

Amendment No.

CHAMBER ACTION

Senate

House

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Representative Ingoglia offered the following:

**Amendment (with title amendment)**

Remove everything after the enacting clause and insert:

Section 1. Section 97.029, Florida Statutes, is created to read:

97.029 Civil actions challenging the validity of election laws.-

(1) In a civil action challenging the validity of a provision of the Florida Election Code in which a state or county agency or officer is a party in state or federal court, the officer, agent, official, or attorney who represents or is

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

14 acting on behalf of such agency or officer may not settle such  
15 action, consent to any condition, or agree to any order in  
16 connection therewith if the settlement, condition, or order  
17 nullifies, suspends, or is in conflict with any provision of the  
18 Florida Election Code, unless:

19 (a) At the time settlement negotiations have begun in  
20 earnest, written notification is given to the President of the  
21 Senate, the Speaker of the House of Representatives, and the  
22 Attorney General.

23 (b) Any proposed settlement, consent decree, or order that  
24 is proposed or received and would nullify, suspend, or conflict  
25 with any provision of the Florida Election Code is promptly  
26 reported in writing to the President of the Senate, the Speaker  
27 of the House of Representatives, and the Attorney General.

28 (c) At least 10 days before the date a settlement or  
29 presettlement agreement or order is to be made final, written  
30 notification is given to the President of the Senate, the  
31 Speaker of the House of Representatives, and the Attorney  
32 General.

33 (2) If any notification required by this section is  
34 precluded by federal law, federal regulation, court order, or  
35 court rule, the officer, agent, official, or attorney  
36 representing such agency or officer, or the Attorney General,  
37 shall challenge the constitutionality of such preclusion in the  
38 civil suit affected and give prompt notice thereof to the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

39 President of the Senate, the Speaker of the House of  
40 Representatives, and the Attorney General.

41 (3) If, after a court has entered an order or judgment  
42 that nullifies or suspends, or orders or justifies official  
43 action that is in conflict with, a provision of the Florida  
44 Election Code, the Legislature amends the general law to remove  
45 the invalidity or unenforceability, the officer, agent,  
46 official, or attorney who represents or is acting on behalf of  
47 the agency or officer bound by such order or judgment must  
48 promptly after such amendment of the general law move to dismiss  
49 or otherwise terminate any ongoing jurisdiction of such case.

50 Section 2. Paragraph (t) of subsection (2) of section  
51 97.052, Florida Statutes, is amended to read:

52 97.052 Uniform statewide voter registration application.-

53 (2) The uniform statewide voter registration application  
54 must be designed to elicit the following information from the  
55 applicant:

56 (t)~~1.~~ Whether the applicant has ~~never~~ been convicted of a  
57 felony and, if convicted, has had his or her voting rights  
58 restored by including the statement "I affirm that I am not a  
59 convicted felon or, if I am, my right to vote has been restored  
60 ~~I have never been convicted of a felony.~~" and providing a box  
61 for the applicant to check to affirm the statement.

62 ~~2. Whether the applicant has been convicted of a felony,~~  
63 ~~and if convicted, has had his or her civil rights restored~~

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

64 ~~through executive clemency, by including the statement "If I~~  
65 ~~have been convicted of a felony, I affirm my voting rights have~~  
66 ~~been restored by the Board of Executive Clemency." and providing~~  
67 ~~a box for the applicant to check to affirm the statement.~~

68 ~~3. Whether the applicant has been convicted of a felony~~  
69 ~~and, if convicted, has had his or her voting rights restored~~  
70 ~~pursuant s. 4, Art. VI of the State Constitution, by including~~  
71 ~~the statement "If I have been convicted of a felony, I affirm my~~  
72 ~~voting rights have been restored pursuant to s. 4, Art. VI of~~  
73 ~~the State Constitution upon the completion of all terms of my~~  
74 ~~sentence, including parole or probation." and providing a box~~  
75 ~~for the applicant to check to affirm the statement.~~

76 Section 3. Subsections (1) and (2) and paragraph (b) of  
77 subsection (3) of section 97.0525, Florida Statutes, are amended  
78 to read:

79 97.0525 Online voter registration.—

80 (1) ~~Beginning October 1, 2017,~~ An applicant may submit an  
81 online voter registration application using the procedures set  
82 forth in this section.

83 (2) The division shall establish and maintain a secure  
84 Internet website that safeguards an applicant's information to  
85 ensure data integrity and permits an applicant to:

86 (a) Submit a voter registration application, including  
87 first-time voter registration applications and updates to  
88 current voter registration records.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

89 (b) Submit information necessary to establish an  
90 applicant's eligibility to vote, pursuant to s. 97.041, which  
91 includes the information required for the uniform statewide  
92 voter registration application pursuant to s. 97.052(2).

93 (c) Swear to the oath required pursuant to s. 97.051.

94 (3)

95 (b) The division shall conduct a comprehensive risk  
96 assessment of the online voter registration system ~~before making~~  
97 ~~the system publicly available and every 2 years thereafter.~~ The  
98 comprehensive risk assessment must comply with the risk  
99 assessment methodology developed by the Department of Management  
100 Services for identifying security risks, determining the  
101 magnitude of such risks, and identifying areas that require  
102 safeguards. In addition, the comprehensive risk assessment must  
103 incorporate all of the following:

104 1. Load testing and stress testing to ensure that the  
105 online voter registration system has sufficient capacity to  
106 accommodate foreseeable use, including during periods of high  
107 volume of website users in the week immediately preceding the  
108 book-closing deadline for an election.

109 2. Screening of computers and networks used to support the  
110 online voter registration system for malware and other  
111 vulnerabilities.

112 3. Evaluation of database infrastructure, including  
113 software and operating systems, in order to fortify defenses

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

114 against cyberattacks.

115 4. Identification of any anticipated threats to the  
116 security and integrity of data collected, maintained, received,  
117 or transmitted by the online voter registration system.

118 Section 4. Paragraph (a) of subsection (5) and subsection  
119 (6) of section 97.053, Florida Statutes, are amended to read:

120 97.053 Acceptance of voter registration applications.—

121 (5) (a) A voter registration application is complete if it  
122 contains the following information necessary to establish the  
123 applicant's eligibility pursuant to s. 97.041, including:

124 1. The applicant's name.

125 2. The applicant's address of legal residence, including a  
126 distinguishing apartment, suite, lot, room, or dormitory room  
127 number or other identifier, if appropriate. Failure to include a  
128 distinguishing apartment, suite, lot, room, or dormitory room or  
129 other identifier on a voter registration application does not  
130 impact a voter's eligibility to register to vote or cast a  
131 ballot, and such an omission may not serve as the basis for a  
132 challenge to a voter's eligibility or reason to not count a  
133 ballot.

134 3. The applicant's date of birth.

135 4. A mark in the checkbox affirming that the applicant is  
136 a citizen of the United States.

137 5.a. The applicant's current and valid Florida driver  
138 license number or the identification number from a Florida

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

139 identification card issued under s. 322.051, or

140 b. If the applicant has not been issued a current and  
141 valid Florida driver license or a Florida identification card,  
142 the last four digits of the applicant's social security number.

143

144 In case an applicant has not been issued a current and valid  
145 Florida driver license, Florida identification card, or social  
146 security number, the applicant shall affirm this fact in the  
147 manner prescribed in the uniform statewide voter registration  
148 application.

149 6. A mark in the ~~applicable~~ checkbox affirming that the  
150 applicant has not been convicted of a felony or that, if  
151 convicted, ~~has had his or her civil rights restored through~~  
152 ~~executive clemency, or~~ has had his or her voting rights restored  
153 pursuant to s. 4, Art. VI of the State Constitution.

154 7. A mark in the checkbox affirming that the applicant has  
155 not been adjudicated mentally incapacitated with respect to  
156 voting or that, if so adjudicated, has had his or her right to  
157 vote restored.

158 8. The original signature or a digital signature  
159 transmitted by the Department of Highway Safety and Motor  
160 Vehicles of the applicant swearing or affirming under the  
161 penalty for false swearing pursuant to s. 104.011 that the  
162 information contained in the registration application is true  
163 and subscribing to the oath required by s. 3, Art. VI of the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

164 State Constitution and s. 97.051.

165 (6) A voter registration application, including an  
166 application with a change in name, address, or party  
167 affiliation, may be accepted as valid only after the department  
168 has verified the authenticity or nonexistence of the driver  
169 license number, the Florida identification card number, or the  
170 last four digits of the social security number provided by the  
171 applicant. If a completed voter registration application has  
172 been received by the book-closing deadline but the driver  
173 license number, the Florida identification card number, or the  
174 last four digits of the social security number provided by the  
175 applicant cannot be verified, the applicant shall be notified  
176 that the number cannot be verified and that the applicant must  
177 provide evidence to the supervisor sufficient to verify the  
178 authenticity of the applicant's driver license number, Florida  
179 identification card number, or last four digits of the social  
180 security number. If the applicant provides the necessary  
181 evidence, the supervisor shall place the applicant's name on the  
182 registration rolls as an active voter. If the applicant has not  
183 provided the necessary evidence or the number has not otherwise  
184 been verified prior to the applicant presenting himself or  
185 herself to vote, the applicant shall be provided a provisional  
186 ballot. The provisional ballot shall be counted only if the  
187 number is verified by the end of the canvassing period or if the  
188 applicant presents evidence to the supervisor of elections

107453

Approved For Filing: 4/27/2021 1:33:28 AM



Amendment No.

189 sufficient to verify the authenticity of the applicant's driver  
190 license number, Florida identification card number, or last four  
191 digits of the social security number no later than 5 p.m. of the  
192 second day following the election.

193 Section 5. Subsection (13) is added to section 97.057,  
194 Florida Statutes, to read:

195 97.057 Voter registration by the Department of Highway  
196 Safety and Motor Vehicles.—

197 (13) The Department of Highway Safety and Motor Vehicles  
198 must assist the Department of State in regularly identifying  
199 changes in residence address on the driver license or  
200 identification card of a voter. The Department of State must  
201 report each such change to the appropriate supervisor of  
202 elections who must change the voter's registration records in  
203 accordance with s. 98.065(4).

204 Section 6. Paragraphs (c) and (d) of subsection (1),  
205 paragraph (a) of subsection (3), and subsection (5) of section  
206 97.0575, Florida Statutes, are amended to read:

207 97.0575 Third-party voter registrations.—

208 (1) Before engaging in any voter registration activities,  
209 a third-party voter registration organization must register and  
210 provide to the division, in an electronic format, the following  
211 information:

212 (c) The names, permanent addresses, and temporary  
213 addresses, if any, of each registration agent registering

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

214 persons to vote in this state on behalf of the organization.  
215 This paragraph does not apply to persons who only solicit  
216 applications and do not collect or handle voter registration  
217 applications.

218 ~~(d) A sworn statement from each registration agent~~  
219 ~~employed by or volunteering for the organization stating that~~  
220 ~~the agent will obey all state laws and rules regarding the~~  
221 ~~registration of voters. Such statement must be on a form~~  
222 ~~containing notice of applicable penalties for false~~  
223 ~~registration.~~

224 (3) (a) A third-party voter registration organization that  
225 collects voter registration applications serves as a fiduciary  
226 to the applicant, ensuring that any voter registration  
227 application entrusted to the organization, irrespective of party  
228 affiliation, race, ethnicity, or gender, must ~~shall~~ be promptly  
229 delivered to the division or the supervisor of elections in the  
230 county in which the elector resides within 14 days after  
231 completed by the applicant, but not after registration closes  
232 for the next ensuing election. A third-party voter registration  
233 organization must notify the applicant at the time the  
234 application is collected that the organization might not deliver  
235 the application to the division or the supervisor of elections  
236 in the county in which the elector resides in less than 14 days  
237 or before registration closes for the next ensuing election and  
238 must advise the applicant that he or she may deliver the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

239 application in person or by mail. The third-party voter  
240 registration organization must also inform the applicant how to  
241 register online with the division and how to determine whether  
242 the application has been delivered 48 hours after the applicant  
243 completes it or the next business day if the appropriate office  
244 is closed for that 48-hour period. If a voter registration  
245 application collected by any third-party voter registration  
246 organization is not promptly delivered to the division or  
247 supervisor of elections in the county in which the elector  
248 resides, the third-party voter registration organization is  
249 liable for the following fines:

250 1. A fine in the amount of \$50 for each application  
251 received by the division or the supervisor of elections in the  
252 county which the elector resides more than 14 days 48 hours  
253 after the applicant delivered the completed voter registration  
254 application to the third-party voter registration organization  
255 or any person, entity, or agent acting on its behalf ~~or the next~~  
256 ~~business day, if the office is closed.~~ A fine in the amount of  
257 \$250 for each application received if the third-party voter  
258 registration organization or person, entity, or agency acting on  
259 its behalf acted willfully.

260 2. A fine in the amount of \$100 for each application  
261 collected by a third-party voter registration organization or  
262 any person, entity, or agent acting on its behalf, before book  
263 closing for any given election for federal or state office and

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

264 received by the division or the supervisor of elections in the  
265 county in which the elector resides after the book-closing  
266 deadline for such election. A fine in the amount of \$500 for  
267 each application received if the third-party registration  
268 organization or person, entity, or agency acting on its behalf  
269 acted willfully.

270 3. A fine in the amount of \$500 for each application  
271 collected by a third-party voter registration organization or  
272 any person, entity, or agent acting on its behalf, which is not  
273 submitted to the division or supervisor of elections in the  
274 county in which the elector resides. A fine in the amount of  
275 \$1,000 for any application not submitted if the third-party  
276 voter registration organization or person, entity, or agency  
277 acting on its behalf acted willfully.

278  
279 The aggregate fine pursuant to this paragraph which may be  
280 assessed against a third-party voter registration organization,  
281 including affiliate organizations, for violations committed in a  
282 calendar year is \$1,000.

283 (5) The division shall adopt by rule a form to elicit  
284 specific information concerning the facts and circumstances from  
285 a person who claims to have been registered to vote by a third-  
286 party voter registration organization but who does not appear as  
287 an active voter on the voter registration rolls. The division  
288 shall also adopt rules to ensure the integrity of the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

289 registration process, including controls to ensure that all  
290 completed forms are promptly delivered to the division or an  
291 supervisor in the county in which the elector resides ~~rules~~  
292 ~~requiring third-party voter registration organizations to~~  
293 ~~account for all state and federal registration forms used by~~  
294 ~~their registration agents. Such rules may require an~~  
295 ~~organization to provide organization and form specific~~  
296 ~~identification information on each form as determined by the~~  
297 ~~department as needed to assist in the accounting of state and~~  
298 ~~federal registration forms.~~

299 Section 7. Section 97.1031, Florida Statutes, is amended  
300 to read:

301 97.1031 Notice of change of residence, change of name, or  
302 change of party affiliation.—

303 (1) (a) When an elector changes his or her residence  
304 address, the elector must notify the supervisor of elections.  
305 Except as provided in paragraph (b), an address change must be  
306 submitted using a voter registration application.

307 (b) If the address change is within the state and notice  
308 is provided to the supervisor of elections of the county where  
309 the elector has moved, the elector may do so by:

310 1. Contacting the supervisor of elections via telephone or  
311 electronic means, in which case the elector must provide his or  
312 her date of birth and the last four digits of his or her social  
313 security number, his or her Florida driver license number, or

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

314 his or her Florida identification card number, whichever may be  
315 verified in the supervisor's records; or

316 2. Submitting the change on a voter registration  
317 application or other signed written notice.

318 (2) When an elector seeks to change party affiliation, the  
319 elector shall notify his or her supervisor of elections or other  
320 voter registration official by submitting a voter registration  
321 application using a signed written notice that contains the  
322 elector's date of birth or voter registration number. When an  
323 elector changes his or her name by marriage or other legal  
324 process, the elector shall notify his or her supervisor of  
325 elections or other voter registration official by submitting a  
326 voter registration application using a signed written notice  
327 that contains the elector's date of birth or voter's  
328 registration number.

329 (3) The voter registration official shall make the  
330 necessary changes in the elector's records as soon as practical  
331 upon receipt of such notice of a change of address of legal  
332 residence, name, or party affiliation. The supervisor of  
333 elections shall issue the new voter information card.

334 Section 8. Section 97.106, Florida Statutes, is created to  
335 read:

336 97.106 Prohibition on use of private funds for election  
337 related expenses.—No agency or state or local official  
338 responsible for conducting elections, including, but not limited

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

339 to, a supervisor of elections, may solicit, accept, use, or  
340 dispose of any donation in the form of money, grants, property,  
341 or personal services from an individual or a nongovernmental  
342 entity for the purpose of funding election-related expenses or  
343 voter education, voter outreach, or registration programs. This  
344 section does not prohibit the donation and acceptance of space  
345 to be used for a polling room or an early voting location.

346 Section 9. Subsections (4) and (5) of section 98.0981,  
347 Florida Statutes, are renumbered as subsections (5) and (6),  
348 respectively, paragraph (a) of subsection (2) is amended, and a  
349 new subsection (4) is added to that section, to read:

350 98.0981 Reports; voting history; statewide voter  
351 registration system information; precinct-level election  
352 results; book closing statistics.—

353 (2) PRECINCT-LEVEL ELECTION RESULTS.—

354 (a) Within 30 days after certification by the Elections  
355 Canvassing Commission of a presidential preference primary  
356 election, special election, primary election, or general  
357 election, the supervisors of elections shall collect and submit  
358 to the department precinct-level election results for the  
359 election in a uniform electronic format specified by paragraph  
360 (c). The precinct-level election results shall be compiled  
361 separately for the primary or special primary election that  
362 preceded the general or special general election, respectively.  
363 The results shall specifically include for each precinct the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

364 total of all ballots cast for each candidate or nominee to fill  
365 a national, state, county, or district office or proposed  
366 constitutional amendment, with subtotals for each candidate and  
367 ballot type. However, ballot type or precinct subtotals in a  
368 race or question having fewer than 30 voters voting on the  
369 ballot type or in the precinct may not be reported in precinct  
370 results, unless fewer than 30 voters voted a ballot type. "All  
371 ballots cast" means ballots cast by voters who cast a ballot  
372 whether at a precinct location, by vote-by-mail ballot including  
373 overseas vote-by-mail ballots, during the early voting period,  
374 or by provisional ballot.

375 (4) LIVE TURNOUT DATA.—On election day each supervisor of  
376 elections shall make live voter turnout data, updated at least  
377 once per hour, available on his or her website. Each supervisor  
378 shall transmit the live voter turnout data to the division,  
379 which must create and maintain a real-time statewide turnout  
380 dashboard that is available for viewing by the public on the  
381 division's website as the data becomes available.

382 Section 10. Paragraph (f) of subsection (3) and paragraph  
383 (g) of subsection (4) of section 99.012, Florida Statutes, are  
384 amended to read:

385 99.012 Restrictions on individuals qualifying for public  
386 office.—

387 (3)

388 (f)1. ~~With regard to an elective office, the resignation~~

107453

Approved For Filing: 4/27/2021 1:33:28 AM



Amendment No.

389 ~~creates a vacancy in office to be filled by election. Persons~~  
390 ~~may qualify as candidates for nomination and election as if the~~  
391 ~~public officer's term were otherwise scheduled to expire.~~

392 ~~2. With regard to an elective charter county office or~~  
393 ~~elective municipal office, the vacancy created by the officer's~~  
394 ~~resignation may be filled for that portion of the officer's~~  
395 ~~unexpired term in a manner provided by the respective charter.~~  
396 The office is deemed vacant upon the effective date of the  
397 resignation submitted by the official in his or her letter of  
398 resignation.

399 (4)

400 (g) ~~Notwithstanding the provisions of any special act to~~  
401 ~~the contrary, with regard to an elective office, the resignation~~  
402 ~~creates a vacancy in office to be filled by election, thereby~~  
403 ~~authorizing persons to qualify as candidates for nomination and~~  
404 ~~election as if the officer's term were otherwise scheduled to~~  
405 ~~expire. With regard to an elective charter county office or~~  
406 ~~elective municipal office, the vacancy created by the officer's~~  
407 ~~resignation may be filled for that portion of the officer's~~  
408 ~~unexpired term in a manner provided by the respective charter.~~  
409 The office is deemed vacant upon the effective date of the  
410 resignation submitted by the official in his or her letter of  
411 resignation.

412 Section 11. Paragraph (a) of subsection (3) of section  
413 100.111, Florida Statutes, is amended to read:

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

414 100.111 Filling vacancy.—

415 (3) (a) In the event that death, resignation, withdrawal,  
416 or removal should cause a party to have a vacancy in nomination  
417 which leaves no candidate for an office from such party, the  
418 filing officer before whom the candidate qualified shall notify  
419 the chair of the state and county political party executive  
420 committee of such party and:

421 1. If the vacancy in nomination is for a statewide office,  
422 the state party chair shall, within 5 days, call a meeting of  
423 his or her executive board to consider designation of a nominee  
424 to fill the vacancy.

425 2. If the vacancy in nomination is for the office of  
426 United States Representative, state senator, state  
427 representative, state attorney, or public defender, the state  
428 party chair shall ~~notify the appropriate county chair or chairs~~  
429 ~~and, within 5 days, the appropriate county chair or chairs shall~~  
430 call a meeting of the state executive committee members residing  
431 ~~members of the executive committee~~ in the affected county or  
432 counties to consider designation of a nominee to fill the  
433 vacancy.

434 3. If the vacancy in nomination is for a county office,  
435 the state party chair shall notify the appropriate county chair  
436 and, within 5 days, the appropriate county chair shall call a  
437 meeting of his or her executive committee to consider  
438 designation of a nominee to fill the vacancy.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

439  
440 The name of any person so designated shall be submitted to the  
441 filing officer before whom the candidate qualified within 7 days  
442 after notice to the chair in order that the person designated  
443 may have his or her name on the ballot of the ensuing general  
444 election. If the name of the new nominee is submitted after the  
445 certification of results of the preceding primary election,  
446 however, the ballots shall not be changed and the former party  
447 nominee's name will appear on the ballot. Any ballots cast for  
448 the former party nominee will be counted for the person  
449 designated by the political party to replace the former party  
450 nominee. If there is no opposition to the party nominee, the  
451 person designated by the political party to replace the former  
452 party nominee will be elected to office at the general election.

453 Section 12. Subsection (2) of section 101.051, Florida  
454 Statutes, is amended to read:

455 101.051 Electors seeking assistance in casting ballots;  
456 oath to be executed; forms to be furnished.—

457 (2) It is unlawful for any person to be in the voting  
458 booth with any elector except as provided in subsection (1). A  
459 person at a polling place, drop box site, or early voting site,  
460 or within 150 ~~100~~ feet of the entrance of a polling place, drop  
461 box site, or early voting site, may not solicit any elector in  
462 an effort to provide assistance to vote pursuant to subsection  
463 (1). Any person who violates this subsection commits a

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

464 misdemeanor of the first degree, punishable as provided in s.  
465 775.082 or s. 775.083.

466 Section 13. Subsection (5) of section 101.131, Florida  
467 Statutes, is amended to read:

468 101.131 Watchers at polls.—

469 (5) The supervisor of elections shall provide to each  
470 designated poll watcher ~~an, no later than 7 days before early~~  
471 ~~voting begins, a poll watcher~~ identification badge which ~~that~~  
472 identifies the poll watcher by name. Each poll watcher must wear  
473 his or her identification badge while performing his or her  
474 duties ~~in the polling room or early voting area.~~

475 Section 14. Section 101.545, Florida Statutes, is amended  
476 to read:

477 101.545 Retention and destruction of certain election  
478 materials.—All ballots, forms, and other election materials  
479 shall be retained in the custody of the supervisor of elections  
480 for a minimum of 22 months after an election and in accordance  
481 with the schedule approved by the Division of Library and  
482 Information Services of the Department of State. All unused  
483 ballots, forms, and other election materials may, with the  
484 approval of the Department of State, be destroyed by the  
485 supervisor after the election for which such ballots, forms, or  
486 other election materials were to be used.

487 Section 15. Paragraph (d) of subsection (2) of section  
488 101.5605, Florida Statutes, is amended to read:

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

489 101.5605 Examination and approval of equipment.—

490 (2)

491 (d) The Department of State shall approve or disapprove  
492 any voting system submitted to it within 120 ~~90~~ days after the  
493 date of its initial submission.

494 Section 16. Paragraph (a) of subsection (4) of section  
495 101.5614, Florida Statutes, is amended to read:

496 101.5614 Canvass of returns.—

497 (4) (a) If any vote-by-mail ballot is physically damaged so  
498 that it cannot properly be counted by the voting system's  
499 automatic tabulating equipment, a true duplicate copy shall be  
500 made of the damaged ballot in an open and accessible room in the  
501 presence of witnesses and substituted for the damaged ballot.  
502 Likewise, a duplicate ballot shall be made of a vote-by-mail  
503 ballot containing an overvoted race if there is a clear  
504 indication on the ballot that the voter has made a definite  
505 choice in the overvoted race or ballot measure. A duplicate ~~or a~~  
506 ~~marked vote-by-mail ballot in which every race is undervoted~~  
507 ~~which~~ shall include all valid votes as determined by the  
508 canvassing board based on rules adopted by the division pursuant  
509 to s. 102.166(4). A duplicate may be made of a ballot containing  
510 an undervoted race or ballot measure if there is a clear  
511 indication on the ballot that the voter has made a definite  
512 choice in the undervoted race or ballot measure. A duplicate may  
513 not include a vote if the voter's intent in such race or on such

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

514 measure is not clear. Upon request, a physically present  
515 candidate, a political party official, a political committee  
516 official, or an authorized designee thereof, must be allowed to  
517 observe the duplication of ballots. The observer must be allowed  
518 to observe the duplication of ballots in such a way that the  
519 observer is able to see the markings on each ballot and the  
520 duplication taking place. All duplicate ballots must ~~shall~~ be  
521 clearly labeled "duplicate," bear a serial number which shall be  
522 recorded on the defective ballot, and be counted in lieu of the  
523 defective ballot. The duplication of ballots must happen in the  
524 presence of at least one canvassing board member. After a ballot  
525 has been duplicated, the defective ballot shall be placed in an  
526 envelope provided for that purpose, and the duplicate ballot  
527 shall be tallied with the other ballots for that precinct. If  
528 any observer makes a reasonable objection to a duplicate of a  
529 ballot, the ballot must be presented to the canvassing board for  
530 a determination of the validity of the duplicate. The canvassing  
531 board must document the serial number of the ballot in the  
532 canvassing board's minutes. The canvassing board must decide  
533 whether the duplication is valid. If the duplicate ballot is  
534 determined to be valid, the duplicate ballot must be counted. If  
535 the duplicate ballot is determined to be invalid, the duplicate  
536 ballot must be rejected and a proper duplicate ballot must be  
537 made and counted in lieu of the original.

538 Section 17. Section 101.572, Florida Statutes, is amended

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

539 to read:

540 101.572 Public inspection of ballots.—

541 (1) The official ballots and ballot cards received from  
542 election boards and removed from vote-by-mail ballot mailing  
543 envelopes and voter certificates on such mailing envelopes shall  
544 be open for public inspection or examination while in the  
545 custody of the supervisor of elections or the county canvassing  
546 board at any reasonable time, under reasonable conditions;  
547 however, no persons other than the supervisor of elections or  
548 his or her employees or the county canvassing board shall handle  
549 any official ballot or ballot card. If the ballots are being  
550 examined prior to the end of the contest period in s. 102.168,  
551 the supervisor of elections shall make a reasonable effort to  
552 notify all candidates whose names appear on such ballots or  
553 ballot cards by telephone or otherwise of the time and place of  
554 the inspection or examination. All such candidates, or their  
555 representatives, shall be allowed to be present during the  
556 inspection or examination.

557 (2) A candidate, a political party official, or a  
558 political committee official, or an authorized designee thereof,  
559 shall be granted reasonable access upon request to review or  
560 inspect ballot materials before canvassing or tabulation,  
561 including voter certificates on vote-by-mail envelopes, cure  
562 affidavits, corresponding comparison signatures, duplicate  
563 ballots, and corresponding originals. Before the supervisor

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

564 begins comparing signatures on vote-by-mail voter certificates,  
565 the supervisor must publish notice of the access to be provided  
566 under this section, which may be access to the documents or  
567 images thereof, and the method of requesting such access. During  
568 such review, no person granted access for review may make any  
569 copy of a signature.

570 Section 18. Subsection (5) of section 101.591, Florida  
571 Statutes, is amended to read:

572 101.591 Voting system audit.—

573 (5) By December 15 of each general election year ~~Within 15~~  
574 ~~days after completion of the audit,~~ the county canvassing board  
575 or the board responsible for certifying the election shall  
576 provide a report with the results of the audit to the Department  
577 of State in a standard format as prescribed by the department.  
578 The report must be consolidated into one report with the  
579 overvote and undervote report required under s. 101.595(1). The  
580 report shall contain, but is not limited to, the following  
581 items:

582 (a) The overall accuracy of audit.

583 (b) A description of any problems or discrepancies  
584 encountered.

585 (c) The likely cause of such problems or discrepancies.

586 (d) Recommended corrective action with respect to avoiding  
587 or mitigating such circumstances in future elections.

588 Section 19. Subsections (1) and (3) of section 101.595,

107453

Approved For Filing: 4/27/2021 1:33:28 AM



Amendment No.

589 Florida Statutes, are amended to read:

590 101.595 Analysis and reports of voting problems.—

591 (1) No later than December 15 of each general election  
592 year, the supervisor of elections in each county shall report to  
593 the Department of State the total number of overvotes and  
594 undervotes in the "President and Vice President" or "Governor  
595 and Lieutenant Governor" race that appears first on the ballot  
596 or, if neither appears, the first race appearing on the ballot  
597 pursuant to s. 101.151(2), along with the likely reasons for  
598 such overvotes and undervotes and other information as may be  
599 useful in evaluating the performance of the voting system and  
600 identifying problems with ballot design and instructions which  
601 may have contributed to voter confusion. This report must be  
602 consolidated into one report with the audit report required  
603 under s. 101.591(5).

604 (3) The Department of State shall submit the report to the  
605 Governor, the President of the Senate, and the Speaker of the  
606 House of Representatives by February 15 ~~January 31~~ of each year  
607 following a general election.

608 Section 20. Paragraphs (a) and (b) of subsection (1),  
609 subsection (3), and paragraph (c) of subsection (4) of section  
610 101.62, Florida Statutes, are amended, and subsection (7) is  
611 added to that section, to read:

612 101.62 Request for vote-by-mail ballots.—

613 (1)(a) The supervisor shall accept a request for a vote-

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

614 by-mail ballot from an elector in person or in writing. One  
615 request is ~~shall be~~ deemed sufficient to receive a vote-by-mail  
616 ballot for all elections through the end of the calendar year of  
617 the next second ensuing regularly scheduled general election  
618 provided that a request received after November 6, 2018, and  
619 before July 1, 2021, is deemed sufficient through the end of the  
620 calendar year of the second ensuing regularly scheduled general  
621 election, unless the elector or the elector's designee indicates  
622 at the time the request is made the elections within such period  
623 for which the elector desires to receive a vote-by-mail ballot.  
624 Such request may be considered canceled when any first-class  
625 mail sent by the supervisor to the elector is returned as  
626 undeliverable.

627 (b) The supervisor may accept a written, an in person, or  
628 a telephonic request for a vote-by-mail ballot to be mailed to  
629 an elector's address on file in the Florida Voter Registration  
630 System from the elector, or, if directly instructed by the  
631 elector, a member of the elector's immediate family, or the  
632 elector's legal guardian. If an in person or a telephone request  
633 is made the elector must provide the elector's Florida driver  
634 license number, the elector's Florida identification card  
635 number, or the last four digits of the elector's social security  
636 number, whichever may be verified in the supervisor's records.  
637 If the ballot is requested to be mailed to an address other than  
638 the elector's address on file in the Florida Voter Registration

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

639 System, the request must be made in writing. A written request  
640 must be ~~and~~ signed by the elector and include the elector's  
641 Florida driver license number, the elector's Florida  
642 identification card number, or the last four digits of the  
643 elector's social security number. However, an absent uniformed  
644 service voter or an overseas voter seeking a vote-by-mail ballot  
645 is not required to submit a signed, written request for a vote-  
646 by-mail ballot that is being mailed to an address other than the  
647 elector's address on file in the Florida Voter Registration  
648 System. For purposes of this section, the term "immediate  
649 family" has the same meaning as specified in paragraph (4) (c).  
650 The person making the request must disclose:

- 651 1. The name of the elector for whom the ballot is  
652 requested.
- 653 2. The elector's address.
- 654 3. The elector's date of birth.
- 655 4. The elector's Florida driver license number, the  
656 elector's Florida identification card number, or the last four  
657 digits of the elector's social security number, whichever may be  
658 verified in the supervisor's records.
- 659 5. The requester's name.
- 660 ~~6.5.~~ The requester's address.
- 661 ~~7.6.~~ The requester's driver license number, the  
662 requestor's identification card number, or the last four digits  
663 of the requester's social security number, if available.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

664        ~~8.7.~~ The requester's relationship to the elector.  
665        ~~9.8.~~ The requester's signature (written requests only).  
666        (3) For each request for a vote-by-mail ballot received,  
667 the supervisor shall record: the date the request was made; the  
668 identity of the voter's designee making the request, if any; the  
669 Florida driver license number, Florida identification card  
670 number, or last four digits of the social security number of the  
671 elector provided with a written request;~~7~~ the date the vote-by-  
672 mail ballot was delivered to the voter or the voter's designee  
673 or the date the vote-by-mail ballot was delivered to the post  
674 office or other carrier; the address to which the ballot was  
675 mailed or the identity of the voter's designee to whom the  
676 ballot was delivered;~~7~~ the date the ballot was received by the  
677 supervisor;~~7~~ the absence of the voter's signature on the voter's  
678 certificate, if applicable; whether the voter's certificate  
679 contains a signature that does not match the elector's signature  
680 in the registration books or precinct register;~~7~~ and such other  
681 information he or she may deem necessary. This information shall  
682 be provided in electronic format as provided by division rule  
683 ~~adopted by the division.~~ The information shall be updated and  
684 made available no later than 8 a.m. of each day, including  
685 weekends, beginning 60 days before the primary until 15 days  
686 after the general election and shall be contemporaneously  
687 provided to the division. This information shall be confidential  
688 and exempt from s. 119.07(1) and shall be made available to or

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

689 reproduced only for the voter requesting the ballot, a  
690 canvassing board, an election official, a political party or  
691 official thereof, a candidate who has filed qualification papers  
692 and is opposed in an upcoming election, and registered political  
693 committees for political purposes only.

694 (4)

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

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

701 2. By forwardable mail, e-mail, or facsimile machine  
702 transmission to absent uniformed services voters and overseas  
703 voters. The absent uniformed services voter or overseas voter  
704 may designate in the vote-by-mail ballot request the preferred  
705 method of transmission. If the voter does not designate the  
706 method of transmission, the vote-by-mail ballot shall be mailed.

707 3. By personal delivery before 7 p.m. on election day to  
708 the elector, upon presentation of the identification required in  
709 s. 101.043.

710 4. By delivery to a designee on election day or up to 9  
711 days before ~~prior to~~ the day of an election. Any elector may  
712 designate in writing a person to pick up the ballot for the  
713 elector; however, the person designated may not pick up more

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

714 than two vote-by-mail ballots per election, other than the  
715 designee's own ballot, except that additional ballots may be  
716 picked up for members of the designee's immediate family. For  
717 purposes of this section, "immediate family" means the  
718 designee's spouse or the parent, child, grandparent, grandchild,  
719 or sibling of the designee or of the designee's spouse. The  
720 designee shall provide to the supervisor the written  
721 authorization by the elector and a picture identification of the  
722 designee and must complete an affidavit. The designee shall  
723 state in the affidavit that the designee is authorized by the  
724 elector to pick up that ballot and shall indicate if the elector  
725 is a member of the designee's immediate family and, if so, the  
726 relationship. The department shall prescribe the form of the  
727 affidavit. If the supervisor is satisfied that the designee is  
728 authorized to pick up the ballot and that the signature of the  
729 elector on the written authorization matches the signature of  
730 the elector on file, the supervisor shall give the ballot to  
731 that designee for delivery to the elector.

732 5. ~~Except as provided in s. 101.655,~~ The supervisor may  
733 not deliver a vote-by-mail ballot to an elector or an elector's  
734 immediate family member on the day of the election unless there  
735 is an emergency, to the extent that the elector will be unable  
736 to go to his or her assigned polling place. If a vote-by-mail  
737 ballot is delivered, the elector or his or her designee shall  
738 execute an affidavit affirming to the facts which allow for

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

739 delivery of the vote-by-mail ballot. The department shall adopt  
740 a rule providing for the form of the affidavit.

741 (7) Except as expressly authorized for voters having a  
742 disability under s. 101.662, for overseas voters under s.  
743 101.697, or for local referenda under ss. 101.6102 and 101.6103,  
744 a county, municipality, or state agency may not send a vote-by-  
745 mail ballot to a voter unless the voter has requested a vote-by-  
746 mail ballot in the manner authorized under this section.

747 Section 21. Subsection (1) of section 101.64, Florida  
748 Statutes, is amended to read:

749 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

750 (1)(a) The supervisor shall enclose with each vote-by-mail  
751 ballot two envelopes: a secrecy envelope, into which the absent  
752 elector shall enclose his or her marked ballot; and a mailing  
753 envelope, into which the absent elector shall then place the  
754 secrecy envelope, which shall be addressed to the supervisor and  
755 also bear on the back side a certificate in substantially the  
756 following form:

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

759 VOTER'S CERTIFICATE

760 I, ....., do solemnly swear or affirm that I am a qualified  
761 and registered voter of .... County, Florida, and that I have  
762 not and will not vote more than one ballot in this election. I  
763 understand that if I commit or attempt to commit any fraud in

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

764 connection with voting, vote a fraudulent ballot, or vote more  
765 than once in an election, I can be convicted of a felony of the  
766 third degree and fined up to \$5,000 and/or imprisoned for up to  
767 5 years. I also understand that failure to sign this certificate  
768 will invalidate my ballot.

769 ... (Date) ... (Voter's Signature) ...

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

771 ... (Mobile Telephone Number) ...

772 (b) Each return mailing envelope must bear the absent  
773 elector's name and any encoded mark used by the supervisor's  
774 office.

775 (c) A mailing envelope or secrecy envelope may not bear  
776 any indication of the political affiliation of an absent  
777 elector.

778 Section 22. Subsections (1) and (2) of section 101.68,  
779 Florida Statutes, are amended to read:

780 101.68 Canvassing of vote-by-mail ballot.—

781 (1) The supervisor of the county in which ~~where~~ the absent  
782 elector resides shall receive the voted ballot, at which time  
783 the supervisor shall compare the signature of the elector on the  
784 voter's certificate with the signature of the elector in the  
785 registration books or the precinct register to determine whether  
786 the elector is duly registered in the county and must ~~may~~ record  
787 on the elector's registration record ~~certificate~~ that the  
788 elector has voted. During the signature comparison process, the

107453

Approved For Filing: 4/27/2021 1:33:28 AM



Amendment No.

789 supervisor may not use any knowledge of the political  
790 affiliation of the voter whose signature is subject to  
791 verification. An elector who dies after casting a vote-by-mail  
792 ballot but on or before election day shall remain listed in the  
793 registration books until the results have been certified for the  
794 election in which the ballot was cast. The supervisor shall  
795 safely keep the ballot unopened in his or her office until the  
796 county canvassing board canvasses the vote. Except as provided  
797 in subsection (4), after a vote-by-mail ballot is received by  
798 the supervisor, the ballot is deemed to have been cast, and  
799 changes or additions may not be made to the voter's certificate.

800 (2) (a) The county canvassing board may begin the  
801 canvassing of vote-by-mail ballots upon the completion of the  
802 public testing of automatic tabulating equipment pursuant to s.  
803 101.5612(2) at 7 a.m. on the 22nd day before the election, but  
804 must begin such canvassing by not later than noon on the day  
805 following the election. ~~In addition, for any county using~~  
806 ~~electronic tabulating equipment, the processing of vote-by-mail~~  
807 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~  
808 ~~the 22nd day before the election.~~ However, notwithstanding any  
809 such authorization to begin canvassing or otherwise processing  
810 vote-by-mail ballots early, no result shall be released until  
811 after the closing of the polls in that county on election day.  
812 Any supervisor, deputy supervisor, canvassing board member,  
813 election board member, or election employee who releases the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

814 results of a canvassing or processing of vote-by-mail ballots  
815 prior to the closing of the polls in that county on election day  
816 commits a felony of the third degree, punishable as provided in  
817 s. 775.082, s. 775.083, or s. 775.084.

818 (b) To ensure that all vote-by-mail ballots to be counted  
819 by the canvassing board are accounted for, the canvassing board  
820 shall compare the number of ballots in its possession with the  
821 number of requests for ballots received to be counted according  
822 to the supervisor's file or list.

823 (c)1. The canvassing board must, if the supervisor has not  
824 already done so, compare the signature of the elector on the  
825 voter's certificate or on the vote-by-mail ballot cure affidavit  
826 as provided in subsection (4) with the signature of the elector  
827 in the registration books or the precinct register to see that  
828 the elector is duly registered in the county and to determine  
829 the legality of that vote-by-mail ballot. A vote-by-mail ballot  
830 may only be counted if:

831 a. The signature on the voter's certificate or the cure  
832 affidavit matches the elector's signature in the registration  
833 books or precinct register; however, in the case of a cure  
834 affidavit, the supporting identification listed in subsection  
835 (4) must also confirm the identity of the elector; or

836 b. The cure affidavit contains a signature that does not  
837 match the elector's signature in the registration books or  
838 precinct register, but the elector has submitted a current and

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

839 valid Tier 1 identification pursuant to subsection (4) which  
840 confirms the identity of the elector.

841

842 For purposes of this subparagraph, any canvassing board finding  
843 that an elector's signatures do not match must be by majority  
844 vote and beyond a reasonable doubt.

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

851 3. A vote-by-mail ballot is not considered illegal if the  
852 signature of the elector does not cross the seal of the mailing  
853 envelope.

854 4. If any elector or candidate present believes that a  
855 vote-by-mail ballot is illegal due to a defect apparent on the  
856 voter's certificate or the cure affidavit, he or she may, at any  
857 time before the ballot is removed from the envelope, file with  
858 the canvassing board a protest against the canvass of that  
859 ballot, specifying the precinct, the voter's certificate or the  
860 cure affidavit ~~the ballot~~, and the reason he or she believes the  
861 ballot to be illegal. A challenge based upon a defect in the  
862 voter's certificate or cure affidavit may not be accepted after  
863 the ballot has been removed from the mailing envelope.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

864           5. If the canvassing board determines that a ballot is  
865 illegal, a member of the board must, without opening the  
866 envelope, mark across the face of the envelope: "rejected as  
867 illegal." The cure affidavit, if applicable, the envelope, and  
868 the ballot therein shall be preserved in the manner that  
869 official ballots are preserved.

870           (d) The canvassing board shall record the ballot upon the  
871 proper record, unless the ballot has been previously recorded by  
872 the supervisor. The mailing envelopes shall be opened and the  
873 secrecy envelopes shall be mixed so as to make it impossible to  
874 determine which secrecy envelope came out of which signed  
875 mailing envelope; however, in any county in which an electronic  
876 or electromechanical voting system is used, the ballots may be  
877 sorted by ballot styles and the mailing envelopes may be opened  
878 and the secrecy envelopes mixed separately for each ballot  
879 style. The votes on vote-by-mail ballots shall be included in  
880 the total vote of the county.

881           Section 23. Subsection (2) of section 101.69, Florida  
882 Statutes, is amended and subsection (3) is added to that section  
883 to read:

884           101.69 Voting in person; return of vote-by-mail ballot.-

885           (2) (a) The supervisor shall allow an elector who has  
886 received a vote-by-mail ballot to physically return a voted  
887 vote-by-mail ballot to the supervisor by placing the return mail  
888 envelope containing his or her marked ballot in a secure drop

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

889 box. Secure drop boxes shall be placed at the main office of the  
890 supervisor, at each permanent branch office of the supervisor,  
891 and at each early voting site. Secure drop boxes may also be  
892 placed at any other site that would otherwise qualify as an  
893 early voting site under s. 101.657(1). Drop boxes must be  
894 geographically located so as to provide all voters in the county  
895 with an equal opportunity to cast a ballot, insofar as is  
896 practicable. Except for secure drop boxes at an office of the  
897 supervisor, a secure drop box may only be used; provided,  
898 ~~however, that any such site must be staffed~~ during the county's  
899 early voting hours of operation and must be monitored in person  
900 by an employee of the supervisor's office. A secure drop box at  
901 an office of the supervisor must be continuously monitored in  
902 person by an employee of the supervisor's office when the drop  
903 box is accessible for deposit of ballots ~~or a sworn law~~  
904 ~~enforcement officer.~~

905 (b) A supervisor shall designate each drop box site at  
906 least 30 days before an election. The supervisor shall provide  
907 the address of each drop box location to the division at least  
908 30 days before an election. After a drop box location has been  
909 designated, it may not be moved or changed except as approved by  
910 the division to correct a violation of this subsection.

911 (c) An elector's designee designated under s. 104.0616 may  
912 also return the elector's ballot to a drop box if he or she has  
913 on his or her person the declaration described in s. 104.0616(4)

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

914 or is otherwise expressly designated as required by s.  
915 104.0616(3).

916 (d) A person returning a ballot by use of a drop box  
917 monitored by an employee of the supervisor's office must present  
918 one of the current and valid picture identifications authorized  
919 in s. 101.043(1)(a) for in person voting. The employee of the  
920 supervisor's office must ensure that the name on the  
921 identification provided matches the printed name on the mailing  
922 envelope or the name of the designee on the declaration  
923 described in s. 104.0616(4). If an elector returning the  
924 elector's own ballot is not in possession of the required  
925 identification, the elector must complete a signed attestation  
926 listing the elector's name and stating that the elector did not  
927 have identification on his or her person when returning his or  
928 her own ballot. If the name on the identification provided does  
929 not match the name printed on the mailing envelope, the person  
930 depositing the ballot must provide a declaration described in s.  
931 104.0616(4) which names the person as designee if in their  
932 possession. If the person other than the elector whose ballot is  
933 being deposited does not have a declaration or required  
934 identification, the person may not deposit any ballot unless the  
935 person signs a designee's attestation under penalty of perjury  
936 listing the person's name, stating that the person is expressly  
937 designated to return each ballot deposited that is not his or  
938 her own, listing the person's driver license number, the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

939 person's Florida identification card number, or the last four  
940 digits of the person's social security number or stating that  
941 the person does not have or know any such number, and listing  
942 the names of each elector whose ballot is being deposited and  
943 the relationship of such elector to the person signing the  
944 attestation. The declaration and any attestation required in  
945 this subsection must be deposited into the drop box with the  
946 return mailing envelope. A copy of the declaration or  
947 attestation must be maintained with other election records. Any  
948 designee's attestation that does not list the driver license  
949 number or Florida identification card number of the designee  
950 must be segregated and available for inspection pursuant to s.  
951 119.01(1) by the time the election is certified. On each day a  
952 drop box is in use, the drop box must be emptied at the end of  
953 the day's usage, and more frequently if usage requires, and all  
954 the ballots retrieved from each drop box must be promptly  
955 delivered to the supervisor's office.

956 (e) The Division of Elections may prescribe by rule forms  
957 of the attestations described in paragraph (d) which shall  
958 include notice that making false attestation is a felony of the  
959 third degree under s. 104.032. The division and each supervisor  
960 shall ensure that copies of the attestation forms described in  
961 paragraph (d) and the declaration form described in s.  
962 104.0616(4) are available online and at each supervisor's office  
963 for the convenience of voters. Each supervisor shall ensure that

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

964 copies of the attestation forms described in paragraph (d) are  
965 available at each drop box location.

966 (3) If any drop box is left accessible for ballot receipt  
967 other than as authorized by this section, the supervisor is  
968 subject to a civil penalty of \$25,000. The Division of Elections  
969 is authorized to enforce this provision.

970 Section 24. Paragraphs (a), (b), and (e) of subsection (4)  
971 of section 102.031, Florida Statutes, are amended to read:

972 102.031 Maintenance of good order at polls; authorities;  
973 persons allowed in polling rooms and early voting areas;  
974 unlawful solicitation of voters.-

975 (4) (a) No person, political committee, or other group or  
976 organization may solicit voters inside the polling place or  
977 within 150 feet of a drop box or the entrance to any polling  
978 place, a polling room where the polling place is also a polling  
979 room, an early voting site, or an office of the supervisor where  
980 vote-by-mail ballots are requested and printed on demand for the  
981 convenience of electors who appear in person to request them.  
982 Before the opening of the polling place or early voting site,  
983 the clerk or supervisor shall designate the no-solicitation zone  
984 and mark the boundaries.

985 (b) For the purpose of this subsection, the terms  
986 "solicit" or "solicitation" shall include, but not be limited  
987 to, seeking or attempting to seek any vote, fact, opinion, or  
988 contribution; distributing or attempting to distribute any

107453

Approved For Filing: 4/27/2021 1:33:28 AM



Amendment No.

989 political or campaign material, leaflet, or handout; conducting  
990 a poll except as specified in this paragraph; seeking or  
991 attempting to seek a signature on any petition; ~~and~~ selling or  
992 attempting to sell any item; and engaging in any activity with  
993 the intent to influence or effect of influencing a voter. The  
994 terms "solicit" or "solicitation" may not be construed to  
995 prohibit an employee of, or a volunteer with, the supervisor  
996 from providing nonpartisan assistance to voters within the no-  
997 solicitation zone, including, but not limited to, giving items  
998 to voters, or to prohibit exit polling.

999 (e) The owner, operator, or lessee of the property on  
1000 which a polling place or an early voting site is located, or an  
1001 agent or employee thereof, may not prohibit the solicitation of  
1002 voters by a candidate or a candidate's designee outside of the  
1003 no-solicitation zone during polling hours.

1004 Section 25. Section 102.07, Florida Statutes, is created  
1005 to read:

1006 102.07 Vote-by-mail count reporting.—Beginning at 7:00  
1007 p.m. election day, the supervisor must, at least once every hour  
1008 while actively counting, post on his or her website the number  
1009 of vote-by-mail ballots that have been received and the number  
1010 of vote-by-mail ballots that remain uncounted.

1011 Section 26. Subsection (1) and paragraphs (a) and (b) of  
1012 subsection (2) of section 102.141, Florida Statutes, are amended  
1013 to read:

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1014 102.141 County canvassing board; duties.—

1015 (1) The county canvassing board shall be composed of the  
1016 supervisor of elections; a county court judge, who shall act as  
1017 chair; and the chair of the board of county commissioners. The  
1018 names of the canvassing board members must be published on the  
1019 supervisor's website upon completion of the logic and accuracy  
1020 test. Alternate canvassing board members must be appointed  
1021 pursuant to paragraph (e). In the event any member of the county  
1022 canvassing board is unable to serve, is a candidate who has  
1023 opposition in the election being canvassed, or is an active  
1024 participant in the campaign or candidacy of any candidate who  
1025 has opposition in the election being canvassed, such member  
1026 shall be replaced as follows:

1027 (a) If no county court judge is able to serve or if all  
1028 are disqualified, the chief judge of the judicial circuit in  
1029 which the county is located shall appoint as a substitute member  
1030 a qualified elector of the county who is not a candidate with  
1031 opposition in the election being canvassed and who is not an  
1032 active participant in the campaign or candidacy of any candidate  
1033 with opposition in the election being canvassed. In such event,  
1034 the members of the county canvassing board shall meet and elect  
1035 a chair.

1036 (b) If the supervisor of elections is unable to serve or  
1037 is disqualified, the chair of the board of county commissioners  
1038 shall appoint as a substitute member a member of the board of

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1039 county commissioners who is not a candidate with opposition in  
1040 the election being canvassed and who is not an active  
1041 participant in the campaign or candidacy of any candidate with  
1042 opposition in the election being canvassed. The supervisor,  
1043 however, shall act in an advisory capacity to the canvassing  
1044 board.

1045 (c) If the chair of the board of county commissioners is  
1046 unable to serve or is disqualified, the board of county  
1047 commissioners shall appoint as a substitute member one of its  
1048 members who is not a candidate with opposition in the election  
1049 being canvassed and who is not an active participant in the  
1050 campaign or candidacy of any candidate with opposition in the  
1051 election being canvassed.

1052 (d) If a substitute member or alternate member cannot be  
1053 appointed as provided elsewhere in this subsection, or in the  
1054 event of a vacancy in such office, the chief judge of the  
1055 judicial circuit in which the county is located shall appoint as  
1056 a substitute member or alternate member a qualified elector of  
1057 the county who is not a candidate with opposition in the  
1058 election being canvassed and who is not an active participant in  
1059 the campaign or candidacy of any candidate with opposition in  
1060 the election being canvassed.

1061 (e)1. The chief judge of the judicial circuit in which the  
1062 county is located shall appoint a county court judge as an  
1063 alternate member of the county canvassing board or, if each

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1064 county court judge is unable to serve or is disqualified, shall  
1065 appoint an alternate member who is qualified to serve as a  
1066 substitute member under paragraph (a).

1067 2. The chair of the board of county commissioners shall  
1068 appoint a member of the board of county commissioners as an  
1069 alternate member of the county canvassing board or, if each  
1070 member of the board of county commissioners is unable to serve  
1071 or is disqualified, shall appoint an alternate member who is  
1072 qualified to serve as a substitute member under paragraph (d).

1073 3. If a member of the county canvassing board is unable to  
1074 participate in a meeting of the board, the chair of the county  
1075 canvassing board or his or her designee shall designate which  
1076 alternate member will serve as a member of the board in the  
1077 place of the member who is unable to participate at that  
1078 meeting.

1079 4. If not serving as one of the three members of the  
1080 county canvassing board, an alternate member may be present,  
1081 observe, and communicate with the three members constituting the  
1082 county canvassing board, but may not vote in the board's  
1083 decisions or determinations.

1084 (2) (a) The county canvassing board shall meet in a  
1085 building accessible to the public in the county where the  
1086 election occurred at a time and place to be designated by the  
1087 supervisor to publicly canvass the absent electors' ballots as  
1088 provided for in s. 101.68 and provisional ballots as provided by

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1089 ss. 101.048, 101.049, and 101.6925. During each meeting of the  
1090 county canvassing board, each political party and each candidate  
1091 may have one watcher able to view directly or on a display  
1092 screen ballots being examined for signature matching and other  
1093 processes. Provisional ballots cast pursuant to s. 101.049 shall  
1094 be canvassed in a manner that votes for candidates and issues on  
1095 those ballots can be segregated from other votes. As soon as the  
1096 absent electors' ballots and the provisional ballots are  
1097 canvassed, the board shall proceed to publicly canvass the vote  
1098 given each candidate, nominee, constitutional amendment, or  
1099 other measure submitted to the electorate of the county, as  
1100 shown by the returns then on file in the office of the  
1101 supervisor.

1102 (b) Public notice of the canvassing board members,  
1103 alternates, time, and place at which the county canvassing board  
1104 shall meet to canvass the absent electors' ballots and  
1105 provisional ballots must be given at least 48 hours prior  
1106 thereto by publication on the supervisor's website and published  
1107 in one or more newspapers of general circulation in the county  
1108 or, if there is no newspaper of general circulation in the  
1109 county, by posting such notice in at least four conspicuous  
1110 places in the county. The time given in the notice as to the  
1111 convening of the meeting of the county canvassing board must be  
1112 specific and may not be a time period during which the board may  
1113 meet.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1114 Section 27. Section 104.032, Florida Statutes, is created  
1115 to read:

1116 104.032 False declaration or attestation regarding vote-  
1117 by-mail ballots.-Any person who makes a false declaration under  
1118 s. 104.0616(4) to distribute, order, request, collect, deliver,  
1119 or possess the vote-by-mail ballot of another person or makes a  
1120 false attestation under s. 101.69(2)(d) is guilty of a felony of  
1121 the third degree, punishable as provided in s. 775.082, s.  
1122 775.083, or s. 775.084.

1123 Section 28. Section 104.0616, Florida Statutes, is amended  
1124 to read:

1125 104.0616 Vote-by-mail ballots and voting; violations.-

1126 (1) For purposes of this section, the term "immediate  
1127 family" means a person's spouse or the parent, child,  
1128 grandparent, grandchild, or sibling of the person or the  
1129 person's spouse.

1130 (2) Any person who distributes, orders, requests,  
1131 collects, delivers, provides or offers to provide, and any  
1132 person who accepts, a pecuniary or other benefit in exchange for  
1133 distributing, ordering, requesting, collecting, delivering, or  
1134 otherwise physically possesses a vote-by-mail ballot of another  
1135 person, except for a designee as provided in subsection (3) or  
1136 possessing more than two vote-by-mail ballots per election in  
1137 addition to his or her own ballot or a ballot belonging to an  
1138 immediate family member, except as authorized provided in s.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1139 101.62 or s. 101.655 ~~ss. 101.6105-101.694~~, commits a misdemeanor  
1140 of the first degree, punishable as provided in s. 775.082, s.  
1141 775.083, or s. 775.084.

1142 (3) A person may distribute, order, request, collect,  
1143 deliver, or possess the vote-by-mail ballot of another person if  
1144 expressly designated to do so for:

1145 (a) An immediate family member.

1146 (b) Two other voters in an election.

1147 (4) An express designation may be evidenced through a  
1148 declaration as provided in this subsection. A person designated  
1149 to distribute, order, request, collect, deliver, or possess the  
1150 vote-by-mail ballot of another person may carry with him or her  
1151 a declaration for each ballot possessed, signed by the voter and  
1152 the designee in substantially the following form:

1153 DECLARATION TO POSSESS BALLOT BELONGING TO PERSON

1154 INCLUDING AN IMMEDIATE FAMILY MEMBER

1155 I, (print name of designee), have been designated  
1156 by (print name of voter whose ballot you are handling)  
1157 to possess such individual's vote-by-mail ballot. I  
1158 acknowledge that making a false declaration to  
1159 distribute, order, request, collect, deliver, or  
1160 possess the vote-by-mail ballot of another person is a  
1161 felony of the third degree, punishable under s.  
1162 104.032, Florida Statutes.

1163

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

...(signature of voter whose ballot is being carried)...

...(date voter signed declaration)...

...(signature of designee)...

...(date designee signed)...

...(relationship of designee to voter)...

Section 29. This act shall take effect upon becoming a law.

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**T I T L E A M E N D M E N T**

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to elections; creating s. 97.029, F.S.; prohibiting certain persons from settling certain actions, consenting to conditions, or agreeing to certain orders in certain circumstances; requiring certain persons to make certain legal challenges and move to dismiss or otherwise terminate a court's jurisdiction in certain circumstances; amending s.

107453

Approved For Filing: 4/27/2021 1:33:28 AM



Amendment No.

1189 97.052, F.S.; revising the information that the  
1190 uniform statewide voter registration application must  
1191 be designed to elicit from applicants; amending s.  
1192 97.0525, F.S.; requiring the Division of Elections to  
1193 maintain a certain Internet website; providing  
1194 additional requirements for a biennial comprehensive  
1195 risk assessment of the online voter registration  
1196 system; amending s. 97.053, F.S.; revising the  
1197 criteria for determining if a voter registration  
1198 application is complete; amending s. 97.057, F.S.;  
1199 requiring the Department of Highway Safety and Motor  
1200 Vehicle to assist the Department of State in  
1201 identifying certain residence address changes;  
1202 requiring the Department of State to report such  
1203 changes to supervisors of elections; amending s.  
1204 97.0575, F.S.; revising the requirements for third-  
1205 party voter registration organizations; providing  
1206 applicability; revising the circumstances under which  
1207 fines may be imposed for voter registration  
1208 applications; revising the requirements for rules that  
1209 the Division of Elections must adopt; amending s.  
1210 97.1031, F.S.; revising information that an elector  
1211 must provide to a supervisor of elections when the  
1212 elector changes his or her residence address, party  
1213 affiliation, or name; creating s. 97.106, F.S.;

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1214 prohibiting certain agencies and state and local  
1215 officials from engaging in certain acts relating to  
1216 elections; amending s. 98.0981, F.S.; providing that  
1217 certain ballot types or precinct subtotals may not be  
1218 reported in precinct-level election results; requiring  
1219 supervisors of elections to make certain data  
1220 available on their websites and transmit such data to  
1221 the division; requiring the division to create and  
1222 maintain a certain dashboard; amending s. 99.012,  
1223 F.S.; removing provisions relating to the method of  
1224 filling a vacancy created by an officer's resignation  
1225 to qualify as a candidate for another public office;  
1226 amending s. 100.111, F.S.; revising the method of  
1227 filling a vacancy in nomination for a political party;  
1228 amending s. 101.051, F.S.; revising the distance  
1229 certain persons must maintain at a polling place, drop  
1230 box site, or early voting site; amending s. 101.131,  
1231 F.S.; revising requirements for poll watcher  
1232 identification badges; amending s. 101.545, F.S.;  
1233 requiring ballots, forms, and election materials to be  
1234 retained for a specified minimum time; amending s.  
1235 101.5605, F.S.; revising the timeframe within which  
1236 the department shall approve or disapprove a voting  
1237 system that is submitted for approval; amending s.  
1238 101.5614, F.S.; revising requirements for making true

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1239 duplicate copies of vote-by-mail ballots under certain  
1240 circumstances; requiring that an observer of the  
1241 duplication of ballots be provided certain allowances;  
1242 requiring that the duplication process must take place  
1243 in the presence of a canvassing board member;  
1244 requiring a canvassing board to make certain  
1245 determinations; amending s. 101.572, F.S.; requiring  
1246 that voter certificates be open for public inspection;  
1247 providing certain persons with reasonable access to  
1248 ballot materials; requiring a supervisor to publish  
1249 notice of such access; amending s. 101.591, F.S.;  
1250 revising the timeframe and requirements for the report  
1251 of the results of the audit submitted to the  
1252 department; amending s. 101.595, F.S.; providing  
1253 additional requirements for a specified report;  
1254 revising the date by which the report must be  
1255 submitted; amending s. 101.62, F.S.; revising the  
1256 effective length of time for requests for vote-by-mail  
1257 ballots from electors; providing requirements for  
1258 specified requests for vote-by-mail ballots; revising  
1259 information that electors requesting such ballots must  
1260 disclose; providing information that the supervisor of  
1261 elections must record for each request for a vote-by-  
1262 mail ballot; revising the list of people to whom the  
1263 supervisor of elections may deliver vote-by-mail

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1264 ballots; prohibiting counties, municipalities, and  
1265 state agencies from sending vote-by-mail ballots  
1266 unless specified requirements are met; providing an  
1267 exception; amending s. 101.64, F.S.; revising the  
1268 requirements for delivery of vote-by-mail ballots;  
1269 amending s. 101.68, F.S.; providing requirements for a  
1270 supervisor; revising the timeframe for the beginning  
1271 of the canvassing of vote-by-mail ballots by the  
1272 county canvassing board; revising the duties of the  
1273 canvassing board under specified circumstances;  
1274 amending s. 101.69, F.S.; revising the requirements  
1275 for the return of vote-by-mail ballots; providing  
1276 requirements for secure drop boxes; requiring a person  
1277 returning a ballot by use of a drop box to present  
1278 certain identification; requiring that certain persons  
1279 provide a certain declaration or attestation with  
1280 certain vote-by-mail ballots that are returned to a  
1281 drop box; requiring that certain attestations be  
1282 segregated by a certain time; requiring that copies of  
1283 such declaration and attestation forms be made  
1284 available in a certain manner; providing that a  
1285 supervisor of elections is subject to a civil penalty  
1286 in certain circumstances; amending s. 102.031, F.S.;  
1287 prohibiting the solicitation of voters within a  
1288 certain distance of a drop box; revising the

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1289 definition of the terms "solicit" and "solicitation";  
1290 prohibiting certain persons from prohibiting the  
1291 solicitation of voters by a candidate or a candidate's  
1292 designee outside of a no-solicitation zone; creating  
1293 s. 102.07, F.S.; requiring the supervisor of elections  
1294 to post and update on his or her website certain  
1295 information at specified intervals; amending s.  
1296 102.141, F.S.; requiring that certain information be  
1297 published on the supervisor of election's website;  
1298 providing that each political party and candidate may  
1299 have one watcher able to view certain ballots during  
1300 each meeting of a county canvassing board; requiring  
1301 additional information to be made available for public  
1302 notices of county canvassing board meetings; creating  
1303 s. 104.032, F.S.; prohibiting the making of a false  
1304 declaration or a false attestation for certain  
1305 purposes; providing criminal penalties; amending s.  
1306 104.0616, F.S.; revising the definition of the term  
1307 "immediate family"; revising the acts that result in a  
1308 misdemeanor relating to vote-by-mail ballots;  
1309 authorizing a person to distribute, order, request,  
1310 collect, deliver, or possess the vote-by-mail ballot  
1311 of another person in certain circumstances; providing  
1312 that such person may carry a certain declaration;  
1313 providing an effective date.

107453

Approved For Filing: 4/27/2021 1:33:28 AM

Amendment No.

1314

107453

Approved For Filing: 4/27/2021 1:33:28 AM