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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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The Committee on Ethics and Elections (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (b) of subsection (1) of section
101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.-

(1)

(b) If the picture identification does not contain the
signature of the elector, an additional identification that



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11 provides the elector's signature shall be required. The address
12 appearing on the identification presented by the elector may not
13 be used as the basis to ~~confirm an elector's legal residence or~~
14 ~~otherwise~~ challenge an elector's legal residence. The elector
15 shall sign his or her name in the space provided on the precinct
16 register or on an electronic device provided for recording the
17 elector's signature. The clerk or inspector shall compare the
18 signature with that on the identification provided by the
19 elector and enter his or her initials in the space provided on
20 the precinct register or on an electronic device provided for
21 that purpose and allow the elector to vote if the clerk or
22 inspector is satisfied as to the identity of the elector.

23 Section 2. Subsection (2) of section 101.5612, Florida
24 Statutes, is amended to read:

25 101.5612 Testing of tabulating equipment.—

26 (2) On any day not more than 25 ~~10~~ days before ~~prior to~~ the
27 commencement of early voting as provided in s. 101.657, the
28 supervisor of elections shall have the automatic tabulating
29 equipment publicly tested to ascertain that the equipment will
30 correctly count the votes cast for all offices and on all
31 measures. If the ballots to be used at the polling place on
32 election day are not available at the time of the testing, the
33 supervisor may conduct an additional test not more than 10 days
34 before election day. Public notice of the time and place of the
35 test shall be given at least 48 hours prior thereto by
36 publication on the supervisor of elections' website and once in
37 one or more newspapers of general circulation in the county or,
38 if there is no newspaper of general circulation in the county,
39 by posting the notice in at least four conspicuous places in the



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40 county. The supervisor or the municipal elections official may,
41 at the time of qualifying, give written notice of the time and
42 location of the public preelection test to each candidate
43 qualifying with that office and obtain a signed receipt that the
44 notice has been given. The Department of State shall give
45 written notice to each statewide candidate at the time of
46 qualifying, or immediately at the end of qualifying, that the
47 voting equipment will be tested and advise each candidate to
48 contact the county supervisor of elections as to the time and
49 location of the public preelection test. The supervisor or the
50 municipal elections official shall, at least 30 ~~15~~ days before
51 ~~prior to~~ the commencement of early voting as provided in s.
52 101.657, send written notice by certified mail to the county
53 party chair of each political party and to all candidates for
54 other than statewide office whose names appear on the ballot in
55 the county and who did not receive written notification from the
56 supervisor or municipal elections official at the time of
57 qualifying, stating the time and location of the public
58 preelection test of the automatic tabulating equipment. The
59 canvassing board shall convene, and each member of the
60 canvassing board shall certify to the accuracy of the test. For
61 the test, the canvassing board may designate one member to
62 represent it. The test shall be open to representatives of the
63 political parties, the press, and the public. Each political
64 party may designate one person with expertise in the computer
65 field who shall be allowed in the central counting room when all
66 tests are being conducted and when the official votes are being
67 counted. The designee shall not interfere with the normal
68 operation of the canvassing board.



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69 Section 3. Paragraph (a) of subsection (4) of section
70 101.5614, Florida Statutes, is amended to read:

71 101.5614 Canvass of returns.—

72 (4) (a) If any vote-by-mail ballot is physically damaged so
73 that it cannot properly be counted by the automatic tabulating
74 equipment, a true duplicate copy shall be made of the damaged
75 ballot in the presence of witnesses and substituted for the
76 damaged ballot. ~~Likewise,~~ A duplicate ballot must also ~~shall~~ be
77 made of a ~~vote-by-mail ballot containing an overvoted race or a~~
78 marked vote-by-mail ballot in which every race is undervoted,
79 including ~~which shall include~~ all valid votes as determined by
80 the canvassing board based on rules adopted by the division
81 pursuant to s. 102.166(4). Upon request, a physically present
82 candidate, a political party official, a political committee
83 official, or an authorized designee thereof, must be allowed to
84 observe the duplication of ballots. All duplicate ballots shall
85 be clearly labeled "duplicate," bear a serial number which shall
86 be recorded on the defective ballot, and be counted in lieu of
87 the defective ballot. After a ballot has been duplicated, the
88 defective ballot shall be placed in an envelope provided for
89 that purpose, and the duplicate ballot shall be tallied with the
90 other ballots for that precinct.

91 Section 4. Subsection (1) of section 101.6103, Florida
92 Statutes, is amended to read:

93 101.6103 Mail ballot election procedure.—

94 (1) Except as otherwise provided in subsection (7), the
95 supervisor of elections shall mail all official ballots with a
96 secrecy envelope, a return mailing envelope, and instructions
97 sufficient to describe the voting process to each elector



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98 entitled to vote in the election not sooner than the 40th ~~20th~~
99 day before the election and not later than the 10th day before
100 the date of the election. All such ballots shall be mailed by
101 first-class mail. Ballots shall be addressed to each elector at
102 the address appearing in the registration records and placed in
103 an envelope which is prominently marked "Do Not Forward."

104 Section 5. Subsection (4) of section 103.091, Florida
105 Statutes, is amended to read:

106 103.091 Political parties.—

107 (4) Any political party other than a minor political party
108 may by rule provide for the membership of its state or county
109 executive committee to be elected for 4-year terms at the
110 primary election in each year a presidential election is held.
111 The terms begin ~~shall commence~~ on the first day of the month
112 following each presidential general election, ~~+~~ but the names of
113 candidates for political party offices may ~~shall~~ not be placed
114 on the ballot at any other election. The results of such
115 election shall be determined by a plurality of the votes cast.
116 In such event, electors seeking to qualify for such office shall
117 do so with the Department of State or supervisor of elections no
118 ~~not~~ earlier than noon of the 71st day, or later than noon of the
119 67th day, preceding the primary election. Notwithstanding the
120 qualifying period prescribed in this subsection, a qualifying
121 office may accept and hold qualifying papers submitted no
122 earlier than 14 days before the beginning of the qualifying
123 period, to be processed and filed during the qualifying period.
124 The outgoing chair of each county executive committee shall,
125 within 30 days after the committee members take office, hold an
126 organizational meeting of all newly elected members for the



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127 purpose of electing officers. The chair of each state executive
128 committee shall, within 60 days after the committee members take
129 office, hold an organizational meeting of all newly elected
130 members for the purpose of electing officers.

131 Section 6. This act shall take effect July 1, 2020.

132

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

134 And the title is amended as follows:

135 Delete everything before the enacting clause
136 and insert:

137

A bill to be entitled

138 An act relating to elections; amending s. 101.043,
139 F.S.; deleting a provision that prohibits the use of
140 an address appearing on identification presented by an
141 elector at the polls as a basis to confirm an
142 elector's legal residence; amending s. 101.5612, F.S.;
143 revising the timeframes for conducting public
144 preelection testing of automatic tabulating equipment;
145 amending s. 101.5614, F.S.; removing the requirement
146 that duplicate ballots be made of vote-by-mail ballots
147 containing overvoted races; amending s. 101.6103,
148 F.S.; revising the timeframe in which the supervisor
149 of elections must mail ballots in elections conducted
150 under the Mail Ballot Election Act; amending s.
151 103.091, F.S.; authorizing a qualifying office to
152 accept and hold qualifying papers for candidates for
153 political party executive committees before the
154 beginning of the qualifying period; providing an
155 effective date.