          voter registration organizations; amending s. 98.065,

26 F.S.; providing additional requirements before a voter  
27 can be made inactive; amending s. 98.0981, F.S.;  
28 revising certain reports and data to conform with  
29 change made by the act; amending s. 99.061, F.S.;  
30 authorizing a candidate to pay his or her  
31 qualification fee with a cashier's check; amending s.  
32 100.371, F.S.; providing a requirement for the  
33 delivery of certain petitions; creating s. 100.51,  
34 F.S.; establishing general election day as a paid  
35 holiday; providing that any elector may absent himself  
36 or herself from service or employment at a specific  
37 time on a General Election Day and may not be  
38 penalized for such absence; creating s. 101.016, F.S.;  
39 requiring the Division of Elections to maintain a  
40 strategic elections equipment reserve of voting  
41 systems for specified purposes; requiring such reserve  
42 to include specified equipment; authorizing the  
43 division to contract with specified entities rather  
44 than physically maintain such reserve; amending s.  
45 101.048, F.S.; providing that a person may cast a  
46 provisional vote in the county in which the voter  
47 claims to be registered; requiring a supervisor of  
48 elections to immediately notify a person of a  
49 nonmatching signature and allow such person to cure  
50 the ballot within a reasonable amount of time;

51 amending s. 101.151, F.S.; requiring a ballot to  
52 include the office title of Secretary of State in a  
53 certain order; requiring the names of candidates for  
54 each office to be ordered randomly; amending s.  
55 101.5612, F.S.; requiring a supervisor of elections to  
56 annually file a plan for operations under certain  
57 conditions; amending s. 101.62, F.S.; providing that a  
58 request for a vote-by-mail ballot is valid until the  
59 request is canceled; revising the deadline by which  
60 vote-by-mail ballots must be received by a supervisor  
61 of elections; extending the period during which a  
62 supervisor of elections may deliver a vote-by-mail  
63 ballot; providing for extension of deadlines under  
64 certain conditions; amending s. 101.64, F.S.;  
65 requiring a supervisor of elections to enclose a  
66 postage paid mailing envelope with each vote-by-mail  
67 ballot; providing that vote-by-mail ballot voter  
68 certificates may require a voter's signature or the  
69 last four digits of the voter's social security  
70 number; amending s. 101.65, F.S.; revising  
71 instructions that must be provided with a vote-by-mail  
72 ballot; amending s. 101.68, F.S.; requiring a  
73 supervisor of elections to compare the signature or  
74 partial social security number with the signature or  
75 social security number in the registration books or

76 precinct register when canvassing a vote-by-mail  
77 ballot; revising the time period an elector may cure a  
78 vote-by-mail ballot; amending s. 101.6952, F.S.;  
79 authorizing an absent voter to submit a federal write-  
80 in absentee ballot or vote-by-mail ballot; revising  
81 requirements for the canvassing of specified ballots;  
82 providing that a certain presumption applies to vote-  
83 by-mail ballots received from absent voters; requiring  
84 a vote-by-mail ballot from an absent voter which is  
85 postmarked by a certain date to be counted; amending  
86 s. 101.697, F.S.; requiring the Department of State to  
87 adopt rules to authorize a supervisor of elections to  
88 accept a voted ballot by secure electronic means under  
89 certain circumstances; amending s. 101.71, F.S.;  
90 prohibiting a polling place from being located within  
91 a gated community unless certain conditions are met;  
92 amending s. 102.031, F.S.; prohibiting certain persons  
93 from serving on a county canvassing board; removing a  
94 provision prohibiting the restriction of solicitation  
95 by certain parties; prohibiting the use of devices  
96 that amplify sound in certain locations; amending s.  
97 102.111, F.S.; revising the dates by which the  
98 Elections Canvassing Commission shall certify certain  
99 election returns; amending s. 102.112, F.S.; revising  
100 the deadlines for submission of county returns to the

101 Department of State; creating s. 102.181, F.S.;

102 authorizing certain persons to file actions against a

103 supervisor of elections for noncompliance with the

104 election code; providing that such person is entitled

105 to an immediate hearing; providing for the waiver of

106 fees and costs and the awarding of attorney fees;

107 providing an effective date.

108

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

110

111 Section 1. Subsection (1) of section 20.10, Florida

112 Statutes, is amended to read:

113 20.10 Department of State.—There is created a Department

114 of State.

115 (1) The head of the Department of State is the Secretary

116 of State. The Secretary of State shall be elected at the

117 statewide general election at which the Governor, Lieutenant

118 Governor, and Cabinet officers are elected as provided in s. 5,

119 Art. IV of the State Constitution, for a term of 4 years

120 beginning on the first Tuesday after the first Monday in January

121 of the year following such election ~~appointed by the Governor,~~

122 ~~subject to confirmation by the Senate, and shall serve at the~~

123 ~~pleasure of the Governor.~~ The Secretary of State shall perform

124 the functions conferred by the State Constitution upon the

125 custodian of state records.

126 Section 2. Subsection (6) of section 97.052, Florida  
 127 Statutes, is amended to read:

128 97.052 Uniform statewide voter registration application.—

129 (6) If a voter registration applicant fails to provide any  
 130 of the required information on the voter registration  
 131 application form, the supervisor shall notify the applicant of  
 132 the failure by mail within 5 business days after the supervisor  
 133 has the information available in the voter registration system.  
 134 ~~The applicant shall have an opportunity to complete the~~  
 135 ~~application form to vote in the next election up until the book~~  
 136 ~~closing for that next election.~~

137 Section 3. Subsections (2) and (4), paragraph (b) of  
 138 subsection (5), and subsection (6) of section 97.053, Florida  
 139 Statutes, are amended to read:

140 97.053 Acceptance of voter registration applications.—

141 (2) A voter registration application is complete and  
 142 becomes the official voter registration record of that applicant  
 143 when all information necessary to establish the applicant's  
 144 eligibility pursuant to s. 97.041 is received by a voter  
 145 registration official and verified pursuant to subsection (6).  
 146 ~~If the applicant fails to complete his or her voter registration~~  
 147 ~~application prior to the date of book closing for an election,~~  
 148 ~~then such applicant shall not be eligible to vote in that~~  
 149 ~~election.~~

150 (4) The registration date for a valid initial voter

151 registration application that has been mailed to a driver  
152 license office, a voter registration agency, an armed forces  
153 recruitment office, the division, or the office of any  
154 supervisor in the state and bears a clear postmark is the date  
155 of that postmark. If an initial voter registration application  
156 that has been mailed does not bear a postmark or if the postmark  
157 is unclear, the registration date is the date the application is  
158 received by any supervisor or the division, ~~unless it is~~  
159 ~~received within 5 days after the closing of the books for an~~  
160 ~~election, excluding Saturdays, Sundays, and legal holidays, in~~  
161 ~~which case the registration date is the book closing date.~~

162 (5)

163 (b) An applicant who fails to designate party affiliation  
164 or affirmatively select no party affiliation may not ~~must~~ be  
165 registered ~~without party affiliation~~. The supervisor must notify  
166 the voter by mail that the voter has not been registered ~~without~~  
167 ~~party affiliation~~ and that the voter must complete a new  
168 registration application and designate a party affiliation or  
169 affirmatively select no party affiliation ~~may change party~~  
170 ~~affiliation as provided in s. 97.1031. The voter registration~~  
171 application must clearly denote this requirement.

172 (6) A voter registration application may be accepted as  
173 valid only after the department has verified the authenticity or  
174 nonexistence of the driver license number, the Florida  
175 identification card number, or the last four digits of the

176 social security number provided by the applicant. If a completed  
177 voter registration application has been received ~~by the book-~~  
178 ~~closing deadline~~ but the driver license number, the Florida  
179 identification card number, or the last four digits of the  
180 social security number provided by the applicant cannot be  
181 verified, the applicant shall be notified that the number cannot  
182 be verified and that the applicant must provide evidence to the  
183 supervisor sufficient to verify the authenticity of the  
184 applicant's driver license number, Florida identification card  
185 number, or last four digits of the social security number. If  
186 the applicant provides the necessary evidence, the supervisor  
187 shall place the applicant's name on the registration rolls as an  
188 active voter. If the applicant has not provided the necessary  
189 evidence or the number has not otherwise been verified prior to  
190 the applicant presenting himself or herself to vote, the  
191 applicant shall be provided a provisional ballot. The  
192 provisional ballot shall be counted only if the number is  
193 verified by the end of the canvassing period or if the applicant  
194 presents evidence to the supervisor of elections sufficient to  
195 verify the authenticity of the applicant's driver license  
196 number, Florida identification card number, or last four digits  
197 of the social security number within a reasonable amount of time  
198 after ~~no later than 5 p.m. of the second day following the~~  
199 election.

200 Section 4. Section 97.055, Florida Statutes, is repealed.



201 Section 5. Section 97.0555, Florida Statutes, is repealed.

202 Section 6. Section 97.0556, Florida Statutes, is created  
203 to read:

204 97.0556 Same-day voter registration.—A person who meets  
205 the qualifications to register to vote in s. 97.041 and provides  
206 the information required for the statewide voter registration  
207 application in s. 97.052 may register to vote and cast a ballot  
208 on election day or at an early voting site.

209 Section 7. Subsection (1) of section 97.057, Florida  
210 Statutes, is amended to read:

211 97.057 Voter registration by the Department of Highway  
212 Safety and Motor Vehicles.—

213 (1) The Department of Highway Safety and Motor Vehicles  
214 shall provide the opportunity to preregister to vote, register  
215 to vote, ~~or to~~ update a voter registration record to each  
216 individual who comes to an office of that department to:

217 (a) Apply for or renew a driver license;

218 (b) Apply for or renew an identification card pursuant to  
219 chapter 322; or

220 (c) Change an address on an existing driver license or  
221 identification card.

222 Section 8. Paragraph (a) of subsection (3) of section  
223 97.0575, Florida Statutes, is amended to read:

224 97.0575 Third-party voter registrations.—

225 (3) (a) A third-party voter registration organization that

226 collects voter registration applications serves as a fiduciary  
227 to the applicant, ensuring that any voter registration  
228 application entrusted to the organization, irrespective of party  
229 affiliation, race, ethnicity, or gender, shall be promptly  
230 delivered to the division or the supervisor of elections within  
231 48 hours after the applicant completes it or the next business  
232 day if the appropriate office is closed for that 48-hour period.  
233 If a voter registration application collected by any third-party  
234 voter registration organization is not promptly delivered to the  
235 division or supervisor of elections, the third-party voter  
236 registration organization is liable for the following fines:

237 1. A fine in the amount of \$50 for each application  
238 received by the division or the supervisor of elections more  
239 than 48 hours after the applicant delivered the completed voter  
240 registration application to the third-party voter registration  
241 organization or any person, entity, or agent acting on its  
242 behalf or the next business day, if the office is closed. A fine  
243 in the amount of \$250 for each application received if the  
244 third-party voter registration organization or person, entity,  
245 or agency acting on its behalf acted willfully.

246 ~~2. A fine in the amount of \$100 for each application~~  
247 ~~collected by a third-party voter registration organization or~~  
248 ~~any person, entity, or agent acting on its behalf, before book~~  
249 ~~closing for any given election for federal or state office and~~  
250 ~~received by the division or the supervisor of elections after~~

251 ~~the book-closing deadline for such election. A fine in the~~  
252 ~~amount of \$500 for each application received if the third-party~~  
253 ~~registration organization or person, entity, or agency acting on~~  
254 ~~its behalf acted willfully.~~

255 ~~2.3.~~ A fine in the amount of \$500 for each application  
256 collected by a third-party voter registration organization or  
257 any person, entity, or agent acting on its behalf, which is not  
258 submitted to the division or supervisor of elections. A fine in  
259 the amount of \$1,000 for any application not submitted if the  
260 third-party voter registration organization or person, entity,  
261 or agency acting on its behalf acted willfully.

262

263 The aggregate fine pursuant to this paragraph which may be  
264 assessed against a third-party voter registration organization,  
265 including affiliate organizations, for violations committed in a  
266 calendar year is \$1,000.

267 Section 9. Paragraph (c) of subsection (4) of section  
268 98.065, Florida Statutes, is amended to read:

269 98.065 Registration list maintenance programs.—

270 (4)

271 (c) The supervisor must designate as inactive all voters  
272 who have not voted in at least one of the last two general  
273 elections, who have been sent an address confirmation final  
274 notice, and who have not returned the postage prepaid,  
275 preaddressed return form within 30 days or for which the final

276 notice has been returned as undeliverable. Names on the inactive  
277 list may not be used to calculate the number of signatures  
278 needed on any petition. A voter on the inactive list may be  
279 restored to the active list of voters upon the voter updating  
280 his or her registration, requesting a vote-by-mail ballot, or  
281 appearing to vote. However, if the voter does not update his or  
282 her voter registration information, request a vote-by-mail  
283 ballot, or vote by the second general election after being  
284 placed on the inactive list, the voter's name shall be removed  
285 from the statewide voter registration system and the voter shall  
286 be required to reregister to have his or her name restored to  
287 the statewide voter registration system.

288 Section 10. Paragraph (d) of subsection (1) and subsection  
289 (3) of section 98.0981, Florida Statutes, are amended to read:

290 98.0981 Reports; voting history; statewide voter  
291 registration system information; precinct-level election  
292 results; preelection ~~book-closing~~ statistics.-

293 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM  
294 INFORMATION.-

295 (d) File specifications are as follows:

296 1. The file shall contain records designated by the  
297 categories below for all qualified voters who, regardless of the  
298 voter's county of residence or active or inactive registration  
299 status on at the election day ~~book-closing~~ for the corresponding  
300 election that the file is being created for:

- 301           a. Voted a regular ballot at a precinct location.
- 302           b. Voted at a precinct location using a provisional ballot  
303 that was subsequently counted.
- 304           c. Voted a regular ballot during the early voting period.
- 305           d. Voted during the early voting period using a  
306 provisional ballot that was subsequently counted.
- 307           e. Voted by vote-by-mail ballot.
- 308           f. Attempted to vote by vote-by-mail ballot, but the  
309 ballot was not counted.
- 310           g. Attempted to vote by provisional ballot, but the ballot  
311 was not counted in that election.
- 312           2. Each file shall be created or converted into a tab-  
313 delimited format.
- 314           3. File names shall adhere to the following convention:
- 315           a. Three-character county identifier as established by the  
316 department followed by an underscore.
- 317           b. Followed by four-character file type identifier of  
318 "VHO3" followed by an underscore.
- 319           c. Followed by FVRS election ID followed by an underscore.
- 320           d. Followed by Date Created followed by an underscore.
- 321           e. Date format is YYYYMMDD.
- 322           f. Followed by Time Created - HHMMSS.
- 323           g. Followed by ".txt".
- 324           4. Each record shall contain the following columns: Record  
325 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote

326 Date, Vote History Code, Precinct, Congressional District, House  
327 District, Senate District, County Commission District, and  
328 School Board District.

329 (3) PRECINCT-LEVEL PREELECTION ~~BOOK-CLOSING~~ STATISTICS.—  
330 After the 29th day before the date of an election ~~the date of~~  
331 ~~book-closing~~ but before the date of an election as defined in s.  
332 97.021 to fill a national, state, county, or district office, or  
333 to vote on a proposed constitutional amendment, the department  
334 shall compile the following precinct-level statistical data for  
335 each county:

336 (a) Precinct numbers.

337 (b) Total number of active registered voters by party for  
338 each precinct.

339 Section 11. Paragraph (a) of subsection (7) of section  
340 99.061, Florida Statutes, is amended to read:

341 99.061 Method of qualifying for nomination or election to  
342 federal, state, county, or district office.—

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

346 1. A cashier's check purchased with funds of the campaign  
347 account or a properly executed check drawn upon the candidate's  
348 campaign account payable to the person or entity as prescribed  
349 by the filing officer in an amount not less than the fee  
350 required by s. 99.092, unless the candidate obtained the

351 required number of signatures on petitions pursuant to s.  
352 99.095. The filing fee for a special district candidate is not  
353 required to be drawn upon the candidate's campaign account. If a  
354 candidate's check is returned by the bank for any reason, the  
355 filing officer shall immediately notify the candidate and the  
356 candidate shall have until the end of qualifying to pay the fee  
357 with a cashier's check purchased from funds of the campaign  
358 account. Failure to pay the fee as provided in this subparagraph  
359 shall disqualify the candidate.

360 2. The candidate's oath required by s. 99.021, which must  
361 contain the name of the candidate as it is to appear on the  
362 ballot; the office sought, including the district or group  
363 number if applicable; and the signature of the candidate, which  
364 must be verified under oath or affirmation pursuant to s.  
365 92.525(1)(a).

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

368 4. The completed form for the appointment of campaign  
369 treasurer and designation of campaign depository, as required by  
370 s. 106.021.

371 5. The full and public disclosure or statement of  
372 financial interests required by subsection (5). A public officer  
373 who has filed the full and public disclosure or statement of  
374 financial interests with the Commission on Ethics or the  
375 supervisor ~~of elections~~ prior to qualifying for office may file

376 | a copy of that disclosure at the time of qualifying.

377 | Section 12. Paragraph (a) of subsection (7) of section  
 378 | 100.371, Florida Statutes, is amended, and paragraph (c) is  
 379 | added to that subsection, to read:

380 | 100.371 Initiatives; procedure for placement on ballot.—

381 | (7) ~~(a)~~ A sponsor that collects petition forms or uses a  
 382 | petition circulator to collect petition forms serves as a  
 383 | fiduciary to the elector signing the petition form, ensuring  
 384 | that any petition form entrusted to the petition circulator  
 385 | shall be promptly delivered to the supervisor ~~of elections~~  
 386 | within 30 days after the elector signs the form.

387 | (a) If a petition form collected by any petition  
 388 | circulator is not promptly delivered to the supervisor of  
 389 | elections, the sponsor is liable for the following fines:

390 | 1. A fine in the amount of \$50 for each petition form  
 391 | received by the supervisor of elections more than 30 days after  
 392 | the elector signed the petition form or the next business day,  
 393 | if the office is closed. A fine in the amount of \$250 for each  
 394 | petition form received if the sponsor or petition circulator  
 395 | acted willfully.

396 | 2. A fine in the amount of \$500 for each petition form  
 397 | collected by a petition circulator which is not submitted to the  
 398 | supervisor of elections. A fine in the amount of \$1,000 for any  
 399 | petition form not submitted if the sponsor or petition  
 400 | circulator acted willfully.



401 (c) A sponsor must deliver petition forms to the  
402 supervisor grouped in batches by the petition circulator who  
403 collected them.

404 Section 13. Section 100.51, Florida Statutes, is created  
405 to read:

406 100.51 General election day paid holiday.—In order to  
407 encourage civic participation, enable more individuals to serve  
408 as poll workers, and provide additional time for the resolution  
409 of any issues that arise while an elector is casting his or her  
410 vote, general election day is a paid holiday. Any elector is  
411 entitled to absent himself or herself from any service or  
412 employment in which he or she is engaged or employed between the  
413 time of the opening and closing of polls on General Election  
414 Day. An elector who absents himself or herself under this  
415 section may not be penalized in any way and a deduction may not  
416 be made from his or her usual salary or wages on account of his  
417 or her absence.

418 Section 14. Section 101.016, Florida Statutes, is created  
419 to read:

420 101.016 Strategic election equipment reserve.—The Division  
421 of Elections shall maintain a strategic elections equipment  
422 reserve of voting systems that may be deployed in the event of  
423 an emergency as defined in s. 101.732 or upon the occurrence of  
424 equipment capacity issues due to unexpected voter turnout. The  
425 reserve shall include tabulation equipment and any other

426 necessary equipment, such as printers, that are in use by each  
427 supervisor of elections. In lieu of maintaining a physical  
428 reserve of such equipment, the division may contract with a  
429 vendor of voting equipment that shall provide such equipment on  
430 an as-needed basis.

431 Section 15. Subsections (1) and (2) of section 101.048,  
432 Florida Statutes, are amended to read:

433 101.048 Provisional ballots.—

434 (1) At all elections, a voter claiming to be properly  
435 registered in the state and eligible to vote ~~at the precinct~~ in  
436 the election but whose eligibility cannot be determined, a  
437 person whom an election official asserts is not eligible, and  
438 other persons specified in the code shall be entitled to vote a  
439 provisional ballot in the county in which the voter claims to be  
440 registered. Once voted, the provisional ballot shall be placed  
441 in a secrecy envelope and thereafter sealed in a provisional  
442 ballot envelope. The provisional ballot shall be deposited in a  
443 ballot box. All provisional ballots shall remain sealed in their  
444 envelopes for return to the supervisor of elections. The  
445 department shall prescribe the form of the provisional ballot  
446 envelope. A person casting a provisional ballot shall have the  
447 right to present written evidence supporting his or her  
448 eligibility to vote to the supervisor of elections by not later  
449 than 5 p.m. on the second day following the election.

450 (2) (a) The county canvassing board shall examine each

451 Provisional Ballot Voter's Certificate and Affirmation to  
452 determine if the person voting that ballot was entitled to vote  
453 in the county in which ~~at the precinct where~~ the person cast a  
454 vote in the election and that the person had not already cast a  
455 ballot in the election. In determining whether a person casting  
456 a provisional ballot is entitled to vote, the county canvassing  
457 board shall review the information provided in the Voter's  
458 Certificate and Affirmation, written evidence provided by the  
459 person pursuant to subsection (1), information provided in any  
460 cure affidavit and accompanying supporting documentation  
461 pursuant to subsection (6), any other evidence presented by the  
462 supervisor, and, in the case of a challenge, any evidence  
463 presented by the challenger. A ballot of a person casting a  
464 provisional ballot shall be canvassed pursuant to paragraph (b)  
465 unless the canvassing board determines by a preponderance of the  
466 evidence that the person was not entitled to vote.

467 (b) If it is determined that the person was registered and  
468 entitled to vote in the county in which ~~at the precinct where~~  
469 the person cast a vote in the election, the canvassing board  
470 must compare the signature on the Provisional Ballot Voter's  
471 Certificate and Affirmation or the provisional ballot cure  
472 affidavit with the signature on the voter's registration or  
473 precinct register. A provisional ballot may be counted only if:

474 1. The signature on the voter's certificate or the cure  
475 affidavit matches the elector's signature in the registration

476 books or the precinct register; however, in the case of a cure  
477 affidavit, the supporting identification listed in subsection  
478 (6) must also confirm the identity of the elector; or

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

484

485 For purposes of this paragraph, any canvassing board finding  
486 that signatures do not match must be by majority vote and beyond  
487 a reasonable doubt.

488 (c) Any provisional ballot not counted must remain in the  
489 envelope containing the Provisional Ballot Voter's Certificate  
490 and Affirmation and the envelope shall be marked "Rejected as  
491 Illegal."

492 (d) If a provisional ballot is validated following the  
493 submission of a cure affidavit, the supervisor must make a copy  
494 of the affidavit, affix it to a voter registration application,  
495 and immediately process it as a valid request for a signature  
496 update pursuant to s. 98.077.

497 Section 16. Paragraph (a) of subsection (2) and paragraph  
498 (a) of subsection (3) of section 101.151, Florida Statutes, are  
499 amended to read:

500 101.151 Specifications for ballots.—

501 (2) (a) The ballot must include the following office titles  
 502 above the names of the candidates for the respective offices in  
 503 the following order:

504 1. The office titles of President and Vice President ~~above~~  
 505 ~~the names of the candidates for President and Vice President of~~  
 506 ~~the United States nominated by the political party that received~~  
 507 ~~the highest vote for Governor in the last general election of~~  
 508 ~~the Governor in this state, followed by the names of other~~  
 509 ~~candidates for President and Vice President of the United States~~  
 510 ~~who have been properly nominated.~~

511 2. The office titles of United States Senator and  
 512 Representative in Congress.

513 3. The office titles of Governor and Lieutenant Governor;  
 514 Attorney General; Chief Financial Officer; Commissioner of  
 515 Agriculture; Secretary of State; State Attorney, with the  
 516 applicable judicial circuit; and Public Defender, with the  
 517 applicable judicial circuit.

518 4. The office titles of State Senator and State  
 519 Representative, with the applicable district for the office  
 520 printed beneath.

521 5. The office titles of Clerk of the Circuit Court or,  
 522 when the Clerk of the Circuit Court also serves as the County  
 523 Comptroller, Clerk of the Circuit Court and Comptroller, when  
 524 authorized by law; Clerk of the County Court, when authorized by  
 525 law; Sheriff; Property Appraiser; Tax Collector; District

526 Superintendent of Schools; and Supervisor of Elections.

527         6. The office titles of Board of County Commissioners,  
 528 with the applicable district printed beneath each office, and  
 529 such other county and district offices as are involved in the  
 530 election, in the order fixed by the Department of State,  
 531 followed, in the year of their election, by "Party Offices," and  
 532 thereunder the offices of state and county party executive  
 533 committee members.

534         (3) (a) The names of the candidates of each ~~the~~ party ~~that~~  
 535 ~~received the highest number of votes for Governor in the last~~  
 536 ~~election in which a Governor was elected~~ shall be ordered  
 537 randomly placed first for each office on the general election  
 538 ballot, together with an appropriate abbreviation of each such  
 539 ~~the party name; the names of the candidates of the party that~~  
 540 ~~received the second highest vote for Governor shall be placed~~  
 541 ~~second for each office, together with an appropriate~~  
 542 ~~abbreviation of the party name.~~

543         Section 17. Subsection (6) is added to section 101.5612,  
 544 Florida Statutes, to read:

545         101.5612 Testing of tabulating equipment.—

546         (6) A supervisor of elections shall annually file with the  
 547 Secretary of State a detailed plan for operations if maximum  
 548 voter turnout were to occur on election day and if a recount  
 549 were to be required in each race on a ballot.

550         Section 18. Paragraph (a) of subsection (1), subsection

551 (2), and paragraph (c) of subsection (4) of section 101.62,  
552 Florida Statutes, are amended and subsection (7) is added to  
553 that section, to read:

554 101.62 Request for vote-by-mail ballots.—

555 (1)(a) The supervisor shall accept a request for a vote-  
556 by-mail ballot from an elector in person or in writing. One  
557 request shall be deemed sufficient to receive a vote-by-mail  
558 ballot for all elections until the elector or the elector's  
559 designee notifies the supervisor that the elector cancels such  
560 request through the end of the calendar year of the second  
561 ensuing regularly scheduled general election, unless the elector  
562 or the elector's designee indicates at the time the request is  
563 made the elections for which the elector desires to receive a  
564 vote-by-mail ballot. Such request may be considered canceled  
565 when any first-class mail sent by the supervisor to the elector  
566 is returned as undeliverable.

567 (2) A request for a vote-by-mail ballot to be mailed to a  
568 voter must be received no later than 5 p.m. on the 11th ~~10th~~ day  
569 before the election by the supervisor. The supervisor shall mail  
570 vote-by-mail ballots to voters requesting ballots by such  
571 deadline no later than 8 days before the election.

572 (4)

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

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

579 2. By forwardable mail, e-mail, or facsimile machine  
 580 transmission to absent uniformed services voters and overseas  
 581 voters. The absent uniformed services voter or overseas voter  
 582 may designate in the vote-by-mail ballot request the preferred  
 583 method of transmission. If the voter does not designate the  
 584 method of transmission, the vote-by-mail ballot shall be mailed.

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

588 4. By delivery to a designee on election day or up to 11 ~~9~~  
 589 days prior to the day of an election. Any elector may designate  
 590 in writing a person to pick up the ballot for the elector;  
 591 however, the person designated may not pick up more than two  
 592 vote-by-mail ballots per election, other than the designee's own  
 593 ballot, except that additional ballots may be picked up for  
 594 members of the designee's immediate family. For purposes of this  
 595 section, "immediate family" means the designee's spouse or the  
 596 parent, child, grandparent, or sibling of the designee or of the  
 597 designee's spouse. The designee shall provide to the supervisor  
 598 the written authorization by the elector and a picture  
 599 identification of the designee and must complete an affidavit.  
 600 The designee shall state in the affidavit that the designee is



601 authorized by the elector to pick up that ballot and shall  
602 indicate if the elector is a member of the designee's immediate  
603 family and, if so, the relationship. The department shall  
604 prescribe the form of the affidavit. If the supervisor is  
605 satisfied that the designee is authorized to pick up the ballot  
606 and that the signature of the elector on the written  
607 authorization matches the signature of the elector on file, the  
608 supervisor shall give the ballot to that designee for delivery  
609 to the elector.

610 5. Except as provided in s. 101.655, the supervisor may  
611 not deliver a vote-by-mail ballot to an elector or an elector's  
612 immediate family member on the day of the election unless there  
613 is an emergency, to the extent that the elector will be unable  
614 to go to his or her assigned polling place. If a vote-by-mail  
615 ballot is delivered, the elector or his or her designee shall  
616 execute an affidavit affirming to the facts which allow for  
617 delivery of the vote-by-mail ballot. The department shall adopt  
618 a rule providing for the form of the affidavit.

619 (7) If a deadline under this section falls on a day when  
620 the office of the supervisor is usually closed, the deadline  
621 shall be extended until the next business day.

622 Section 19. Subsections (1) and (2) of section 101.64,  
623 Florida Statutes, are amended to read:

624 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

625 (1) The supervisor shall enclose with each vote-by-mail

626 ballot two envelopes: a secrecy envelope, into which the absent  
 627 elector shall enclose his or her marked ballot; and a postage  
 628 paid mailing envelope, into which the absent elector shall then  
 629 place the secrecy envelope, which shall be addressed to the  
 630 supervisor and also bear on the back side a certificate in  
 631 substantially the following form:

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

634 VOTER'S CERTIFICATE

635 I, ....., do solemnly swear or affirm that I am a qualified  
 636 and registered voter of .... County, Florida, and that I have  
 637 not and will not vote more than one ballot in this election. I  
 638 understand that if I commit or attempt to commit any fraud in  
 639 connection with voting, vote a fraudulent ballot, or vote more  
 640 than once in an election, I can be convicted of a felony of the  
 641 third degree and fined up to \$5,000 and/or imprisoned for up to  
 642 5 years. I also understand that failure to sign this certificate  
 643 will invalidate my ballot.

644 ... (Date) .....

645 (Voter's Signature or Last Four Digits of Social Security  
 646 Number) ...

647 ... (E-Mail Address) ...

... (Home Telephone Number) ...

648 ... (Mobile Telephone Number) ...

649 (2) The certificate shall be arranged on the back of the  
 650 mailing envelope so that the line for the signature or the last

651 four digits of the social security number of the absent elector  
652 is across the seal of the envelope; however, no statement shall  
653 appear on the envelope which indicates that a signature or the  
654 last four digits of the social security number of the voter must  
655 cross the seal of the envelope. The absent elector shall execute  
656 the certificate on the envelope.

657 Section 20. Section 101.65, Florida Statutes, is amended  
658 to read:

659 101.65 Instructions to absent electors.—The supervisor  
660 shall enclose with each vote-by-mail ballot separate printed  
661 instructions in substantially the following form; however, where  
662 the instructions appear in capitalized text, the text of the  
663 printed instructions must be in bold font:

664 READ THESE INSTRUCTIONS CAREFULLY  
665 BEFORE MARKING BALLOT.

666 1. VERY IMPORTANT. In order to ensure that your vote-by-  
667 mail ballot will be counted, it ~~should be completed and returned~~  
668 ~~as soon as possible so that it can reach the supervisor of~~  
669 ~~elections of the county in which your precinct is located no~~  
670 ~~later than 7 p.m. on the day of the election. However, if you~~  
671 ~~are an overseas voter casting a ballot in a presidential~~  
672 ~~preference primary or general election, your vote-by-mail ballot~~  
673 must be postmarked or dated no later than the date of the  
674 election and received by the supervisor of elections of the  
675 county in which you are registered to vote no later than 10 days

676 after the date of the election. Note that the later you return  
677 your ballot, the less time you will have to cure any signature  
678 deficiencies, which may lead to your vote not being counted ~~is~~  
679 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

687 4. Place your marked ballot in the enclosed secrecy  
688 envelope.

689 5. Insert the secrecy envelope into the enclosed mailing  
690 envelope which is addressed to the supervisor.

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

693 7. VERY IMPORTANT. In order for your vote-by-mail ballot  
694 to be counted, you must sign your name or print the last four  
695 digits of your social security number on the line above (Voter's  
696 Signature or Last Four Digits of Social Security Number). A  
697 vote-by-mail ballot will be considered illegal and not be  
698 counted if the signature or the last four digits of the social  
699 security number on the voter's certificate does not match the  
700 signature or social security number on record. The signature on

701 file at the time the supervisor of elections in the county in  
702 which your precinct is located receives your vote-by-mail ballot  
703 is the signature that will be used to verify your signature on  
704 the voter's certificate. If you need to update your signature  
705 for this election, send your signature update on a voter  
706 registration application to your supervisor of elections ~~so that~~  
707 ~~it is received before your vote-by-mail ballot is received.~~

708 8. VERY IMPORTANT. If you are an overseas voter, you must  
709 include the date you signed the Voter's Certificate or printed  
710 the last four digits of your social security number on the line  
711 above (Date) or your ballot may not be counted.

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

718 10. FELONY NOTICE. It is a felony under Florida law to  
719 accept any gift, payment, or gratuity in exchange for your vote  
720 for a candidate. It is also a felony under Florida law to vote  
721 in an election using a false identity or false address, or under  
722 any other circumstances making your ballot false or fraudulent.

723 Section 21. Subsection (1), paragraph (c) of subsection  
724 (2), and paragraphs (a), (b), (c), and (d) of subsection (4) of  
725 section 101.68, Florida Statutes, are amended to read:

726 101.68 Canvassing of vote-by-mail ballot.-

727 (1) The supervisor of the county where the absent elector  
 728 resides shall receive the voted ballot, at which time the  
 729 supervisor shall compare the signature or partial social  
 730 security number of the elector on the voter's certificate with  
 731 the signature or partial social security number of the elector  
 732 in the registration books or the precinct register to determine  
 733 whether the elector is duly registered in the county and may  
 734 record on the elector's registration certificate that the  
 735 elector has voted. An elector who dies after casting a vote-by-  
 736 mail ballot but on or before election day shall remain listed in  
 737 the registration books until the results have been certified for  
 738 the election in which the ballot was cast. The supervisor shall  
 739 safely keep the ballot unopened in his or her office until the  
 740 county canvassing board canvasses the vote. Except as provided  
 741 in subsection (4), after a vote-by-mail ballot is received by  
 742 the supervisor, the ballot is deemed to have been cast, and  
 743 changes or additions may not be made to the voter's certificate.

744 (2)

745 (c)1. The canvassing board must, if the supervisor has not  
 746 already done so, compare the signature or partial social  
 747 security number of the elector on the voter's certificate or on  
 748 the vote-by-mail ballot cure affidavit as provided in subsection  
 749 (4) with the signature or partial social security number of the  
 750 elector in the registration books or the precinct register to

751 see that the elector is duly registered in the county and to  
752 determine the legality of that vote-by-mail ballot. A vote-by-  
753 mail ballot may only be counted if:

754 a. The signature or partial social security number on the  
755 voter's certificate or the cure affidavit matches the elector's  
756 signature or partial social security number in the registration  
757 books or precinct register; however, in the case of a cure  
758 affidavit, the supporting identification listed in subsection  
759 (4) must also confirm the identity of the elector; or

760 b. The cure affidavit contains a signature or partial  
761 social security number that does not match the elector's  
762 signature or partial social security number in the registration  
763 books or precinct register, but the elector has submitted a  
764 current and valid Tier 1 identification pursuant to subsection  
765 (4) which confirms the identity of the elector.

766  
767 For purposes of this subparagraph, any canvassing board finding  
768 that an elector's signatures or partial social security numbers  
769 do not match must be by majority vote and beyond a reasonable  
770 doubt.

771 2. The ballot of an elector who casts a vote-by-mail  
772 ballot shall be counted even if the elector dies on or before  
773 election day, as long as, before the death of the voter, the  
774 ballot was postmarked by the United States Postal Service, date-  
775 stamped with a verifiable tracking number by a common carrier,

776 or already in the possession of the supervisor.

777         3. A vote-by-mail ballot is not considered illegal if the  
778 signature or partial social security number of the elector does  
779 not cross the seal of the mailing envelope.

780         4. If any elector or candidate present believes that a  
781 vote-by-mail ballot is illegal due to a defect apparent on the  
782 voter's certificate or the cure affidavit, he or she may, at any  
783 time before the ballot is removed from the envelope, file with  
784 the canvassing board a protest against the canvass of that  
785 ballot, specifying the precinct, the ballot, and the reason he  
786 or she believes the ballot to be illegal. A challenge based upon  
787 a defect in the voter's certificate or cure affidavit may not be  
788 accepted after the ballot has been removed from the mailing  
789 envelope.

790         5. If the canvassing board determines that a ballot is  
791 illegal, a member of the board must, without opening the  
792 envelope, mark across the face of the envelope: "rejected as  
793 illegal." The cure affidavit, if applicable, the envelope, and  
794 the ballot therein shall be preserved in the manner that  
795 official ballots are preserved.

796         (4) (a) As soon as practicable, the supervisor shall, on  
797 behalf of the county canvassing board, attempt to notify an  
798 elector who has returned a vote-by-mail ballot that does not  
799 include the elector's signature or partial social security  
800 number or contains a signature or partial social security number



801 that does not match the elector's signature or partial social  
802 security number in the registration books or precinct register  
803 by:

804 1. Notifying the elector of the signature or partial  
805 social security number deficiency by e-mail and directing the  
806 elector to the cure affidavit and instructions on the  
807 supervisor's website;

808 2. Notifying the elector of the signature or partial  
809 social security number deficiency by text message and directing  
810 the elector to the cure affidavit and instructions on the  
811 supervisor's website; or

812 3. Notifying the elector of the signature or partial  
813 social security number deficiency by telephone and directing the  
814 elector to the cure affidavit and instructions on the  
815 supervisor's website.

816  
817 In addition to the notification required under subparagraph 1.,  
818 subparagraph 2., or subparagraph 3., the supervisor must notify  
819 the elector of the signature or partial social security number  
820 deficiency by first-class mail and direct the elector to the  
821 cure affidavit and instructions on the supervisor's website.  
822 Beginning the day before the election, the supervisor is not  
823 required to provide notice of the signature deficiency by first-  
824 class mail, but shall continue to provide notice as required  
825 under subparagraph 1., subparagraph 2., or subparagraph 3.

826 (b) The supervisor shall allow a reasonable amount of time  
 827 for such an elector to complete and submit an affidavit in order  
 828 to cure the vote-by-mail ballot ~~until 5 p.m. on the 2nd day~~  
 829 ~~after the election.~~

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

832 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

843 ... (Voter's Signature or Last Four Digits of Social Security  
 844 Number) ...

845 ... (Address) ...

846 (d) Instructions must accompany the cure affidavit in  
 847 substantially the following form:

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

851           1. In order to ensure that your vote-by-mail ballot will  
852 be counted, your affidavit should be completed and returned as  
853 soon as possible so that it can reach the supervisor of  
854 elections of the county in which your precinct is located in a  
855 reasonable amount of time ~~no later than 5 p.m. on the 2nd day~~  
856 ~~after the election.~~

857           2. You must sign your name or print the last four digits  
858 of your social security number on the line above (Voter's  
859 Signature or Last Four Digits of Social Security Number).

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

862           a. Tier 1 identification.—Current and valid identification  
863 that includes your name and photograph: Florida driver license;  
864 Florida identification card issued by the Department of Highway  
865 Safety and Motor Vehicles; United States passport; debit or  
866 credit card; military identification; student identification;  
867 retirement center identification; neighborhood association  
868 identification; public assistance identification; veteran health  
869 identification card issued by the United States Department of  
870 Veterans Affairs; a Florida license to carry a concealed weapon  
871 or firearm; or an employee identification card issued by any  
872 branch, department, agency, or entity of the Federal Government,  
873 the state, a county, or a municipality; or

874           b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1  
875 FORM OF IDENTIFICATION, identification that shows your name and

876 | current residence address: current utility bill, bank statement,  
 877 | government check, paycheck, or government document (excluding  
 878 | voter information card).

879 |         4. Place the envelope bearing the affidavit into a mailing  
 880 | envelope addressed to the supervisor. Insert a copy of your  
 881 | identification in the mailing envelope. Mail (if time permits),  
 882 | deliver, or have delivered the completed affidavit along with  
 883 | the copy of your identification to your county supervisor of  
 884 | elections. Be sure there is sufficient postage if mailed and  
 885 | that the supervisor's address is correct. Remember, your  
 886 | information MUST reach your county supervisor of elections in a  
 887 | reasonable amount of time ~~no later than 5 p.m. on the 2nd day~~  
 888 | after the election, or your ballot will not count.

889 |         5. Alternatively, you may fax or e-mail your completed  
 890 | affidavit and a copy of your identification to the supervisor of  
 891 | elections. If e-mailing, please provide these documents as  
 892 | attachments.

893 |         Section 22. Section 101.6952, Florida Statutes, is amended  
 894 | to read:

895 |             101.6952 Vote-by-mail ballots for absent ~~uniformed~~  
 896 | ~~services and overseas~~ voters.-

897 |             (1) If an absent ~~uniformed services voter's or an overseas~~  
 898 | voter's request for an official vote-by-mail ballot pursuant to  
 899 | s. 101.62 includes an e-mail address, the supervisor of  
 900 | elections shall:

901 (a) Record the voter's e-mail address in the vote-by-mail  
902 ballot record;

903 (b) Confirm by e-mail that the vote-by-mail ballot request  
904 was received and include in that e-mail the estimated date the  
905 vote-by-mail ballot will be sent to the voter; and

906 (c) Notify the voter by e-mail when the voted vote-by-mail  
907 ballot is received by the supervisor of elections.

908 (2) (a) An absent ~~uniformed services voter or an overseas~~  
909 voter who makes timely application for but does not receive an  
910 official vote-by-mail ballot may use the federal write-in  
911 absentee ballot to vote in any federal, state, or local  
912 election.

913 (b)1. In an election for federal office, an elector may  
914 designate a candidate by writing the name of a candidate on the  
915 ballot. Except for a primary or special primary election, the  
916 elector may alternatively designate a candidate by writing the  
917 name of a political party on the ballot. A written designation  
918 of the political party shall be counted as a vote for the  
919 candidate of that party if there is such a party candidate in  
920 the race.

921 2. In a state or local election, an elector may vote in  
922 the section of the federal write-in absentee ballot designated  
923 for nonfederal races by writing on the ballot the title of each  
924 office and by writing on the ballot the name of the candidate  
925 for whom the elector is voting. Except for a primary, special

926 primary, or nonpartisan election, the elector may alternatively  
927 designate a candidate by writing the name of a political party  
928 on the ballot. A written designation of the political party  
929 shall be counted as a vote for the candidate of that party if  
930 there is such a party candidate in the race. In addition, the  
931 elector may vote on any ballot measure presented in such  
932 election by identifying the ballot measure on which he or she  
933 desires to vote and specifying his or her vote on the measure.  
934 For purposes of this section, a vote cast in a judicial merit  
935 retention election shall be treated in the same manner as a  
936 ballot measure in which the only allowable responses are "Yes"  
937 or "No."

938 (c) In the case of a joint candidacy, such as for the  
939 offices of President/Vice President or Governor/Lieutenant  
940 Governor, a valid vote for one or both qualified candidates on  
941 the same ticket shall constitute a vote for the joint candidacy.

942 (d) For purposes of this subsection and except when the  
943 context clearly indicates otherwise, such as when a candidate in  
944 the election is affiliated with a political party whose name  
945 includes the word "Independent," "Independence," or a similar  
946 term, a voter designation of "No Party Affiliation" or  
947 "Independent," or any minor variation, misspelling, or  
948 abbreviation thereof, shall be considered a designation for the  
949 candidate, other than a write-in candidate, who qualified to run  
950 in the race with no party affiliation. If more than one

951 candidate qualifies to run as a candidate with no party  
952 affiliation, the designation may not count for any candidate  
953 unless there is a valid, additional designation of the  
954 candidate's name.

955 (e) Any abbreviation, misspelling, or other minor  
956 variation in the form of the name of an office, the name of a  
957 candidate, the ballot measure, or the name of a political party  
958 must be disregarded in determining the validity of the ballot.

959 (3) (a) An absent ~~uniformed services voter or an overseas~~  
960 voter who submits a federal write-in absentee ballot and later  
961 receives an official vote-by-mail ballot may submit the official  
962 vote-by-mail ballot. An elector who submits a federal write-in  
963 absentee ballot and later receives and submits an official vote-  
964 by-mail ballot should make every reasonable effort to inform the  
965 appropriate supervisor of elections that the elector has  
966 submitted more than one ballot.

967 (b) ~~A federal write-in absentee ballot may not be~~  
968 ~~canvassed until 7 p.m. on the day of the election.~~ A federal  
969 write-in absentee ballot from an absent ~~overseas~~ voter in a  
970 presidential preference primary or general election may not be  
971 canvassed until the conclusion of the 10-day period specified in  
972 subsection (5). ~~Each federal write-in absentee ballot received~~  
973 ~~by 7 p.m. on the day of the election shall be canvassed pursuant~~  
974 ~~to ss. 101.5614(4) and 101.68, unless the elector's official~~  
975 ~~vote-by-mail ballot is received by 7 p.m. on election day.~~ Each

976 federal write-in absentee ballot from an absent ~~overseas~~ voter  
977 in a presidential preference primary or general election  
978 received by 10 days after the date of the election shall be  
979 canvassed pursuant to ss. 101.5614(4) and 101.68, unless the  
980 absent ~~overseas~~ voter's official vote-by-mail ballot is received  
981 by 10 days after the date of the election. If the elector's  
982 official vote-by-mail ballot is received by ~~7 p.m. on election~~  
983 ~~day, or, for an overseas voter in a presidential preference~~  
984 ~~primary or general election,~~ no later than 10 days after the  
985 date of the election, the federal write-in absentee ballot is  
986 invalid and the official vote-by-mail ballot shall be canvassed.  
987 The time shall be regulated by the customary time in standard  
988 use in the county seat of the locality.

989 (4) For vote-by-mail ballots received from absent  
990 ~~uniformed services voters or overseas~~ voters, there is a  
991 presumption that the envelope was mailed on the date stated on  
992 the outside of the return envelope, regardless of the absence of  
993 a postmark on the mailed envelope or the existence of a postmark  
994 date that is later than the date of the election.

995 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in  
996 any presidential preference primary or general election which is  
997 postmarked or dated no later than the date of the election and  
998 is received by the supervisor of elections of the county in  
999 which the ~~overseas~~ voter is registered no later than 10 days  
1000 after the date of the election shall be counted as long as the



1001 | vote-by-mail ballot is otherwise proper.

1002 | Section 23. Section 101.697, Florida Statutes, is amended  
 1003 | to read:

1004 | 101.697 Electronic transmission of election materials.—

1005 | (1) The Department of State shall determine whether secure  
 1006 | electronic means can be established for receiving ballots from  
 1007 | overseas voters. If such security can be established, the  
 1008 | department shall adopt rules to authorize a supervisor of  
 1009 | elections to accept from an overseas voter a request for a vote-  
 1010 | by-mail ballot or a voted vote-by-mail ballot by secure  
 1011 | facsimile machine transmission or other secure electronic means.  
 1012 | The rules must provide that in order to accept a voted ballot,  
 1013 | the verification of the voter must be established, the security  
 1014 | of the transmission must be established, and each ballot  
 1015 | received must be recorded.

1016 | (2) The Department of State shall determine whether secure  
 1017 | electronic means can be established for receiving ballots from  
 1018 | voters for good cause, including during or immediately after an  
 1019 | emergency as defined in s. 101.732. If such secure electronic  
 1020 | means can be established, the department shall adopt rules to  
 1021 | authorize a supervisor of elections to accept from a voter a  
 1022 | voted ballot by secure facsimile machine transmission or other  
 1023 | secure electronic means. The rules must provide that in order to  
 1024 | accept a voted ballot, the verification of the voter must be  
 1025 | established, the security of the transmission must be

1026 established, and each ballot received must be recorded. Such a  
 1027 ballot may not be accepted by a supervisor of elections except  
 1028 upon a determination of good cause by the department.

1029 Section 24. Subsection (6) is added to section 101.71,  
 1030 Florida Statutes, to read:

1031 101.71 Polling place.—

1032 (6) A polling place may not be located inside a gated  
 1033 community unless the legal residence of every elector in the  
 1034 precinct is within such gated community.

1035 Section 25. Paragraph (e) of subsection (4) of section  
 1036 102.031, Florida Statutes, is amended and subsection (6) is  
 1037 added to that section, to read:

1038 102.031 Maintenance of good order ~~at polls;~~ authorities;  
 1039 persons allowed in polling rooms and early voting areas;  
 1040 unlawful solicitation of voters.—

1041 (4)

1042 (e) A person who is a candidate with opposition in an  
 1043 election being canvassed or who is an active participant in the  
 1044 campaign or candidacy of any candidate with opposition in the  
 1045 election being canvassed may not serve on a county canvassing  
 1046 board. ~~The owner, operator, or lessee of the property on which a~~  
 1047 ~~polling place or an early voting site is located, or an agent or~~  
 1048 ~~employee thereof, may not prohibit the solicitation of voters~~  
 1049 ~~outside of the no-solicitation zone during polling hours.~~

1050 (6) Bullhorns or other devices used to amplify sound are

1051 prohibited in close proximity to:

1052 (a) A polling place during voting hours.

1053 (b) An office of the supervisor during a recount.

1054 Section 26. Subsection (2) of section 102.111, Florida  
1055 Statutes, is amended to read:

1056 102.111 Elections Canvassing Commission.—

1057 (2) The Elections Canvassing Commission shall meet at 9  
1058 a.m. on the 9th day after a primary election to certify the  
1059 returns for each federal, state, and multicounty office. The  
1060 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a  
1061 general election to certify the returns of the election for each  
1062 ~~federal, state, and multicounty office. The commission shall~~  
1063 meet at 9 a.m. on the 21st day after a general election to  
1064 certify the returns for each federal and state office. If a  
1065 member of a county canvassing board that was constituted  
1066 pursuant to s. 102.141 determines, within 5 days after the  
1067 certification by the Elections Canvassing Commission, that a  
1068 typographical error occurred in the official returns of the  
1069 county, the correction of which could result in a change in the  
1070 outcome of an election, the county canvassing board must certify  
1071 corrected returns to the Department of State within 24 hours,  
1072 and the Elections Canvassing Commission must correct and  
1073 recertify the election returns as soon as practicable.

1074 Section 27. Subsection (2) of section 102.112, Florida  
1075 Statutes, is amended to read:

1076 |           102.112 Deadline for submission of county returns to the  
1077 | Department of State.—

1078 |           (2) Returns must be filed by 5 p.m. on the 7th day  
1079 | following a primary election, ~~and~~ by noon on the 12th day  
1080 | following the general election for multicounty offices, and by  
1081 | noon on the 19th day following the general election for federal  
1082 | and statewide offices. However, the Department of State may  
1083 | correct typographical errors, including the transposition of  
1084 | numbers, in any returns submitted to the Department of State  
1085 | pursuant to s. 102.111(2).

1086 |           Section 28. Section 102.181, Florida Statutes, is created  
1087 | to read:

1088 |           102.181 Action against supervisor of elections.—

1089 |           (1) Any elector qualified to vote in or any candidate for  
1090 | office in an election may file an action against the supervisor  
1091 | of elections administering such election for noncompliance with  
1092 | any provision of this code.

1093 |           (2) Any elector or candidate who files such an action is  
1094 | entitled to an immediate hearing.

1095 |           (3) In any such action, any filing fees or costs shall be  
1096 | waived and attorney fees shall be awarded to the prevailing  
1097 | party or parties.

1098 |           Section 29. This act shall take effect July 1, 2020.