

By Senator Stewart

13-01532A-20

20201806__

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 changes made by the act; amending s. 99.061, F.S.;

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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 Florida Election Code; providing that such person is
105 entitled to an immediate hearing; providing for the
106 waiver of fees and costs and the awarding of attorney
107 fees; 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 of
114 State.

115 (1) The head of the Department of State is the Secretary of
116 State. The Secretary of State shall be elected at the statewide

13-01532A-20

20201806__

117 general election at which the Governor, the Lieutenant Governor,
118 and Cabinet officers are elected as provided in s. 5, Art. IV of
119 the State Constitution, for a term of 4 years beginning on the
120 first Tuesday after the first Monday in January of the year
121 following such election ~~appointed by the Governor, subject to~~
122 ~~confirmation by the Senate, and shall serve at the pleasure of~~
123 ~~the Governor.~~ The Secretary of State shall perform the functions
124 conferred by the State Constitution upon the custodian of state
125 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).

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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 to
203 read:

13-01532A-20

20201806__

204 97.0556 Same-day voter registration.—A person who meets the
205 qualifications to register to vote in s. 97.041 and provides the
206 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~~ 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.

13-01532A-20

20201806__

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.

13-01532A-20

20201806__

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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

13-01532A-20

20201806__

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 provisional
306 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 ballot
309 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.

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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

377 Section 12. Paragraph (a) of subsection (7) of section

13-01532A-20

20201806__

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 circulator
388 is not promptly delivered to the supervisor of elections, the
389 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 supervisor
402 grouped in batches by the petition circulator who collected
403 them.

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

406 100.51 General election day paid holiday.—In order to

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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)

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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, when
522 the Clerk of the Circuit Court also serves as the County

13-01532A-20

20201806__

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, with
528 the applicable district printed beneath each office, and such
529 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,

13-01532A-20

20201806__

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

13-01532A-20

20201806__

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.

13-01532A-20

20201806__

610 5. Except as provided in s. 101.655, the supervisor may not
611 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
633 Note: Please Read Instructions Carefully Before
634 Marking Ballot and Completing Voter's Certificate.

635
636 VOTER'S CERTIFICATE

637 I,, do solemnly swear or affirm that I am a qualified
638 and registered voter of County, Florida, and that I have

13-01532A-20

20201806__

639 not and will not vote more than one ballot in this election. I
 640 understand that if I commit or attempt to commit any fraud in
 641 connection with voting, vote a fraudulent ballot, or vote more
 642 than once in an election, I can be convicted of a felony of the
 643 third degree and fined up to \$5,000 and/or imprisoned for up to
 644 5 years. I also understand that failure to sign this certificate
 645 will invalidate my ballot.

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

648 ... (E-Mail Address) ... (Home Telephone Number) ...

649
 650 ... (Mobile Telephone Number) ...

651
 652 (2) The certificate shall be arranged on the back of the
 653 mailing envelope so that the line for the signature or the last
 654 four digits of the social security number of the absent elector
 655 is across the seal of the envelope; however, no statement shall
 656 appear on the envelope which indicates that a signature or the
 657 last four digits of the social security number of the voter must
 658 cross the seal of the envelope. The absent elector shall execute
 659 the certificate on the envelope.

660 Section 20. Section 101.65, Florida Statutes, is amended to
 661 read:

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

667

13-01532A-20

20201806__

668 READ THESE INSTRUCTIONS CAREFULLY
669 BEFORE MARKING BALLOT.
670

671 1. VERY IMPORTANT. In order to ensure that your vote-by-
672 mail ballot will be counted, it ~~should be completed and returned~~
673 ~~as soon as possible so that it can reach the supervisor of~~
674 ~~elections of the county in which your precinct is located no~~
675 ~~later than 7 p.m. on the day of the election. However, if you~~
676 ~~are an overseas voter casting a ballot in a presidential~~
677 ~~preference primary or general election, your vote-by-mail ballot~~
678 must be postmarked or dated no later than the date of the
679 election and received by the supervisor of elections of the
680 county in which you are registered to vote no later than 10 days
681 after the date of the election. Note that the later you return
682 your ballot, the less time you will have to cure any signature
683 deficiencies, which may lead to your vote not being counted ~~is~~
684 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

692 4. Place your marked ballot in the enclosed secrecy
693 envelope.

694 5. Insert the secrecy envelope into the enclosed mailing
695 envelope which is addressed to the supervisor.

696 6. Seal the mailing envelope and completely fill out the

13-01532A-20

20201806__

697 Voter's Certificate on the back of the mailing envelope.

698 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
699 be counted, you must sign your name or print the last four
700 digits of your social security number on the line above (Voter's
701 Signature or Last Four Digits of Social Security Number). A
702 vote-by-mail ballot will be considered illegal and not be
703 counted if the signature or the last four digits of the social
704 security number on the voter's certificate does not match the
705 signature or social security number on record. The signature on
706 file at the time the supervisor of elections in the county in
707 which your precinct is located receives your vote-by-mail ballot
708 is the signature that will be used to verify your signature on
709 the voter's certificate. If you need to update your signature
710 for this election, send your signature update on a voter
711 registration application to your supervisor of elections ~~so that~~
712 ~~it is received before your vote-by-mail ballot is received.~~

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

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

723 10. FELONY NOTICE. It is a felony under Florida law to
724 accept any gift, payment, or gratuity in exchange for your vote
725 for a candidate. It is also a felony under Florida law to vote

13-01532A-20

20201806__

726 in an election using a false identity or false address, or under
727 any other circumstances making your ballot false or fraudulent.

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

731 101.68 Canvassing of vote-by-mail ballot.—

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

749 (2)

750 (c)1. The canvassing board must, if the supervisor has not
751 already done so, compare the signature or partial social
752 security number of the elector on the voter's certificate or on
753 the vote-by-mail ballot cure affidavit as provided in subsection
754 (4) with the signature or partial social security number of the

13-01532A-20

20201806__

755 elector in the registration books or the precinct register to
756 see that the elector is duly registered in the county and to
757 determine the legality of that vote-by-mail ballot. A vote-by-
758 mail ballot may only be counted if:

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

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

771
772 For purposes of this subparagraph, any canvassing board finding
773 that an elector's signatures or partial social security numbers
774 do not match must be by majority vote and beyond a reasonable
775 doubt.

776 2. The ballot of an elector who casts a vote-by-mail ballot
777 shall be counted even if the elector dies on or before election
778 day, as long as, before the death of the voter, the ballot was
779 postmarked by the United States Postal Service, date-stamped
780 with a verifiable tracking number by a common carrier, or
781 already in the possession of the supervisor.

782 3. A vote-by-mail ballot is not considered illegal if the
783 signature or partial social security number of the elector does

13-01532A-20

20201806__

784 not cross the seal of the mailing envelope.

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

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

801 (4) (a) As soon as practicable, the supervisor shall, on
802 behalf of the county canvassing board, attempt to notify an
803 elector who has returned a vote-by-mail ballot that does not
804 include the elector's signature or partial social security
805 number or contains a signature or partial social security number
806 that does not match the elector's signature or partial social
807 security number in the registration books or precinct register
808 by:

809 1. Notifying the elector of the signature or partial social
810 security number deficiency by e-mail and directing the elector
811 to the cure affidavit and instructions on the supervisor's
812 website;

13-01532A-20

20201806__

813 2. Notifying the elector of the signature or partial social
814 security number deficiency by text message and directing the
815 elector to the cure affidavit and instructions on the
816 supervisor's website; or

817 3. Notifying the elector of the signature or partial social
818 security number deficiency by telephone and directing the
819 elector to the cure affidavit and instructions on the
820 supervisor's website.

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

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

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

837

838 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

839

840 I,, am a qualified voter in this election and
841 registered voter of County, Florida. I do solemnly swear or

13-01532A-20

20201806__

842 affirm that I requested and returned the vote-by-mail ballot and
843 that I have not and will not vote more than one ballot in this
844 election. I understand that if I commit or attempt any fraud in
845 connection with voting, vote a fraudulent ballot, or vote more
846 than once in an election, I may be convicted of a felony of the
847 third degree and fined up to \$5,000 and imprisoned for up to 5
848 years. I understand that my failure to sign this affidavit means
849 that my vote-by-mail ballot will be invalidated.

850

851 ... (Voter's Signature or Last Four Digits of Social Security
852 Number) ...

853 ... (Address) ...

854

855 (d) Instructions must accompany the cure affidavit in
856 substantially the following form:

857

858 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
859 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
860 BALLOT NOT TO COUNT.

861

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

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

13-01532A-20

20201806__

871 3. You must make a copy of one of the following forms of
872 identification:

873 a. Tier 1 identification.—Current and valid identification
874 that includes your name and photograph: Florida driver license;
875 Florida identification card issued by the Department of Highway
876 Safety and Motor Vehicles; United States passport; debit or
877 credit card; military identification; student identification;
878 retirement center identification; neighborhood association
879 identification; public assistance identification; veteran health
880 identification card issued by the United States Department of
881 Veterans Affairs; a Florida license to carry a concealed weapon
882 or firearm; or an employee identification card issued by any
883 branch, department, agency, or entity of the Federal Government,
884 the state, a county, or a municipality; or

885 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
886 FORM OF IDENTIFICATION, identification that shows your name and
887 current residence address: current utility bill, bank statement,
888 government check, paycheck, or government document (excluding
889 voter information card).

890 4. Place the envelope bearing the affidavit into a mailing
891 envelope addressed to the supervisor. Insert a copy of your
892 identification in the mailing envelope. Mail (if time permits),
893 deliver, or have delivered the completed affidavit along with
894 the copy of your identification to your county supervisor of
895 elections. Be sure there is sufficient postage if mailed and
896 that the supervisor's address is correct. Remember, your
897 information MUST reach your county supervisor of elections in a
898 reasonable amount of time ~~no later than 5 p.m. on the 2nd day~~
899 after the election, or your ballot will not count.

13-01532A-20

20201806__

900 5. Alternatively, you may fax or e-mail your completed
901 affidavit and a copy of your identification to the supervisor of
902 elections. If e-mailing, please provide these documents as
903 attachments.

904 Section 22. Section 101.6952, Florida Statutes, is amended
905 to read:

906 101.6952 Vote-by-mail ballots for absent ~~uniformed services~~
907 ~~and overseas~~ voters.—

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

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

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

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

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

924 (b)1. In an election for federal office, an elector may
925 designate a candidate by writing the name of a candidate on the
926 ballot. Except for a primary or special primary election, the
927 elector may alternatively designate a candidate by writing the
928 name of a political party on the ballot. A written designation

13-01532A-20

20201806__

929 of the political party shall be counted as a vote for the
930 candidate of that party if there is such a party candidate in
931 the race.

932 2. In a state or local election, an elector may vote in the
933 section of the federal write-in absentee ballot designated for
934 nonfederal races by writing on the ballot the title of each
935 office and by writing on the ballot the name of the candidate
936 for whom the elector is voting. Except for a primary, special
937 primary, or nonpartisan election, the elector may alternatively
938 designate a candidate by writing the name of a political party
939 on the ballot. A written designation of the political party
940 shall be counted as a vote for the candidate of that party if
941 there is such a party candidate in the race. In addition, the
942 elector may vote on any ballot measure presented in such
943 election by identifying the ballot measure on which he or she
944 desires to vote and specifying his or her vote on the measure.
945 For purposes of this section, a vote cast in a judicial merit
946 retention election shall be treated in the same manner as a
947 ballot measure in which the only allowable responses are "Yes"
948 or "No."

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

953 (d) For purposes of this subsection and except when the
954 context clearly indicates otherwise, such as when a candidate in
955 the election is affiliated with a political party whose name
956 includes the word "Independent," "Independence," or a similar
957 term, a voter designation of "No Party Affiliation" or

13-01532A-20

20201806__

958 "Independent," or any minor variation, misspelling, or
959 abbreviation thereof, shall be considered a designation for the
960 candidate, other than a write-in candidate, who qualified to run
961 in the race with no party affiliation. If more than one
962 candidate qualifies to run as a candidate with no party
963 affiliation, the designation may not count for any candidate
964 unless there is a valid, additional designation of the
965 candidate's name.

966 (e) Any abbreviation, misspelling, or other minor variation
967 in the form of the name of an office, the name of a candidate,
968 the ballot measure, or the name of a political party must be
969 disregarded in determining the validity of the ballot.

970 (3) (a) An absent ~~uniformed services voter or an overseas~~
971 voter who submits a federal write-in absentee ballot and later
972 receives an official vote-by-mail ballot may submit the official
973 vote-by-mail ballot. An elector who submits a federal write-in
974 absentee ballot and later receives and submits an official vote-
975 by-mail ballot should make every reasonable effort to inform the
976 appropriate supervisor of elections that the elector has
977 submitted more than one ballot.

978 (b) ~~A federal write-in absentee ballot may not be canvassed~~
979 ~~until 7 p.m. on the day of the election.~~ A federal write-in
980 absentee ballot from an absent overseas voter in a presidential
981 preference primary or general election may not be canvassed
982 until the conclusion of the 10-day period specified in
983 subsection (5). ~~Each federal write-in absentee ballot received~~
984 ~~by 7 p.m. on the day of the election shall be canvassed pursuant~~
985 ~~to ss. 101.5614(4) and 101.68, unless the elector's official~~
986 ~~vote by mail ballot is received by 7 p.m. on election day.~~ Each

13-01532A-20

20201806__

987 federal write-in absentee ballot from an absent ~~overseas~~ voter
988 in a presidential preference primary or general election
989 received by 10 days after the date of the election shall be
990 canvassed pursuant to ss. 101.5614(4) and 101.68, unless the
991 absent ~~overseas~~ voter's official vote-by-mail ballot is received
992 by 10 days after the date of the election. If the elector's
993 official vote-by-mail ballot is received by ~~7 p.m. on election~~
994 ~~day, or, for an overseas voter in a presidential preference~~
995 ~~primary or general election,~~ no later than 10 days after the
996 date of the election, the federal write-in absentee ballot is
997 invalid and the official vote-by-mail ballot shall be canvassed.
998 The time shall be regulated by the customary time in standard
999 use in the county seat of the locality.

1000 (4) For vote-by-mail ballots received from absent ~~uniformed~~
1001 ~~services voters or overseas~~ voters, there is a presumption that
1002 the envelope was mailed on the date stated on the outside of the
1003 return envelope, regardless of the absence of a postmark on the
1004 mailed envelope or the existence of a postmark date that is
1005 later than the date of the election.

1006 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in
1007 any presidential preference primary or general election which is
1008 postmarked or dated no later than the date of the election and
1009 is received by the supervisor of elections of the county in
1010 which the ~~overseas~~ voter is registered no later than 10 days
1011 after the date of the election shall be counted as long as the
1012 vote-by-mail ballot is otherwise proper.

1013 Section 23. Section 101.697, Florida Statutes, is amended
1014 to read:

1015 101.697 Electronic transmission of election materials.—

13-01532A-20

20201806__

1016 (1) The Department of State shall determine whether secure
1017 electronic means can be established for receiving ballots from
1018 overseas voters. If such security can be established, the
1019 department shall adopt rules to authorize a supervisor of
1020 elections to accept from an overseas voter a request for a vote-
1021 by-mail ballot or a voted vote-by-mail ballot by secure
1022 facsimile machine transmission or other secure electronic means.
1023 The rules must provide that in order to accept a voted ballot,
1024 the verification of the voter must be established, the security
1025 of the transmission must be established, and each ballot
1026 received must be recorded.

1027 (2) The Department of State shall determine whether secure
1028 electronic means can be established for receiving ballots from
1029 voters for good cause, including during or immediately after an
1030 emergency as defined in s. 101.732. If such secure electronic
1031 means can be established, the department shall adopt rules to
1032 authorize a supervisor of elections to accept from a voter a
1033 voted ballot by secure facsimile machine transmission or other
1034 secure electronic means. The rules must provide that in order to
1035 accept a voted ballot, the verification of the voter must be
1036 established, the security of the transmission must be
1037 established, and each ballot received must be recorded. Such a
1038 ballot may not be accepted by a supervisor of elections except
1039 upon a determination of good cause by the department.

1040 Section 24. Subsection (6) is added to section 101.71,
1041 Florida Statutes, to read:

1042 101.71 Polling place.—

1043 (6) A polling place may not be located inside a gated
1044 community unless the legal residence of every elector in the

13-01532A-20

20201806__

1045 precinct is within such gated community.

1046 Section 25. Paragraph (e) of subsection (4) of section
1047 102.031, Florida Statutes, is amended, and subsection (6) is
1048 added to that section, to read:

1049 102.031 Maintenance of good order ~~at polls;~~ authorities;
1050 persons allowed in polling rooms and early voting areas;
1051 unlawful solicitation of voters.-

1052 (4)

1053 (e) A person who is a candidate with opposition in an
1054 election being canvassed or who is an active participant in the
1055 campaign or candidacy of any candidate with opposition in the
1056 election being canvassed may not serve on a county canvassing
1057 board. The owner, operator, or lessee of the property on which a
1058 polling place or an early voting site is located, or an agent or
1059 employee thereof, may not prohibit the solicitation of voters
1060 outside of the no-solicitation zone during polling hours.

1061 (6) Bullhorns or other devices used to amplify sound are
1062 prohibited in close proximity to:

1063 (a) A polling place during voting hours.

1064 (b) An office of the supervisor during a recount.

1065 Section 26. Subsection (2) of section 102.111, Florida
1066 Statutes, is amended to read:

1067 102.111 Elections Canvassing Commission.-

1068 (2) The Elections Canvassing Commission shall meet at 9
1069 a.m. on the 9th day after a primary election to certify the
1070 returns for each federal, state, and multicounty office. The
1071 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a
1072 general election to certify the returns of the election for each
1073 ~~federal, state, and multicounty office.~~ The commission shall

13-01532A-20

20201806__

1074 meet at 9 a.m. on the 21st day after a general election to
1075 certify the returns for each federal and state office. If a
1076 member of a county canvassing board that was constituted
1077 pursuant to s. 102.141 determines, within 5 days after the
1078 certification by the Elections Canvassing Commission, that a
1079 typographical error occurred in the official returns of the
1080 county, the correction of which could result in a change in the
1081 outcome of an election, the county canvassing board must certify
1082 corrected returns to the Department of State within 24 hours,
1083 and the Elections Canvassing Commission must correct and
1084 recertify the election returns as soon as practicable.

1085 Section 27. Subsection (2) of section 102.112, Florida
1086 Statutes, is amended to read:

1087 102.112 Deadline for submission of county returns to the
1088 Department of State.—

1089 (2) Returns must be filed by 5 p.m. on the 7th day
1090 following a primary election, ~~and~~ by noon on the 12th day
1091 following the general election for multicounty offices, and by
1092 noon on the 19th day following the general election for federal
1093 and statewide offices. However, the Department of State may
1094 correct typographical errors, including the transposition of
1095 numbers, in any returns submitted to the Department of State
1096 pursuant to s. 102.111(2).

1097 Section 28. Section 102.181, Florida Statutes, is created
1098 to read:

1099 102.181 Action against supervisor of elections.—

1100 (1) Any elector qualified to vote in or any candidate for
1101 office in an election may file an action against the supervisor
1102 of elections administering such election for noncompliance with

13-01532A-20

20201806__

1103 any provision of this code.

1104 (2) Any elector or candidate who files such an action is
1105 entitled to an immediate hearing.

1106 (3) In any such action, any filing fees or costs shall be
1107 waived and attorney fees shall be awarded to the prevailing
1108 party or parties.

1109 Section 29. This act shall take effect July 1, 2020.