

By Senator Thurston

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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 or select no party affiliation to be  
9           registered to vote; requiring a supervisor of  
10          elections to notify an applicant who fails to be  
11          registered; requiring the voter registration  
12          application to include certain information; providing  
13          for the canvassing of provisional ballots if certain  
14          information is provided within a reasonable amount of  
15          time following an election; repealing s. 97.055, F.S.,  
16          relating to the closure of registration books for an  
17          election; repealing s. 97.0555, F.S., relating to late  
18          registration to vote; creating s. 97.0556, F.S.;  
19          providing that a person who meets certain requirements  
20          may register to vote and cast a ballot on election day  
21          or at an early voting site; amending s. 97.057, F.S.;  
22          requiring the Department of Highway Safety and Motor  
23          Vehicles to provide the opportunity to preregister to  
24          vote to certain individuals; amending s. 97.0575,  
25          F.S.; revising penalties for third-party voter  
26          registration organizations collecting voter  
27          registration applications; amending s. 98.065, F.S.;  
28          providing additional requirements before a voter can  
29          be made inactive; amending s. 98.0981, F.S.; revising

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30 certain reports and data to conform with changes made  
31 by the act; amending s. 99.061, F.S.; authorizing a  
32 candidate to pay his or her qualifying fee with a  
33 cashier's check; amending s. 100.371, F.S.; providing  
34 a requirement for the delivery of certain petitions;  
35 specifying that a digital signature that complies with  
36 the Electronic Signature Act of 1996 satisfies the  
37 requirement that a petition form must contain an  
38 original signature; creating s. 100.51, F.S.;  
39 designating General Election Day as a paid holiday;  
40 providing that any elector may absent himself or  
41 herself from service or employment at a specific time  
42 on a General Election Day and may not be penalized or  
43 have pay reduced for such absence; creating s.  
44 101.016, F.S.; requiring the Division of Elections to  
45 maintain a strategic elections equipment reserve of  
46 voting systems and other equipment for specified  
47 purposes; requiring such reserve to include specified  
48 equipment; authorizing the division to contract with  
49 specified entities rather than physically maintain  
50 such reserve; amending s. 101.048, F.S.; providing  
51 that a person may cast a provisional ballot in the  
52 county in which the voter claims to be registered;  
53 amending s. 101.151, F.S.; revising the order in which  
54 office titles and names of candidates are placed on  
55 the ballot; amending s. 101.5612, F.S.; requiring a  
56 supervisor of elections to annually file a plan for  
57 operations under certain conditions; amending s.  
58 101.62, F.S.; providing that a request for a vote-by-

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59 mail ballot is valid until the request is canceled;  
60 revising the deadline by which vote-by-mail ballots  
61 must be received by a supervisor of elections;  
62 revising the period during which a supervisor of  
63 elections may deliver certain ballots; providing for  
64 extension of deadlines under certain conditions;  
65 amending s. 101.64, F.S.; requiring a supervisor of  
66 elections to enclose a postage paid mailing envelope  
67 with each vote-by-mail ballot; providing that vote-by-  
68 mail ballot voter certificates may require a voter's  
69 signature or the last four digits of the voter's  
70 social security number; amending s. 101.65, F.S.;  
71 revising instructions that must be provided with a  
72 vote-by-mail ballot; amending s. 101.68, F.S.;  
73 requiring a supervisor of elections to compare the  
74 signature or partial social security number with the  
75 signature or partial social security number in the  
76 registration books or precinct register when  
77 canvassing a vote-by-mail ballot; revising the  
78 timeframe during which an elector may cure a vote-by-  
79 mail ballot; amending s. 101.6952, F.S.; authorizing  
80 an absent voter to submit a federal write-in absentee  
81 ballot or vote-by-mail ballot; revising requirements  
82 for the canvassing of specified ballots; providing  
83 that a certain presumption applies to vote-by-mail  
84 ballots received from absent voters; requiring a vote-  
85 by-mail ballot from an absent voter which is  
86 postmarked by a certain date to be counted; amending  
87 s. 101.697, F.S.; requiring the Department of State to

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88 adopt rules to authorize a supervisor of elections to  
89 accept a voted ballot by secure electronic means under  
90 certain circumstances; amending s. 101.71, F.S.;  
91 prohibiting a polling place from being located within  
92 a gated community unless certain conditions are met;  
93 amending s. 102.031, F.S.; removing a provision  
94 prohibiting the restriction of solicitation by certain  
95 parties; prohibiting the use of devices that amplify  
96 sound in certain locations; amending s. 102.111, F.S.;  
97 revising the dates by which the Elections Canvassing  
98 Commission must certify certain election returns;  
99 amending s. 102.112, F.S.; revising the deadlines for  
100 submission of county returns to the Department of  
101 State; creating s. 102.181, F.S.; authorizing certain  
102 persons to file actions against a supervisor of  
103 elections who fail to comply with the Florida Election  
104 Code; providing that such person is entitled to an  
105 immediate hearing; providing for the waiver of fees  
106 and costs and the award of attorney fees; providing an  
107 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

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

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

127 97.052 Uniform statewide voter registration application.—

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

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

139 97.053 Acceptance of voter registration applications.—

140 (2) A voter registration application is complete and  
141 becomes the official voter registration record of that applicant  
142 when all information necessary to establish the applicant's  
143 eligibility pursuant to s. 97.041 is received by a voter  
144 registration official and verified pursuant to subsection (6).  
145 ~~If the applicant fails to complete his or her voter registration~~

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146 ~~application prior to the date of book closing for an election,~~  
147 ~~then such applicant shall not be eligible to vote in that~~  
148 ~~election.~~

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

161 (5)

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

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

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

199 Section 4. Sections 97.055 and 97.0555, Florida Statutes,  
200 are repealed.

201 Section 5. Section 97.0556, Florida Statutes, is created to  
202 read:

203 97.0556 Same-day voter registration.—A person who meets the

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204 qualifications to register to vote in s. 97.041 and provides the  
205 information required for the uniform statewide voter  
206 registration application prescribed in s. 97.052 may register to  
207 vote and cast a ballot on election day or at an early voting  
208 site.

209 Section 6. 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 7. 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.



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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 ~~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.

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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 8. 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 9. 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

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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 election day ~~at the 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.

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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 10. 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

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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 before  
375 ~~of elections prior to~~ qualifying for office may file a copy of  
376 that disclosure at the time of qualifying.

377 Section 11. Subsection (7) and paragraph (a) of subsection

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378 (11) of section 100.371, Florida Statutes, are amended to read:

379 100.371 Initiatives; procedure for placement on ballot.—

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

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

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

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

400 (b) A showing by the sponsor that the failure to deliver  
401 the petition form within the required timeframe is based upon  
402 force majeure or impossibility of performance is an affirmative  
403 defense to a violation of this subsection. The fines described  
404 in this subsection may be waived upon a showing that the failure  
405 to deliver the petition form promptly is based upon force  
406 majeure or impossibility of performance.

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407       (c) A sponsor shall deliver petition forms, which must be  
408 grouped in batches by the petition circulator who collected  
409 them, to the supervisor.

410       (11) (a) An initiative petition form circulated for  
411 signature may not be bundled with or attached to any other  
412 petition. Each signature shall be dated when made and shall be  
413 valid until the next February 1 occurring in an even-numbered  
414 year for the purpose of the amendment appearing on the ballot  
415 for the general election occurring in that same year, provided  
416 all other requirements of law are met. The sponsor shall submit  
417 signed and dated forms to the supervisor of elections for the  
418 county of residence listed by the person signing the form for  
419 verification of the number of valid signatures obtained. If a  
420 signature on a petition is from a registered voter in another  
421 county, the supervisor shall notify the petition sponsor of the  
422 misfiled petition. The supervisor shall promptly verify the  
423 signatures within 60 days after receipt of the petition forms  
424 and payment of a fee for the actual cost of signature  
425 verification incurred by the supervisor. However, for petition  
426 forms submitted less than 60 days before February 1 of an even-  
427 numbered year, the supervisor shall promptly verify the  
428 signatures within 30 days after receipt of the form and payment  
429 of the fee for signature verification. The supervisor shall  
430 promptly record, in the manner prescribed by the Secretary of  
431 State, the date each form is received by the supervisor, and the  
432 date the signature on the form is verified as valid. The  
433 supervisor may verify that the signature on a form is valid only  
434 if:

- 435       1. The form contains the original signature of the

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436 purported elector. A digital signature of the purported elector  
437 which complies with the requirements of part I of chapter 668 is  
438 considered an original signature for purposes of this  
439 requirement.

440 2. The purported elector has accurately recorded on the  
441 form the date on which he or she signed the form.

442 3. The form sets forth the purported elector's name,  
443 address, city, county, and voter registration number or date of  
444 birth.

445 4. The purported elector is, at the time he or she signs  
446 the form and at the time the form is verified, a duly qualified  
447 and registered elector in the state.

448 5. The signature was obtained legally, including that if a  
449 paid petition circulator was used, the circulator was validly  
450 registered under subsection (3) when the signature was obtained.

451  
452 The supervisor shall retain the signature forms for at least 1  
453 year following the election in which the issue appeared on the  
454 ballot or until the division notifies the supervisors of  
455 elections that the committee that circulated the petition is no  
456 longer seeking to obtain ballot position.

457 Section 12. Section 100.51, Florida Statutes, is created to  
458 read:

459 100.51 General Election Day paid holiday.—In order to  
460 encourage civic participation, enable more individuals to serve  
461 as poll workers, and provide additional time for the resolution  
462 of any issues that arise while an elector is casting his or her  
463 vote, General Election Day is a paid holiday. An elector is  
464 entitled to absent himself or herself from any service or



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465 employment in which he or she is engaged or employed during the  
466 time the polls are open on General Election Day. An elector who  
467 absents himself or herself under this section may not be  
468 penalized in any way and a deduction may not be made from his or  
469 her usual salary or wages on account of his or her absence.

470 Section 13. Section 101.016, Florida Statutes, is created  
471 to read:

472 101.016 Strategic elections equipment reserve.—The Division  
473 of Elections shall maintain a strategic elections equipment  
474 reserve of voting systems that may be deployed in the event of  
475 an emergency as defined in s. 101.732 or upon the occurrence of  
476 equipment capacity issues due to unexpected voter turnout. The  
477 reserve shall include tabulation equipment and any other  
478 necessary equipment, such as printers, that are in use by each  
479 supervisor of elections. In lieu of maintaining a physical  
480 reserve of such equipment, the division may contract with a  
481 vendor of voting equipment that shall provide such equipment on  
482 an as-needed basis.

483 Section 14. Subsections (1) and (2) of section 101.048,  
484 Florida Statutes, are amended to read:

485 101.048 Provisional ballots.—

486 (1) At all elections, a voter claiming to be properly  
487 registered in the state and eligible to vote ~~at the precinct~~ in  
488 the election but whose eligibility cannot be determined, a  
489 person whom an election official asserts is not eligible, and  
490 other persons specified in the code shall be entitled to vote a  
491 provisional ballot in the county in which the voter claims to be  
492 registered. Once voted, the provisional ballot shall be placed  
493 in a secrecy envelope and thereafter sealed in a provisional

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494 ballot envelope. The provisional ballot shall be deposited in a  
495 ballot box. All provisional ballots shall remain sealed in their  
496 envelopes for return to the supervisor of elections. The  
497 department shall prescribe the form of the provisional ballot  
498 envelope. A person casting a provisional ballot shall have the  
499 right to present written evidence supporting his or her  
500 eligibility to vote to the supervisor of elections by not later  
501 than 5 p.m. on the second day following the election.

502 (2) (a) The county canvassing board shall examine each  
503 Provisional Ballot Voter's Certificate and Affirmation to  
504 determine if the person voting that ballot was entitled to vote  
505 in the county in which ~~at the precinct where~~ the person cast a  
506 vote in the election and that the person had not already cast a  
507 ballot in the election. In determining whether a person casting  
508 a provisional ballot is entitled to vote, the county canvassing  
509 board shall review the information provided in the Voter's  
510 Certificate and Affirmation, written evidence provided by the  
511 person pursuant to subsection (1), information provided in any  
512 cure affidavit and accompanying supporting documentation  
513 pursuant to subsection (6), any other evidence presented by the  
514 supervisor, and, in the case of a challenge, any evidence  
515 presented by the challenger. A ballot of a person casting a  
516 provisional ballot shall be canvassed pursuant to paragraph (b)  
517 unless the canvassing board determines by a preponderance of the  
518 evidence that the person was not entitled to vote.

519 (b) If it is determined that the person was registered and  
520 entitled to vote in the county in which ~~at the precinct where~~  
521 the person cast a vote in the election, the canvassing board  
522 must compare the signature on the Provisional Ballot Voter's

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523 Certificate and Affirmation or the provisional ballot cure  
524 affidavit with the signature on the voter's registration or  
525 precinct register. A provisional ballot may be counted only if:

526 1. The signature on the voter's certificate or the cure  
527 affidavit matches the elector's signature in the registration  
528 books or the precinct register; however, in the case of a cure  
529 affidavit, the supporting identification listed in subsection  
530 (6) must also confirm the identity of the elector; or

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

536

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

540 (c) Any provisional ballot not counted must remain in the  
541 envelope containing the Provisional Ballot Voter's Certificate  
542 and Affirmation and the envelope shall be marked "Rejected as  
543 Illegal."

544 (d) If a provisional ballot is validated following the  
545 submission of a cure affidavit, the supervisor must make a copy  
546 of the affidavit, affix it to a voter registration application,  
547 and immediately process it as a valid request for a signature  
548 update pursuant to s. 98.077.

549 Section 15. Paragraph (a) of subsection (2) and paragraph  
550 (a) of subsection (3) of section 101.151, Florida Statutes, are  
551 amended to read:

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552 101.151 Specifications for ballots.—

553 (2) (a) The ballot must include the following office titles  
554 above the names of the candidates for the respective offices in  
555 the following order:

556 1. The office titles of President and Vice President ~~above~~  
557 ~~the names of the candidates for President and Vice President of~~  
558 ~~the United States nominated by the political party that received~~  
559 ~~the highest vote for Governor in the last general election of~~  
560 ~~the Governor in this state, followed by the names of other~~  
561 ~~candidates for President and Vice President of the United States~~  
562 ~~who have been properly nominated.~~

563 2. The office titles of United States Senator and  
564 Representative in Congress.

565 3. The office titles of Governor and Lieutenant Governor;  
566 Attorney General; Chief Financial Officer; Commissioner of  
567 Agriculture; Secretary of State; State Attorney, with the  
568 applicable judicial circuit; and Public Defender, with the  
569 applicable judicial circuit.

570 4. The office titles of State Senator and State  
571 Representative, with the applicable district for the office  
572 printed beneath.

573 5. The office titles of Clerk of the Circuit Court or, when  
574 the Clerk of the Circuit Court also serves as the County  
575 Comptroller, Clerk of the Circuit Court and Comptroller, when  
576 authorized by law; Clerk of the County Court, when authorized by  
577 law; Sheriff; Property Appraiser; Tax Collector; District  
578 Superintendent of Schools; and Supervisor of Elections.

579 6. The office titles of Board of County Commissioners, with  
580 the applicable district printed beneath each office, and such

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581 other county and district offices as are involved in the  
582 election, in the order fixed by the Department of State,  
583 followed, in the year of their election, by "Party Offices," and  
584 thereunder the offices of state and county party executive  
585 committee members.

586 (3) (a) The names of the candidates of each ~~the~~ party ~~that~~  
587 ~~received the highest number of votes for Governor in the last~~  
588 ~~election in which a Governor was elected~~ shall be ordered  
589 randomly placed first for each office on the general election  
590 ballot, together with an appropriate abbreviation of the party  
591 name; ~~the names of the candidates of the party that received the~~  
592 ~~second highest vote for Governor shall be placed second for each~~  
593 ~~office, together with an appropriate abbreviation of the party~~  
594 ~~name.~~

595 Section 16. Subsection (6) is added to section 101.5612,  
596 Florida Statutes, to read:

597 101.5612 Testing of tabulating equipment.—

598 (6) A supervisor of elections shall annually file with the  
599 Secretary of State a detailed plan for operations in the event  
600 that maximum voter turnout occurs on election day and a recount  
601 is required in each race on a ballot.

602 Section 17. Paragraph (a) of subsection (1), subsection  
603 (2), and paragraph (c) of subsection (4) of section 101.62,  
604 Florida Statutes, are amended, and subsection (7) is added to  
605 that section, to read:

606 101.62 Request for vote-by-mail ballots.—

607 (1) (a) The supervisor shall accept a request for a vote-by-  
608 mail ballot from an elector in person or in writing. One request  
609 shall be deemed sufficient to receive a vote-by-mail ballot for

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610 all elections until the elector or the elector's designee  
611 notifies the supervisor that the elector cancels such request  
612 ~~through the end of the calendar year of the second ensuing~~  
613 ~~regularly scheduled general election~~, unless the elector or the  
614 elector's designee indicates at the time the request is made the  
615 elections for which the elector desires to receive a vote-by-  
616 mail ballot. Such request may be considered canceled when any  
617 first-class mail sent by the supervisor to the elector is  
618 returned as undeliverable.

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

624 (4)

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

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

631 2. By forwardable mail, e-mail, or facsimile machine  
632 transmission to absent uniformed services voters and overseas  
633 voters. The absent uniformed services voter or overseas voter  
634 may designate in the vote-by-mail ballot request the preferred  
635 method of transmission. If the voter does not designate the  
636 method of transmission, the vote-by-mail ballot shall be mailed.

637 3. By personal delivery before 7 p.m. on election day to  
638 the elector, upon presentation of the identification required in

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639 s. 101.043.

640 4. By delivery to a designee on election day or up to 11 ~~9~~  
641 days prior to the day of an election. Any elector may designate  
642 in writing a person to pick up the ballot for the elector;  
643 however, the person designated may not pick up more than two  
644 vote-by-mail ballots per election, other than the designee's own  
645 ballot, except that additional ballots may be picked up for  
646 members of the designee's immediate family. For purposes of this  
647 section, "immediate family" means the designee's spouse or the  
648 parent, child, grandparent, or sibling of the designee or of the  
649 designee's spouse. The designee shall provide to the supervisor  
650 the written authorization by the elector and a picture  
651 identification of the designee and must complete an affidavit.  
652 The designee shall state in the affidavit that the designee is  
653 authorized by the elector to pick up that ballot and shall  
654 indicate if the elector is a member of the designee's immediate  
655 family and, if so, the relationship. The department shall  
656 prescribe the form of the affidavit. If the supervisor is  
657 satisfied that the designee is authorized to pick up the ballot  
658 and that the signature of the elector on the written  
659 authorization matches the signature of the elector on file, the  
660 supervisor shall give the ballot to that designee for delivery  
661 to the elector.

662 5. Except as provided in s. 101.655, the supervisor may not  
663 deliver a vote-by-mail ballot to an elector or an elector's  
664 immediate family member on the day of the election unless there  
665 is an emergency, to the extent that the elector will be unable  
666 to go to his or her assigned polling place. If a vote-by-mail  
667 ballot is delivered, the elector or his or her designee shall

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668 execute an affidavit affirming to the facts which allow for  
669 delivery of the vote-by-mail ballot. The department shall adopt  
670 a rule providing for the form of the affidavit.

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

674 Section 18. Subsections (1) and (2) of section 101.64,  
675 Florida Statutes, are amended to read:

676 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

677 (1) The supervisor shall enclose with each vote-by-mail  
678 ballot two envelopes: a secrecy envelope, into which the absent  
679 elector shall enclose his or her marked ballot; and a postage  
680 paid mailing envelope, into which the absent elector shall then  
681 place the secrecy envelope, which shall be addressed to the  
682 supervisor and also bear on the back side a certificate in  
683 substantially the following form:

684

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

687

688 VOTER'S CERTIFICATE

689

690 I, . . . ., do solemnly swear or affirm that I am a qualified  
691 and registered voter of . . . . County, Florida, and that I have  
692 not and will not vote more than one ballot in this election. I  
693 understand that if I commit or attempt to commit any fraud in  
694 connection with voting, vote a fraudulent ballot, or vote more  
695 than once in an election, I can be convicted of a felony of the  
696 third degree and fined up to \$5,000 and/or imprisoned for up to



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697 5 years. I also understand that failure to sign this certificate  
698 will invalidate my ballot.

699 ... (Date)...

700 ... (Voter's Signature or Last Four Digits of Social Security  
701 Number)...

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

703 ... (Mobile Telephone Number)...

704 (2) The certificate shall be arranged on the back of the  
705 mailing envelope so that the line for the signature or the last  
706 four digits of the social security number of the absent elector  
707 is across the seal of the envelope; however, no statement shall  
708 appear on the envelope which indicates that a signature or the  
709 last four digits of the social security number of the voter must  
710 cross the seal of the envelope. The absent elector shall execute  
711 the certificate on the envelope.

712 Section 19. Section 101.65, Florida Statutes, is amended to  
713 read:

714 101.65 Instructions to absent electors.—The supervisor  
715 shall enclose with each vote-by-mail ballot separate printed  
716 instructions in substantially the following form; however, where  
717 the instructions appear in capitalized text, the text of the  
718 printed instructions must be in bold font:

719 READ THESE INSTRUCTIONS CAREFULLY

720 BEFORE MARKING BALLOT.

721 1. VERY IMPORTANT. In order to ensure that your vote-by-  
722 mail ballot will be counted, it ~~should be completed and returned~~  
723 ~~as soon as possible so that it can reach the supervisor of~~  
724 ~~elections of the county in which your precinct is located no~~  
725 ~~later than 7 p.m. on the day of the election. However, if you~~

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726 ~~are an overseas voter casting a ballot in a presidential~~  
727 ~~preference primary or general election, your vote-by-mail ballot~~  
728 must be postmarked or dated no later than the date of the  
729 election and received by the supervisor of elections of the  
730 county in which you are registered to vote no later than 10 days  
731 after the date of the election. Note that the later you return  
732 your ballot, the less time you will have to cure any signature  
733 deficiencies, which may cause your ballot to not be counted ~~is~~  
734 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

742 4. Place your marked ballot in the enclosed secrecy  
743 envelope.

744 5. Insert the secrecy envelope into the enclosed mailing  
745 envelope which is addressed to the supervisor.

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

748 7. VERY IMPORTANT. In order for your vote-by-mail ballot to  
749 be counted, you must sign your name or print the last four  
750 digits of your social security number on the line above (Voter's  
751 Signature or Last Four Digits of Social Security Number). A  
752 vote-by-mail ballot will be considered illegal and not be  
753 counted if the signature or the last four digits of the social  
754 security number on the voter's certificate does not match the

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755 signature or social security number on record. The signature on  
756 file at the time the supervisor of elections in the county in  
757 which your precinct is located receives your vote-by-mail ballot  
758 is the signature that will be used to verify your signature on  
759 the voter's certificate. If you need to update your signature  
760 for this election, send your signature update on a voter  
761 registration application to your supervisor of elections ~~so that~~  
762 ~~it is received before your vote-by-mail ballot is received.~~

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

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

773 10. FELONY NOTICE. It is a felony under Florida law to  
774 accept any gift, payment, or gratuity in exchange for your vote  
775 for a candidate. It is also a felony under Florida law to vote  
776 in an election using a false identity or false address, or under  
777 any other circumstances making your ballot false or fraudulent.

778 Section 20. Subsection (1), paragraph (c) of subsection  
779 (2), and paragraphs (a) through (d) of subsection (4) of section  
780 101.68, Florida Statutes, are amended to read:

781 101.68 Canvassing of vote-by-mail ballot.—

782 (1) The supervisor of the county where the absent elector  
783 resides shall receive the voted ballot, at which time the

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784 supervisor shall compare the signature or partial social  
785 security number of the elector on the voter's certificate with  
786 the signature or partial social security number of the elector  
787 in the registration books or the precinct register to determine  
788 whether the elector is duly registered in the county and may  
789 record on the elector's registration certificate that the  
790 elector has voted. An elector who dies after casting a vote-by-  
791 mail ballot but on or before election day shall remain listed in  
792 the registration books until the results have been certified for  
793 the election in which the ballot was cast. The supervisor shall  
794 safely keep the ballot unopened in his or her office until the  
795 county canvassing board canvasses the vote. Except as provided  
796 in subsection (4), after a vote-by-mail ballot is received by  
797 the supervisor, the ballot is deemed to have been cast, and  
798 changes or additions may not be made to the voter's certificate.

799 (2)

800 (c)1. The canvassing board must, if the supervisor has not  
801 already done so, compare the signature or partial social  
802 security number of the elector on the voter's certificate or on  
803 the vote-by-mail ballot cure affidavit as provided in subsection  
804 (4) with the signature or partial social security number of the  
805 elector in the registration books or the precinct register to  
806 see that the elector is duly registered in the county and to  
807 determine the legality of that vote-by-mail ballot. A vote-by-  
808 mail ballot may only be counted if:

809 a. The signature or partial social security number on the  
810 voter's certificate or the cure affidavit matches the elector's  
811 signature or partial social security number in the registration  
812 books or precinct register; however, in the case of a cure

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813 affidavit, the supporting identification listed in subsection  
814 (4) must also confirm the identity of the elector; or

815       b. The cure affidavit contains a signature or partial  
816 social security number that does not match the elector's  
817 signature or partial social security number in the registration  
818 books or precinct register, but the elector has submitted a  
819 current and valid Tier 1 identification pursuant to subsection  
820 (4) which confirms the identity of the elector.

821

822 For purposes of this subparagraph, any canvassing board finding  
823 that an elector's signatures or partial social security numbers  
824 do not match must be by majority vote and beyond a reasonable  
825 doubt.

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

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

835       4. If any elector or candidate present believes that a  
836 vote-by-mail ballot is illegal due to a defect apparent on the  
837 voter's certificate or the cure affidavit, he or she may, at any  
838 time before the ballot is removed from the envelope, file with  
839 the canvassing board a protest against the canvass of that  
840 ballot, specifying the precinct, the ballot, and the reason he  
841 or she believes the ballot to be illegal. A challenge based upon

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842 a defect in the voter's certificate or cure affidavit may not be  
843 accepted after the ballot has been removed from the mailing  
844 envelope.

845 5. If the canvassing board determines that a ballot is  
846 illegal, a member of the board must, without opening the  
847 envelope, mark across the face of the envelope: "rejected as  
848 illegal." The cure affidavit, if applicable, the envelope, and  
849 the ballot therein shall be preserved in the manner that  
850 official ballots are preserved.

851 (4) (a) As soon as practicable, the supervisor shall, on  
852 behalf of the county canvassing board, attempt to notify an  
853 elector who has returned a vote-by-mail ballot that does not  
854 include the elector's signature or partial social security  
855 number or contains a signature or partial social security number  
856 that does not match the elector's signature or partial social  
857 security number in the registration books or precinct register  
858 by:

859 1. Notifying the elector of the signature or partial social  
860 security number deficiency by e-mail and directing the elector  
861 to the cure affidavit and instructions on the supervisor's  
862 website;

863 2. Notifying the elector of the signature or partial social  
864 security number deficiency by text message and directing the  
865 elector to the cure affidavit and instructions on the  
866 supervisor's website; or

867 3. Notifying the elector of the signature or partial social  
868 security number deficiency by telephone and directing the  
869 elector to the cure affidavit and instructions on the  
870 supervisor's website.

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871  
872 In addition to the notification required under subparagraph 1.,  
873 subparagraph 2., or subparagraph 3., the supervisor must notify  
874 the elector of the signature or partial social security number  
875 deficiency by first-class mail and direct the elector to the  
876 cure affidavit and instructions on the supervisor's website.  
877 Beginning the day before the election, the supervisor is not  
878 required to provide notice of the signature deficiency by first-  
879 class mail, but shall continue to provide notice as required  
880 under subparagraph 1., subparagraph 2., or subparagraph 3.

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

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

887

## 888 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

889

890 I, ....., am a qualified voter in this election and  
891 registered voter of .... County, Florida. I do solemnly swear or  
892 affirm that I requested and returned the vote-by-mail ballot and  
893 that I have not and will not vote more than one ballot in this  
894 election. I understand that if I commit or attempt any fraud in  
895 connection with voting, vote a fraudulent ballot, or vote more  
896 than once in an election, I may be convicted of a felony of the  
897 third degree and fined up to \$5,000 and imprisoned for up to 5  
898 years. I understand that my failure to sign this affidavit means  
899 that my vote-by-mail ballot will be invalidated.

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

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

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

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

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

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

a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association



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929 identification; public assistance identification; veteran health  
930 identification card issued by the United States Department of  
931 Veterans Affairs; a Florida license to carry a concealed weapon  
932 or firearm; or an employee identification card issued by any  
933 branch, department, agency, or entity of the Federal Government,  
934 the state, a county, or a municipality; or

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

940 4. Place the envelope bearing the affidavit into a mailing  
941 envelope addressed to the supervisor. Insert a copy of your  
942 identification in the mailing envelope. Mail (if time permits),  
943 deliver, or have delivered the completed affidavit along with  
944 the copy of your identification to your county supervisor of  
945 elections. Be sure there is sufficient postage if mailed and  
946 that the supervisor's address is correct. Remember, your  
947 information MUST reach your county supervisor of elections in a  
948 reasonable amount of time ~~no later than 5 p.m. on the 2nd day~~  
949 after the election, or your ballot will not count.

950 5. Alternatively, you may fax or e-mail your completed  
951 affidavit and a copy of your identification to the supervisor of  
952 elections. If e-mailing, please provide these documents as  
953 attachments.

954 Section 21. Section 101.6952, Florida Statutes, is amended  
955 to read:

956 101.6952 Vote-by-mail ballots for absent ~~uniformed services~~  
957 ~~and overseas~~ voters.—

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

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

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

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

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

974 (b)1. In an election for federal office, an elector may  
975 designate a candidate by writing the name of a candidate on the  
976 ballot. Except for a primary or special primary election, the  
977 elector may alternatively designate a candidate by writing the  
978 name of a political party on the ballot. A written designation  
979 of the political party shall be counted as a vote for the  
980 candidate of that party if there is such a party candidate in  
981 the race.

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

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987 primary, or nonpartisan election, the elector may alternatively  
988 designate a candidate by writing the name of a political party  
989 on the ballot. A written designation of the political party  
990 shall be counted as a vote for the candidate of that party if  
991 there is such a party candidate in the race. In addition, the  
992 elector may vote on any ballot measure presented in such  
993 election by identifying the ballot measure on which he or she  
994 desires to vote and specifying his or her vote on the measure.  
995 For purposes of this section, a vote cast in a judicial merit  
996 retention election shall be treated in the same manner as a  
997 ballot measure in which the only allowable responses are "Yes"  
998 or "No."

999 (c) In the case of a joint candidacy, such as for the  
1000 offices of President/Vice President or Governor/Lieutenant  
1001 Governor, a valid vote for one or both qualified candidates on  
1002 the same ticket shall constitute a vote for the joint candidacy.

1003 (d) For purposes of this subsection and except when the  
1004 context clearly indicates otherwise, such as when a candidate in  
1005 the election is affiliated with a political party whose name  
1006 includes the word "Independent," "Independence," or a similar  
1007 term, a voter designation of "No Party Affiliation" or  
1008 "Independent," or any minor variation, misspelling, or  
1009 abbreviation thereof, shall be considered a designation for the  
1010 candidate, other than a write-in candidate, who qualified to run  
1011 in the race with no party affiliation. If more than one  
1012 candidate qualifies to run as a candidate with no party  
1013 affiliation, the designation may not count for any candidate  
1014 unless there is a valid, additional designation of the  
1015 candidate's name.

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1016 (e) Any abbreviation, misspelling, or other minor variation  
1017 in the form of the name of an office, the name of a candidate,  
1018 the ballot measure, or the name of a political party must be  
1019 disregarded in determining the validity of the ballot.

1020 (3) (a) An absent ~~uniformed services voter or an overseas~~  
1021 voter who submits a federal write-in absentee ballot and later  
1022 receives an official vote-by-mail ballot may submit the official  
1023 vote-by-mail ballot. An elector who submits a federal write-in  
1024 absentee ballot and later receives and submits an official vote-  
1025 by-mail ballot should make every reasonable effort to inform the  
1026 appropriate supervisor of elections that the elector has  
1027 submitted more than one ballot.

1028 (b) ~~A federal write-in absentee ballot may not be canvassed~~  
1029 ~~until 7 p.m. on the day of the election.~~ A federal write-in  
1030 absentee ballot from an absent overseas voter in a presidential  
1031 preference primary or general election may not be canvassed  
1032 until the conclusion of the 10-day period specified in  
1033 subsection (5). ~~Each federal write-in absentee ballot received~~  
1034 ~~by 7 p.m. on the day of the election shall be canvassed pursuant~~  
1035 ~~to ss. 101.5614(4) and 101.68, unless the elector's official~~  
1036 ~~vote-by-mail ballot is received by 7 p.m. on election day.~~ Each  
1037 federal write-in absentee ballot from an absent overseas voter  
1038 in a presidential preference primary or general election  
1039 received by 10 days after the date of the election shall be  
1040 canvassed pursuant to ss. 101.5614(4) and 101.68, unless the  
1041 absent overseas voter's official vote-by-mail ballot is received  
1042 by 10 days after the date of the election. If the elector's  
1043 official vote-by-mail ballot is received ~~by 7 p.m. on election~~  
1044 ~~day, or, for an overseas voter in a presidential preference~~

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1045 ~~primary or general election,~~ no later than 10 days after the  
1046 date of the election, the federal write-in absentee ballot is  
1047 invalid and the official vote-by-mail ballot shall be canvassed.  
1048 The time shall be regulated by the customary time in standard  
1049 use in the county seat of the locality.

1050 (4) For vote-by-mail ballots received from absent ~~uniformed~~  
1051 ~~services voters or overseas~~ voters, there is a presumption that  
1052 the envelope was mailed on the date stated on the outside of the  
1053 return envelope, regardless of the absence of a postmark on the  
1054 mailed envelope or the existence of a postmark date that is  
1055 later than the date of the election.

1056 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in  
1057 any presidential preference primary or general election which is  
1058 postmarked or dated no later than the date of the election and  
1059 is received by the supervisor of elections of the county in  
1060 which the ~~overseas~~ voter is registered no later than 10 days  
1061 after the date of the election shall be counted as long as the  
1062 vote-by-mail ballot is otherwise proper.

1063 Section 22. Section 101.697, Florida Statutes, is amended  
1064 to read:

1065 101.697 Electronic transmission of election materials.—

1066 (1) The Department of State shall determine whether secure  
1067 electronic means can be established for receiving ballots from  
1068 overseas voters. If such security can be established, the  
1069 department shall adopt rules to authorize a supervisor of  
1070 elections to accept from an overseas voter a request for a vote-  
1071 by-mail ballot or a voted vote-by-mail ballot by secure  
1072 facsimile machine transmission or other secure electronic means.  
1073 The rules must provide that in order to accept a voted ballot,

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1074 the verification of the voter must be established, the security  
1075 of the transmission must be established, and each ballot  
1076 received must be recorded.

1077 (2) The Department of State shall determine whether secure  
1078 electronic means can be established for receiving ballots from  
1079 voters for good cause, including during or immediately after an  
1080 emergency as defined in s. 101.732. If such secure electronic  
1081 means can be established, the department shall adopt rules to  
1082 authorize a supervisor of elections to accept from a voter a  
1083 voted ballot by secure facsimile machine transmission or other  
1084 secure electronic means. The rules must provide that in order to  
1085 accept a voted ballot, the verification of the voter must be  
1086 established, the security of the transmission must be  
1087 established, and each ballot received must be recorded. Such a  
1088 ballot may not be accepted by a supervisor of elections except  
1089 upon a determination of good cause by the department.

1090 Section 23. Subsection (6) is added to section 101.71,  
1091 Florida Statutes, to read:

1092 101.71 Polling place.—

1093 (6) A polling place may not be located within a gated  
1094 community unless the legal residence of every elector in the  
1095 precinct is within such gated community.

1096 Section 24. Paragraph (e) of subsection (4) of section  
1097 102.031, Florida Statutes, is amended, and subsection (6) is  
1098 added to that section, to read:

1099 102.031 Maintenance of good order ~~at polls~~; authorities;  
1100 persons allowed in polling rooms and early voting areas;  
1101 unlawful solicitation of voters.—

1102 (4)

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1103 ~~(c) The owner, operator, or lessee of the property on which~~  
1104 ~~a polling place or an early voting site is located, or an agent~~  
1105 ~~or employee thereof, may not prohibit the solicitation of voters~~  
1106 ~~outside of the no-solicitation zone during polling hours.~~

1107 (6) Bullhorns or other devices used to amplify sound are  
1108 prohibited in close proximity to:

1109 (a) A polling place during voting hours.

1110 (b) An office of the supervisor during a recount.

1111 Section 25. Subsection (2) of section 102.111, Florida  
1112 Statutes, is amended to read:

1113 102.111 Elections Canvassing Commission.—

1114 (2) The Elections Canvassing Commission shall meet at 9  
1115 a.m. on the 9th day after a primary election to certify the  
1116 returns for each federal, state, and multicounty office. The  
1117 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a  
1118 general election to certify the returns of the election for each  
1119 ~~federal, state, and multicounty office. The commission shall~~  
1120 meet at 9 a.m. on the 21st day after a general election to  
1121 certify the returns for each federal and state office. If a  
1122 member of a county canvassing board that was constituted  
1123 pursuant to s. 102.141 determines, within 5 days after the  
1124 certification by the Elections Canvassing Commission, that a  
1125 typographical error occurred in the official returns of the  
1126 county, the correction of which could result in a change in the  
1127 outcome of an election, the county canvassing board must certify  
1128 corrected returns to the Department of State within 24 hours,  
1129 and the Elections Canvassing Commission must correct and  
1130 recertify the election returns as soon as practicable.

1131 Section 26. Subsection (2) of section 102.112, Florida

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1132 Statutes, is amended to read:

1133       102.112 Deadline for submission of county returns to the  
1134 Department of State.—

1135       (2) Returns must be filed by 5 p.m. on the 7th day  
1136 following a primary election, ~~and~~ and by noon on the 12th day  
1137 following the general election for multicounty offices, and by  
1138 noon on the 19th day following the general election for federal  
1139 and statewide offices. However, the Department of State may  
1140 correct typographical errors, including the transposition of  
1141 numbers, in any returns submitted to the Department of State  
1142 pursuant to s. 102.111(2).

1143       Section 27. Section 102.181, Florida Statutes, is created  
1144 to read:

1145       102.181 Action against supervisor of elections.—

1146       (1) Any elector qualified to vote in or any candidate for  
1147 office in an election may file an action against the supervisor  
1148 of elections administering such election for noncompliance with  
1149 any provision of this code.

1150       (2) Any elector or candidate who files such an action is  
1151 entitled to an immediate hearing.

1152       (3) In any such action, any filing fees or costs shall be  
1153 waived and attorney fees shall be awarded to the prevailing  
1154 party or parties.

1155       Section 28. This act shall take effect July 1, 2021.