

By Senator Brandes

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1 A bill to be entitled
2 An act relating to elections; amending s. 101.043,
3 F.S.; deleting a provision that prohibits the use of
4 an address appearing on identification presented by an
5 elector at the polls as a basis to confirm or
6 otherwise challenge an elector's legal residence;
7 amending s. 101.5612, F.S.; revising the timeframes
8 for conducting public preelection testing of automatic
9 tabulating equipment; amending s. 101.5614, F.S.;
10 removing the requirement that duplicate ballots be
11 made of vote-by-mail ballots containing overvoted
12 races; amending s. 101.6103, F.S.; revising the
13 timeframe in which the supervisor of elections must
14 mail ballots in elections conducted under the Mail
15 Ballot Election Act; amending s. 103.091, F.S.;
16 expanding the timeframe within which candidates for
17 political party executive committees may qualify for
18 office; providing an effective date.

19
20 Be It Enacted by the Legislature of the State of Florida:

21
22 Section 1. Paragraph (b) of subsection (1) of section
23 101.043, Florida Statutes, is amended to read:

24 101.043 Identification required at polls.—

25 (1)

26 (b) If the picture identification does not contain the
27 signature of the elector, an additional identification that
28 provides the elector's signature shall be required. ~~The address~~
29 ~~appearing on the identification presented by the elector may not~~

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30 ~~be used as the basis to confirm an elector's legal residence or~~
31 ~~otherwise challenge an elector's legal residence.~~ The elector
32 shall sign his or her name in the space provided on the precinct
33 register or on an electronic device provided for recording the
34 elector's signature. The clerk or inspector shall compare the
35 signature with that on the identification provided by the
36 elector and enter his or her initials in the space provided on
37 the precinct register or on an electronic device provided for
38 that purpose and allow the elector to vote if the clerk or
39 inspector is satisfied as to the identity of the elector.

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

42 101.5612 Testing of tabulating equipment.—

43 (2) On any day not more than 25 ~~10~~ days before ~~prior to~~ the
44 commencement of early voting as provided in s. 101.657, the
45 supervisor of elections shall have the automatic tabulating
46 equipment publicly tested to ascertain that the equipment will
47 correctly count the votes cast for all offices and on all
48 measures. If the ballots to be used at the polling place on
49 election day are not available at the time of the testing, the
50 supervisor may conduct an additional test not more than 10 days
51 before election day. Public notice of the time and place of the
52 test shall be given at least 48 hours prior thereto by
53 publication on the supervisor of elections' website and once in
54 one or more newspapers of general circulation in the county or,
55 if there is no newspaper of general circulation in the county,
56 by posting the notice in at least four conspicuous places in the
57 county. The supervisor or the municipal elections official may,
58 at the time of qualifying, give written notice of the time and

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59 location of the public preelection test to each candidate
60 qualifying with that office and obtain a signed receipt that the
61 notice has been given. The Department of State shall give
62 written notice to each statewide candidate at the time of
63 qualifying, or immediately at the end of qualifying, that the
64 voting equipment will be tested and advise each candidate to
65 contact the county supervisor of elections as to the time and
66 location of the public preelection test. The supervisor or the
67 municipal elections official shall, at least 30 ~~15~~ days before
68 ~~prior to~~ the commencement of early voting as provided in s.
69 101.657, send written notice by certified mail to the county
70 party chair of each political party and to all candidates for
71 other than statewide office whose names appear on the ballot in
72 the county and who did not receive written notification from the
73 supervisor or municipal elections official at the time of
74 qualifying, stating the time and location of the public
75 preelection test of the automatic tabulating equipment. The
76 canvassing board shall convene, and each member of the
77 canvassing board shall certify to the accuracy of the test. For
78 the test, the canvassing board may designate one member to
79 represent it. The test shall be open to representatives of the
80 political parties, the press, and the public. Each political
81 party may designate one person with expertise in the computer
82 field who shall be allowed in the central counting room when all
83 tests are being conducted and when the official votes are being
84 counted. The designee shall not interfere with the normal
85 operation of the canvassing board.

86 Section 3. Paragraph (a) of subsection (4) of section
87 101.5614, Florida Statutes, is amended to read:

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88 101.5614 Canvass of returns.-

89 (4) (a) If any vote-by-mail ballot is physically damaged so
90 that it cannot properly be counted by the automatic tabulating
91 equipment, a true duplicate copy shall be made of the damaged
92 ballot in the presence of witnesses and substituted for the
93 damaged ballot. ~~Likewise,~~ A duplicate ballot must also ~~shall~~ be
94 made of a ~~vote-by-mail ballot containing an overvoted race or a~~
95 marked vote-by-mail ballot in which every race is undervoted,
96 including ~~which shall include~~ all valid votes as determined by
97 the canvassing board based on rules adopted by the division
98 pursuant to s. 102.166(4). Upon request, a physically present
99 candidate, a political party official, a political committee
100 official, or an authorized designee thereof, must be allowed to
101 observe the duplication of ballots. All duplicate ballots shall
102 be clearly labeled "duplicate," bear a serial number which shall
103 be recorded on the defective ballot, and be counted in lieu of
104 the defective ballot. After a ballot has been duplicated, the
105 defective ballot shall be placed in an envelope provided for
106 that purpose, and the duplicate ballot shall be tallied with the
107 other ballots for that precinct.

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

110 101.6103 Mail ballot election procedure.-

111 (1) Except as otherwise provided in subsection (7), the
112 supervisor of elections shall mail all official ballots with a
113 secrecy envelope, a return mailing envelope, and instructions
114 sufficient to describe the voting process to each elector
115 entitled to vote in the election not sooner than the 40th ~~20th~~
116 day before the election and not later than the 10th day before

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117 the date of the election. All such ballots shall be mailed by
118 first-class mail. Ballots shall be addressed to each elector at
119 the address appearing in the registration records and placed in
120 an envelope which is prominently marked "Do Not Forward."

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

123 103.091 Political parties.-

124 (4) Any political party other than a minor political party
125 may by rule provide for the membership of its state or county
126 executive committee to be elected for 4-year terms at the
127 primary election in each year a presidential election is held.
128 The terms begin ~~shall commence~~ on the first day of the month
129 following each presidential general election, ~~+~~ but the names of
130 candidates for political party offices may ~~shall~~ not be placed
131 on the ballot at any other election. The results of such
132 election shall be determined by a plurality of the votes cast.
133 In such event, electors seeking to qualify for such office shall
134 do so with the Department of State or supervisor of elections no
135 ~~not earlier than noon of the 71st day, or~~ later than noon of the
136 67th day~~7~~ preceding the primary election. The outgoing chair of
137 each county executive committee shall, within 30 days after the
138 committee members take office, hold an organizational meeting of
139 all newly elected members for the purpose of electing officers.
140 The chair of each state executive committee shall, within 60
141 days after the committee members take office, hold an
142 organizational meeting of all newly elected members for the
143 purpose of electing officers.

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