

By Senator Gainer

2-00508A-21

2021774__

1 A bill to be entitled
2 An act relating to super voting sites; creating s.
3 101.0011, F.S.; authorizing the designation and
4 establishment of super voting sites by supervisors of
5 elections, subject to approval of the Division of
6 Elections; specifying application of other provisions
7 of the Florida Election Code to the administration of
8 super voting sites; requiring the supervisor of
9 elections to track ballots cast at such sites
10 according to the voter's precinct; requiring super
11 voting sites to meet certain criteria; requiring the
12 supervisor to designate super voting sites by a
13 specified date before an election; requiring the
14 supervisor to provide a super voting site plan to the
15 division by a specified date; requiring the division
16 to approve or deny the proposed plan within a
17 specified timeframe; specifying the timeframe and
18 hours of operation for super voting sites; requiring
19 super voting sites to allow a person in line at the
20 time of closing to vote; authorizing municipalities
21 and special districts to provide voting at super
22 voting sites in certain elections; requiring the
23 supervisor to make certain voter data available;
24 requiring the supervisor to provide such data in a
25 specified manner to the division; specifying that a
26 vote cast at a super voting site must be counted even
27 if an elector dies on or before election day;
28 requiring an elector voting at a super voting site to
29 provide identification and complete a voter

2-00508A-21

2021774__

30 certificate; prescribing the form of the certificate;
31 specifying applicability of provisions governing voter
32 challenges and the canvass of returns; amending ss.
33 97.021, 98.0981, 100.032, 101.001, and 101.015, F.S.;
34 conforming provisions to changes made by the act;
35 amending s. 101.051, F.S.; expanding the no-
36 solicitation zone surrounding the entrance to voting
37 sites; conforming provisions to changes made by the
38 act; amending ss. 101.131, 101.151, 101.49, 101.5612,
39 101.591, 101.657, 101.69, 101.71, 102.031, and
40 102.141, F.S.; conforming provisions to changes made
41 by the act; making technical changes; providing an
42 effective date.

43
44 Be It Enacted by the Legislature of the State of Florida:

45
46 Section 1. Section 101.0011, Florida Statutes, is created
47 to read:

48 101.0011 Super voting sites.-

49 (1)(a) Upon approval by the division, the supervisor may
50 designate and establish one or more super voting sites in the
51 county at which site any voter registered in the county may
52 vote. Any super voting site established in accordance with this
53 section is otherwise considered a polling place subject to s.
54 101.71, except that a super voting site may be independent of
55 and dissociated from any precinct created by the county. If a
56 supervisor elects to designate and create one or more super
57 voting sites pursuant to this section, the supervisor is not
58 required to provide early voting in accordance with s. 101.657,

2-00508A-21

2021774__

59 and any determinations, processes, or procedures adopted or
60 employed by the supervisor for the administration of early
61 voting are superseded by the requirements of this section. Any
62 requirements and authorizations in s. 101.001 which do not
63 conflict with this section shall otherwise continue to apply to
64 a county that elects to establish super voting sites.

65 (b) The supervisor shall mark, code, indicate on, or
66 otherwise track the voter's precinct for each ballot cast at a
67 super voting site. The results or tabulation of votes cast at a
68 super voting site may not be made before the close of the polls
69 on election day.

70 (c) In order to be designated and established as a super
71 voting site, the site must be geographically located so as to
72 provide all voters in the county an equal opportunity to cast a
73 ballot, insofar as is practicable, and must provide sufficient
74 nonpermitted parking to accommodate the anticipated number of
75 voters. The geographic location of super voting sites must be
76 based upon demographics and the distribution of registered
77 voters within the county. In addition, the supervisor may
78 designate additional super voting sites, to operate on the day
79 before the election and election day, as needed to ensure equal
80 and balanced geographic access for voters in other areas of the
81 county. The hours of operation for any additional super voting
82 sites must be consistent with all other super voting sites
83 within the county.

84 (d) Super voting sites must be designated and established
85 by no later than the 30th day before an election. The supervisor
86 shall provide to the division no later than the 30th day before
87 an election the supervisor's plan for use of super voting sites,

2-00508A-21

2021774__

88 which must include the address or addresses of the super voting
89 site or sites and the hours that voting will occur at each site.
90 The division must determine whether the supervisor's plan
91 complies with the requirements of this subsection and approve or
92 deny the plan within 5 business days after its receipt of the
93 plan, as submitted by the supervisor.

94 (e) Voting at super voting sites shall begin on the 10th
95 day before an election that contains state or federal races and
96 end on election day. Each super voting site must be open for at
97 least 8 hours, but no more than 12 hours, per day during the
98 applicable period, except the site must be open for 12 hours on
99 election day. In addition, voting at super voting sites may be
100 offered at the discretion of the supervisor on the 15th, 14th,
101 13th, 12th, or 11th day before an election that contains state
102 or federal races for at least 8 hours per day, but no more than
103 12 hours per day. The supervisor may provide voting at super
104 voting sites for elections that are not held in conjunction with
105 a state or federal election. However, the supervisor has the
106 discretion to determine the hours of operation of super voting
107 sites in those elections. All super voting sites in a county
108 shall allow any person in line at the closing of a super voting
109 site to vote.

110 (f) Notwithstanding the requirements of s. 100.3605,
111 municipalities may provide voting at super voting sites in
112 municipal elections that are not held in conjunction with county
113 or state elections. If a municipality provides voting at super
114 voting sites, it may designate as many sites as necessary and
115 must conduct its activities in accordance with the provisions of
116 paragraphs (a)-(e).

2-00508A-21

2021774__

117 (g) Notwithstanding the requirements of s. 189.04, special
118 districts may provide voting at super voting sites in any
119 district election not held in conjunction with county or state
120 elections. If a special district provides voting at super voting
121 sites, it may designate as many sites as necessary and shall
122 conduct its activities in accordance with the provisions of
123 paragraphs (a)-(e).

124 (2) During the time period in which a county operates a
125 super voting site, each supervisor shall make available the
126 total number of voters casting a ballot at each super voting
127 site during the previous day. Each supervisor shall prepare an
128 electronic data file listing the individual voters who cast a
129 ballot at each super voting site during the voting period before
130 election day. This information must be provided in electronic
131 format as provided by rule adopted by the division. The
132 information must be updated and made available no later than
133 noon of each day and contemporaneously provided to the division.

134 (3) The ballot of each elector voting at a super voting
135 site must be counted even if the elector dies on or before
136 election day.

137 (4) (a) The elector must provide identification and must
138 complete a voter certificate in substantially the following
139 form:

141 VOTER CERTIFICATE

142
143 I,, am a qualified elector in this election and registered
144 voter of County, Florida. I do solemnly swear or affirm
145 that I am the person so listed on the voter registration rolls

2-00508A-21

2021774__

146 of County and that I reside at the listed address. I
147 understand that if I commit or attempt to commit fraud in
148 connection with voting, vote a fraudulent ballot, or vote more
149 than once in an election, I could be convicted of a felony of
150 the third degree and both fined up to \$5,000 and imprisoned for
151 up to 5 years. I understand that my failure to sign this
152 certificate invalidates my ballot.

153

154 ...(Voter's Signature)...155 ...(Address)...156 ...(City/State)...

157

158 (b) Any elector may challenge an elector seeking to vote at
159 a super voting site under the provisions of s. 101.111. Any
160 challenged voter must vote a provisional ballot. The canvassing
161 board shall review the ballot and decide the validity of the
162 ballot by majority vote.

163 (c) The canvassing of returns for ballots cast under this
164 subsection shall be substantially the same as for votes cast by
165 electors in precincts, as provided in s. 101.5614.

166 Section 2. Subsection (30) of section 97.021, Florida
167 Statutes, is amended to read:

168 97.021 Definitions.—For the purposes of this code, except
169 where the context clearly indicates otherwise, the term:

170 (30) "Polling room" means the actual room in which ballots
171 are cast on election day and during early voting or the period
172 in which super voting sites are open.

173 Section 3. Paragraphs (b) and (d) of subsection (1) and
174 paragraph (a) of subsection (2) of section 98.0981, Florida

2-00508A-21

2021774__

175 Statutes, are amended to read:

176 98.0981 Reports; voting history; statewide voter
177 registration system information; precinct-level election
178 results; book closing statistics.—

179 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
180 INFORMATION.—

181 (b) After receipt of the information in paragraph (a), the
182 department shall prepare a report in electronic format which
183 contains the following information, separately compiled for the
184 primary and general election for all voters qualified to vote in
185 either election:

186 1. The unique identifier assigned to each qualified voter
187 within the statewide voter registration system;

188 2. All information provided by each qualified voter on his
189 or her voter registration application pursuant to s. 97.052(2),
190 except that which is confidential or exempt from public records
191 requirements;

192 3. Each qualified voter's date of registration;

193 4. Each qualified voter's current state representative
194 district, state senatorial district, and congressional district,
195 assigned by the supervisor of elections;

196 5. Each qualified voter's current precinct; and

197 6. Voting history as transmitted under paragraph (a) to
198 include whether the qualified voter voted at a precinct
199 location, voted at a super voting site, voted during the early
200 voting period, voted by vote-by-mail ballot, attempted to vote
201 by vote-by-mail ballot that was not counted, attempted to vote
202 by provisional ballot that was not counted, or did not vote.

203 (d) File specifications are as follows:

2-00508A-21

2021774__

204 1. The file must ~~shall~~ contain records designated by the
205 categories below for all qualified voters who, regardless of the
206 voter's county of residence or active or inactive registration
207 status at the book closing for the corresponding election that
208 the file is being created for:

209 a. Voted a regular ballot at a precinct location.

210 b. Voted at a precinct location using a provisional ballot
211 that was subsequently counted.

212 c. Voted a regular ballot at a super voting site.

213 d. Voted at a super voting site using a provisional ballot
214 that was subsequently counted.

215 e. Voted a regular ballot during the early voting period.

216 ~~f.d.~~ Voted during the early voting period using a
217 provisional ballot that was subsequently counted.

218 ~~g.e.~~ Voted by vote-by-mail ballot.

219 ~~h.f.~~ Attempted to vote by vote-by-mail ballot, but the
220 ballot was not counted.

221 ~~i.g.~~ Attempted to vote by provisional ballot, but the
222 ballot was not counted in that election.

223 2. Each file must ~~shall~~ be created or converted into a tab-
224 delimited format.

225 3. File names must ~~shall~~ adhere to the following
226 convention:

227 a. Three-character county identifier as established by the
228 department followed by an underscore.

229 b. Followed by four-character file type identifier of
230 "VH03" followed by an underscore.

231 c. Followed by FVRS election ID followed by an underscore.

232 d. Followed by Date Created followed by an underscore.

2-00508A-21

2021774__

233 e. Date format is YYYYMMDD.
234 f. Followed by Time Created - HHMMSS.
235 g. Followed by ".txt".
236 4. Each record must ~~shall~~ contain the following columns:
237 Record Identifier, FVRS Voter ID Number, FVRS Election ID
238 Number, Vote Date, Vote History Code, Precinct, Congressional
239 District, House District, Senate District, County Commission
240 District, and School Board District.

241 (2) PRECINCT-LEVEL ELECTION RESULTS.—
242 (a) Within 30 days after certification by the Elections
243 Canvassing Commission of a presidential preference primary
244 election, special election, primary election, or general
245 election, the supervisors of elections shall collect and submit
246 to the department precinct-level election results for the
247 election in a uniform electronic format specified by paragraph
248 (c). The precinct-level election results shall be compiled
249 separately for the primary or special primary election that
250 preceded the general or special general election, respectively.
251 The results must ~~shall~~ specifically include for each precinct
252 the total of all ballots cast for each candidate or nominee to
253 fill a national, state, county, or district office or proposed
254 constitutional amendment, with subtotals for each candidate and
255 ballot type, unless fewer than 30 voters voted a ballot type.
256 "All ballots cast" means ballots cast by voters who cast a
257 ballot whether at a precinct location, at a super voting site,
258 by vote-by-mail ballot including overseas vote-by-mail ballots,
259 during the early voting period, during the super voting site
260 period, if applicable, or by provisional ballot.

261 Section 4. Section 100.032, Florida Statutes, is amended to

2-00508A-21

2021774__

262 read:

263 100.032 Election preparation report; general election.—Each
264 supervisor of elections must post a report on his or her
265 official website at least 3 months before a general election
266 which outlines preparations for the upcoming general election.
267 The report must include, at a minimum, the following elements:
268 the anticipated staffing levels during the early voting period
269 or the period during which super voting sites are operating, on
270 election day, and after election day; and the anticipated amount
271 of automatic tabulating equipment at each early voting site,
272 super voting site, and polling place.

273 Section 5. Subsection (1) of section 101.001, Florida
274 Statutes, is amended to read:

275 101.001 Precincts and polling places; boundaries.—

276 (1) The board of county commissioners in each county, upon
277 recommendation and approval of the supervisor, shall alter or
278 create precincts for voting in the county. Each precinct shall
279 be numbered and, as nearly as practicable, composed of
280 contiguous and compact areas. The supervisor shall designate a
281 polling place at a suitable location within each precinct unless
282 the county has opted to operate super voting sites in accordance
283 with s. 101.0011. The precinct shall not be changed thereafter
284 except with the consent of the supervisor and a majority of the
285 members of the board of county commissioners. The board of
286 county commissioners and the supervisor may have precinct
287 boundaries conform to municipal boundaries in accordance with
288 the provisions of s. 101.002, but, in any event, the
289 registration books shall be maintained in such a manner that
290 there may be determined therefrom the total number of electors

2-00508A-21

2021774__

291 in each municipality.

292 Section 6. Paragraph (b) of subsection (4) of section
293 101.015, Florida Statutes, is amended to read:

294 101.015 Standards for voting systems.—

295 (4)

296 (b)1. Each supervisor shall establish written procedures to
297 assure accuracy and security in his or her county, including
298 procedures related to early voting pursuant to s. 101.657 or
299 procedures related to super voting sites pursuant to s.
300 101.0011, if applicable. Such procedures shall be reviewed in
301 each odd-numbered year by the department.

302 2. Each supervisor shall submit any revisions to the
303 security procedures to the department at least 45 days before
304 early voting commences pursuant to s. 101.657 or super voting
305 sites open pursuant to s. 101.0011 in an election in which they
306 are to take effect.

307 Section 7. Subsections (2) and (5) of section 101.051,
308 Florida Statutes, are amended to read:

309 101.051 Electors seeking assistance in casting ballots;
310 oath to be executed; forms to be furnished.—

311 (2) It is unlawful for any person to be in the voting booth
312 with any elector except as provided in subsection (1). A person
313 at a polling place, super voting site, or early voting site, or
314 within 150 ~~100~~ feet of the entrance of a polling place, super
315 voting site, or early voting site, may not solicit any elector
316 in an effort to provide assistance to vote pursuant to
317 subsection (1). Any person who violates this subsection commits
318 a misdemeanor of the first degree, punishable as provided in s.
319 775.082 or s. 775.083.

2-00508A-21

2021774__

320 (5) If an elector needing assistance requests that a person
 321 other than an election official provide him or her with
 322 assistance in voting, the clerk or one of the inspectors shall
 323 require the person providing assistance to take the following
 324 oath:

325
 326 DECLARATION TO PROVIDE ASSISTANCE

327
 328 State of Florida
 329 County of
 330 Date
 331 Precinct

332
 333 I, ...(Print name)..., have been requested by ...(print
 334 name of elector needing assistance)... to provide him or her
 335 with assistance to vote. I swear or affirm that I am not the
 336 employer, an agent of the employer, or an officer or agent of
 337 the union of the voter and that I have not solicited this voter
 338 at the polling place, super voting site, or early voting site or
 339 within 150 ~~100~~ feet of such locations in an effort to provide
 340 assistance.

341
 342 ...(Signature of assistor)...

343
 344 Sworn and subscribed to before me this day of,
 345 ...(year)....

346
 347 ...(Signature of Official Administering Oath)...

2-00508A-21

2021774__

349 Section 8. Section 101.131, Florida Statutes, is amended to
350 read:

351 101.131 Watchers at polls.—

352 (1) Each political party and each candidate may have one
353 watcher in each polling room or early voting area at any one
354 time during the election. A political committee formed for the
355 specific purpose of expressly advocating the passage or defeat
356 of an issue on the ballot may have one watcher for each polling
357 room or early voting area at any one time during the election. A
358 ~~No~~ watcher may not ~~shall be permitted to~~ come closer to the
359 officials' table or the voting booths than is reasonably
360 necessary to properly perform his or her functions, but is each
361 ~~shall be~~ allowed within the polling room or early voting area to
362 watch and observe the conduct of electors and officials. The
363 poll watchers shall furnish their own materials and necessities
364 and may ~~shall~~ not obstruct the orderly conduct of any election.
365 The poll watchers shall pose any questions regarding polling
366 place procedures directly to the clerk for resolution. They may
367 not interact with voters. Each poll watcher shall be a qualified
368 and registered elector of the county in which he or she serves.

369 (2) Each party, each political committee, and each
370 candidate requesting to have poll watchers shall designate, in
371 writing to the supervisors of elections, on a form prescribed by
372 the division, before noon of the second Tuesday preceding the
373 election poll watchers for each polling room on election day.
374 Designations of poll watchers for early voting areas and super
375 voting sites must ~~shall~~ be submitted in writing to the
376 supervisor of elections, on a form prescribed by the division,
377 before noon at least 14 days before early voting begins or super

2-00508A-21

2021774__

378 voting sites open. The poll watchers for polling rooms shall be
379 approved by the supervisor of elections on or before the Tuesday
380 before the election. Poll watchers for early voting areas and
381 super voting sites shall be approved by the supervisor of
382 elections no later than 7 days before early voting begins or
383 super voting sites open. The supervisor shall furnish to each
384 election board a list of the poll watchers designated and
385 approved for such polling rooms, ~~or~~ early voting areas, or super
386 voting sites. Designation of poll watchers shall be made by the
387 chair of the county executive committee of a political party,
388 the chair of a political committee, or the candidate requesting
389 to have poll watchers.

390 (3) A ~~No~~ candidate or a sheriff, deputy sheriff, police
391 officer, or other law enforcement officer may not be designated
392 as a poll watcher.

393 (4) All poll watchers shall be allowed to enter and watch
394 polls in all polling rooms and early voting areas within the
395 county in which they have been designated if the number of poll
396 watchers at any particular polling place does not exceed the
397 number provided in this section.

398 (5) The supervisor of elections shall provide to each
399 designated poll watcher, no later than 7 days before early
400 voting begins, a poll watcher identification badge that
401 identifies the poll watcher by name. Each poll watcher must wear
402 his or her identification badge while in the polling room or
403 early voting area.

404 Section 9. Paragraph (b) of subsection (1) of section
405 101.151, Florida Statutes, is amended to read:

406 101.151 Specifications for ballots.—

2-00508A-21

2021774__

407 (1)
 408 (b) Polling places, super voting sites, and early voting
 409 sites may employ a ballot-on-demand production system to print
 410 individual marksense ballots, including provisional ballots, for
 411 eligible electors. Ballot-on-demand technology may be used to
 412 produce marksense vote-by-mail and election-day ballots.

413 Section 10. Subsection (1) of section 101.49, Florida
 414 Statutes, is amended to read:

415 101.49 Procedure of election officers where signatures
 416 differ.—

417 (1) Whenever any clerk or inspector, upon a just comparison
 418 of the signatures, doubts that the signature on the
 419 identification presented by the elector is the same as the
 420 signature the elector affixed on the precinct register or the
 421 voter early voting certificate under s. 101.0011(4) (a) or s.
 422 101.657(4) (a), as applicable, the clerk or inspector shall
 423 deliver to the person an affidavit which shall be in
 424 substantially the following form:

425
 426 STATE OF FLORIDA,
 427 COUNTY OF

428
 429 I do solemnly swear (or affirm) that my name is; that
 430 I am years old; that I was born in the State of; that
 431 I am registered to vote; that I am a qualified voter of the
 432 county and state aforesaid and have not voted in this election.

433
 434 ... (Signature of voter) ...
 435

2-00508A-21

2021774__

436 Sworn to and subscribed before me this day of, A.
 437 D. ... (year)....

438
 439 ... (Clerk or inspector of election)...

441 Precinct No.
 442 County of

444 Section 11. Subsection (2) of section 101.5612, Florida
 445 Statutes, is amended to read:

446 101.5612 Testing of tabulating equipment.-

447 (2) On any day not more than 25 days before the
 448 commencement of early voting as provided in s. 101.657 or the
 449 opening of super voting sites as provided in s. 101.0011, the
 450 supervisor of elections shall have the automatic tabulating
 451 equipment publicly tested to ascertain that the equipment will
 452 correctly count the votes cast for all offices and on all
 453 measures. If the ballots to be used at the polling place on
 454 election day are not available at the time of the testing, the
 455 supervisor may conduct an additional test not more than 10 days
 456 before election day. Public notice of the time and place of the
 457 test shall be given at least 48 hours prior thereto by
 458 publication on the supervisor of elections' website and once in
 459 one or more newspapers of general circulation in the county or,
 460 if there is no newspaper of general circulation in the county,
 461 by posting the notice in at least four conspicuous places in the
 462 county. The supervisor or the municipal elections official may,
 463 at the time of qualifying, give written notice of the time and
 464 location of the public preelection test to each candidate

2-00508A-21

2021774__

465 qualifying with that office and obtain a signed receipt that the
466 notice has been given. The Department of State shall give
467 written notice to each statewide candidate at the time of
468 qualifying, or immediately at the end of qualifying, that the
469 voting equipment will be tested and advise each candidate to
470 contact the county supervisor of elections as to the time and
471 location of the public preelection test. The supervisor or the
472 municipal elections official shall, at least 30 days before the
473 commencement of early voting as provided in s. 101.657 or the
474 opening of super voting sites as provided in s. 101.0011, send
475 written notice by certified mail to the county party chair of
476 each political party and to all candidates for other than
477 statewide office whose names appear on the ballot in the county
478 and who did not receive written notification from the supervisor
479 or municipal elections official at the time of qualifying,
480 stating the time and location of the public preelection test of
481 the automatic tabulating equipment. The canvassing board shall
482 convene, and each member of the canvassing board shall certify
483 to the accuracy of the test. For the test, the canvassing board
484 may designate one member to represent it. The test shall be open
485 to representatives of the political parties, the press, and the
486 public. Each political party may designate one person with
487 expertise in the computer field who shall be allowed in the
488 central counting room when all tests are being conducted and
489 when the official votes are being counted. The designee shall
490 not interfere with the normal operation of the canvassing board.

491 Section 12. Paragraphs (a) and (b) of subsection (2) of
492 section 101.591, Florida Statutes, are amended to read:

493 101.591 Voting system audit.—

2-00508A-21

2021774__

494 (2) (a) A manual audit consists ~~shall consist~~ of a public
495 manual tally of the votes cast in one randomly selected race
496 that appears on the ballot. The tally sheet must ~~shall~~ include
497 election day, super voting site, ~~election day,~~ vote-by-mail,
498 early voting, provisional, and overseas ballots, in at least 1
499 percent but no more than 2 percent of the precincts chosen at
500 random by the county canvassing board or the local board
501 responsible for certifying the election. If 1 percent of the
502 precincts is less than one entire precinct, the audit must ~~shall~~
503 be conducted using at least one precinct chosen at random by the
504 county canvassing board or the local board responsible for
505 certifying the election. Such precincts shall be selected at a
506 publicly noticed canvassing board meeting.

507 (b) An automated audit consists ~~shall consist~~ of a public
508 automated tally of the votes cast across every race that appears
509 on the ballot. The tally sheet must ~~shall~~ include election day,
510 super voting site, vote-by-mail, early voting, provisional, and
511 overseas ballots in at least 20 percent of the precincts chosen
512 at random by the county canvassing board or the local board
513 responsible for certifying the election. Such precincts shall be
514 selected at a publicly noticed canvassing board meeting.

515 Section 13. Subsection (5) is added to section 101.657,
516 Florida Statutes, to read:

517 101.657 Early voting.—

518 (5) This section does not apply to a county that has opted
519 to operate super voting sites in accordance with s. 101.0011.

520 Section 14. Section 101.69, Florida Statutes, is amended to
521 read:

522 101.69 Voting in person; return of vote-by-mail ballot.—

2-00508A-21

2021774__

523 (1) The provisions of this code shall not be construed to
524 prohibit any elector from voting in person at the elector's
525 precinct on the day of an election or at an early voting site or
526 a super voting site, notwithstanding that the elector has
527 requested a vote-by-mail ballot for that election. An elector
528 who has returned a voted vote-by-mail ballot to the supervisor,
529 however, is deemed to have cast his or her ballot and is not
530 entitled to vote another ballot or to have a provisional ballot
531 counted by the county canvassing board. An elector who has
532 received a vote-by-mail ballot and has not returned the voted
533 ballot to the supervisor, but desires to vote in person, shall
534 return the ballot, whether voted or not, to the election board
535 in the elector's precinct or to an early voting site or a super
536 voting site. The returned ballot shall be marked "canceled" by
537 the board and placed with other canceled ballots. However, if
538 the elector does not return the ballot and the election
539 official:

540 (a) Confirms that the supervisor has received the elector's
541 vote-by-mail ballot, the elector shall not be allowed to vote in
542 person. If the elector maintains that he or she has not returned
543 the vote-by-mail ballot or remains eligible to vote, the elector
544 shall be provided a provisional ballot as provided in s.
545 101.048.

546 (b) Confirms that the supervisor has not received the
547 elector's vote-by-mail ballot, the elector shall be allowed to
548 vote in person as provided in this code. The elector's vote-by-
549 mail ballot, if subsequently received, shall not be counted and
550 shall remain in the mailing envelope, and the envelope shall be
551 marked "Rejected as Illegal."

2-00508A-21

2021774__

552 (c) Cannot determine whether the supervisor has received
 553 the elector's vote-by-mail ballot, the elector may vote a
 554 provisional ballot as provided in s. 101.048.

555 (2) The supervisor shall allow an elector who has received
 556 a vote-by-mail ballot to physically return a voted vote-by-mail
 557 ballot to the supervisor by placing the envelope containing his
 558 or her marked ballot in a secure drop box. Secure drop boxes
 559 shall be placed at the main office of the supervisor, at each
 560 branch office of the supervisor, and at each early voting site.
 561 Secure drop boxes may also be placed at any other site that
 562 would otherwise qualify as an early voting site under s.
 563 101.657(1) or a super voting site under s. 101.0011(1)(c);
 564 provided, however, that any such site must be staffed during the
 565 county's early voting hours of operation of the county's early
 566 voting sites or super voting sites, whichever is applicable, by
 567 an employee of the supervisor's office or a sworn law
 568 enforcement officer.

569 Section 15. Subsection (1) of section 101.71, Florida
 570 Statutes, is amended to read:

571 101.71 Polling place.—

572 (1) ~~There shall be in~~ Each precinct in each county must
 573 have a one polling place that is which shall be accessible to
 574 the public on election day and ~~is~~ managed by a board of
 575 inspectors and clerk of election. If a county has opted to
 576 operate super voting sites in accordance with s. 101.0011, each
 577 precinct is no longer required to have a polling place, but the
 578 other requirements of this section regarding polling places
 579 continue to apply. Only one elector is ~~shall be~~ allowed to enter
 580 any voting booth at a time; only no one except inspectors are

2-00508A-21

2021774__

581 ~~shall be~~ allowed to speak to the elector while casting his or
582 her vote; and an inspector may not ~~no inspector shall~~ speak to
583 or interfere with the elector concerning his or her voting,
584 except to perform the duties as such inspector. Notwithstanding
585 any other provision of this chapter, this section is ~~shall be~~
586 applicable if ~~where~~ the computer method of voting is in use, and
587 adequate provision must ~~shall~~ be made for the privacy of the
588 elector while casting his or her vote.

589 Section 16. Section 102.031, Florida Statutes, is amended
590 to read:

591 102.031 Maintenance of good order at polls; authorities;
592 persons allowed in polling rooms and early voting areas;
593 unlawful solicitation of voters.—

594 (1) Each election board shall possess full authority to
595 maintain order at the polls and enforce obedience to its lawful
596 commands during an election and the canvass of the votes.

597 (2) The sheriff shall deputize a deputy sheriff for each
598 polling place and ~~each~~ early voting site who shall be present
599 during the time the polls or early voting sites are open and
600 until the election is completed, who shall be subject to all
601 lawful commands of the clerk or inspectors, and who shall
602 maintain good order. The deputy may summon assistance from among
603 bystanders to aid him or her when necessary to maintain peace
604 and order at the polls or early voting sites.

605 (3) (a) No person may enter any polling room or polling
606 place where the polling place is also a polling room, any
607 polling room at a super voting site, or any early voting area
608 during voting hours except the following:

609 1. Official poll watchers;

2-00508A-21

2021774__

610 2. Inspectors;

611 3. Election clerks;

612 4. The supervisor of elections or his or her deputy;

613 5. Persons there to vote, persons in the care of a voter,

614 or persons caring for such voter;

615 6. Law enforcement officers or emergency service personnel

616 there with permission of the clerk or a majority of the

617 inspectors; or

618 7. A person, whether or not a registered voter, who is

619 assisting with or participating in a simulated election for

620 minors, as approved by the supervisor of elections.

621 (b) The restriction in this subsection does not apply where

622 the polling room is in an area commonly traversed by the public

623 in order to gain access to businesses or homes or in an area

624 traditionally utilized as a public area for discussion.

625 (4) (a) No person, political committee, or other group or

626 organization may solicit voters inside the polling place or

627 within 150 feet of the entrance to any polling place, a polling

628 room where the polling place is also a polling room, a super

629 voting site, an early voting site, or an office of the

630 supervisor where vote-by-mail ballots are requested and printed

631 on demand for the convenience of electors who appear in person

632 to request them. Before the opening of the polling place, super

633 voting site, or early voting site, the clerk or supervisor shall

634 designate the no-solicitation zone and mark the boundaries.

635 (b) For the purpose of this subsection, the terms "solicit"

636 or "solicitation" shall include, but not be limited to, seeking

637 or attempting to seek any vote, fact, opinion, or contribution;

638 distributing or attempting to distribute any political or

2-00508A-21

2021774__

639 campaign material, leaflet, or handout; conducting a poll except
640 as specified in this paragraph; seeking or attempting to seek a
641 signature on any petition; and selling or attempting to sell any
642 item. The terms "solicit" or "solicitation" may not be construed
643 to prohibit exit polling.

644 (c) Each supervisor of elections shall inform the clerk of
645 the area within which soliciting is unlawful, based on the
646 particular characteristics of that polling place. The supervisor
647 or the clerk may take any reasonable action necessary to ensure
648 order at the polling places, including, but not limited to,
649 having disruptive and unruly persons removed by law enforcement
650 officers from the polling room or place or from the 150-foot
651 zone surrounding the polling place.

652 (d) Except as provided in paragraph (a), the supervisor may
653 not designate a no-solicitation zone or otherwise restrict
654 access to any person, political committee, candidate, or other
655 group or organization for the purposes of soliciting voters.
656 This paragraph applies to any public or private property used as
657 a polling place, a super voting site, or an early voting site.

658 (e) The owner, operator, or lessee of the property on which
659 a polling place, a super voting site, or an early voting site is
660 located, or an agent or employee thereof, may not prohibit the
661 solicitation of voters outside of the no-solicitation zone
662 during polling hours.

663 (5) No photography is permitted in the polling room, ~~or~~
664 early voting area, or polling room or voting area at a super
665 voting site, except an elector may photograph his or her own
666 ballot.

667 Section 17. Subsection (4) of section 102.141, Florida

2-00508A-21

2021774__

668 Statutes, is amended to read:

669 102.141 County canvassing board; duties.—

670 (4) (a) Except as provided under paragraph (b), the
671 supervisor of elections shall upload into the county's election
672 management system by 7 p.m. on the day before the election the
673 results of all early voting and vote-by-mail ballots that have
674 been canvassed and tabulated by the end of the early voting
675 period. Pursuant to ss. 101.5614(8), 101.657, and 101.68(2), the
676 tabulation of votes cast or the results of such uploads may not
677 be made public before the close of the polls on election day.

678 (b) If in a county opting to use super voting site voting
679 pursuant to s. 101.0011, the supervisor of elections must upload
680 into the county's election management system after the polls
681 close on election day the results of all super voting site and
682 vote-by-mail ballots that have been canvassed and tabulated.
683 Pursuant to ss. 101.0011(1)(b), 101.5614(8), and 101.68(2), the
684 tabulation of votes cast or the results of such uploads may not
685 be made public before the close of the polls on election day.

686 (c) The canvassing board shall report all early voting and
687 all tabulated vote-by-mail results to the Department of State
688 within 30 minutes after the polls close. Thereafter, the
689 canvassing board shall report, with the exception of provisional
690 ballot results, updated precinct election results or super
691 voting site election results, if applicable, to the department
692 at least every 45 minutes until all results are completely
693 reported. The supervisor of elections shall notify the
694 department immediately of any circumstances that do not permit
695 periodic updates as required. Results shall be submitted in a
696 format prescribed by the department.

2-00508A-21

2021774__

697

Section 18. This act shall take effect upon becoming a law.