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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/20/2020	.	
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	.	
	.	

The Committee on Judiciary (Brandes) recommended the following:

Senate Amendment (with title amendment)

Delete lines 176 - 185

and insert:

Section 7. Section 104.0616, Florida Statutes, is amended to read:

104.0616 Vote-by-mail ballots and voting; violations.—

(1) For purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, or sibling of the person or the person's spouse.

(2) Any person who provides or offers to provide, and any



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12 person who accepts, a pecuniary or other benefit in exchange for
13 distributing, ordering, requesting, collecting, delivering, or
14 otherwise physically possessing any ~~more than two~~ vote-by-mail
15 ballots, except ~~per election in addition to~~ his or her own
16 ballot, ~~or~~ a ballot belonging to an immediate family member, or
17 ~~except~~ as provided in ss. 101.6105-101.694, commits a
18 misdemeanor of the first degree, punishable as provided in s.
19 775.082, s. 775.083, or s. 775.084.

20 Section 8. Subsection (17) is added to section 901.15,
21 Florida Statutes, to read:

22 901.15 When arrest by officer without warrant is lawful.—A
23 law enforcement officer may arrest a person without a warrant
24 when:

25 (17) There is probable cause to believe that a person has
26 committed a violation involving a vote-by-mail ballot as
27 provided in s. 104.0616.

28 Section 9. Subsection (11) is added to section 106.08,
29 Florida Statutes, to read:

30 106.08 Contributions; limitations on; preemption.—

31 (11) (a) A county, a municipality, or any other local
32 governmental entity is expressly preempted from enacting or
33 adopting:

34 1. Contribution limits that differ from the limitations
35 established in subsection (1);

36 2. Any limitation or restriction involving contributions to
37 a political committee or an electioneering communications
38 organization; or

39 3. Any limitation or restriction on expenditures for an
40 electioneering communication or an independent expenditure.



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41 (b) Any existing or future limitation or restriction
42 enacted or adopted by a county, a municipality, or any other
43 local governmental entity which is in conflict with this
44 subsection is void.

45

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

47 And the title is amended as follows:

48 Delete lines 21 - 24

49 and insert:

50 104.0616, F.S.; prohibiting a person from providing,
51 offering to provide, or accepting a pecuniary or other
52 benefit in exchange for distributing, ordering,
53 requesting, collecting, delivering, or otherwise
54 physically possessing any vote-by-mail ballot;
55 providing exceptions; providing a penalty; amending s.
56 901.15, F.S.; authorizing a law enforcement officer to
57 arrest a person without a warrant when probable cause
58 exists that the person committed a specified violation
59 involving a vote-by-mail ballot; amending s. 106.08,
60 F.S.; preempting counties, municipalities, and other
61 local governmental entities from enacting or adopting
62 any limitation or restriction involving certain
63 contributions and expenditures, or establishing
64 contribution limits different than those established
65 in the Florida Election Code; providing applicability;
66 providing an