

Amendment No.

CHAMBER ACTION

Senate

House

.

Representative Bartleman offered the following:

Amendment to Amendment (107453) (with title amendment)

Remove lines 912-1173 and insert:

also return the elector's ballot to a drop box if he or she is expressly designated as required by s. 104.0616(3).

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

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

102.031 Maintenance of good order at polls; authorities;

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14 persons allowed in polling rooms and early voting areas;
15 unlawful solicitation of voters.—

16 (4) (a) No person, political committee, or other group or
17 organization may solicit voters inside the polling place or
18 within 150 feet of a drop box or the entrance to any polling
19 place, a polling room where the polling place is also a polling
20 room, an early voting site, or an office of the supervisor where
21 vote-by-mail ballots are requested and printed on demand for the
22 convenience of electors who appear in person to request them.
23 Before the opening of the polling place or early voting site,
24 the clerk or supervisor shall designate the no-solicitation zone
25 and mark the boundaries.

26 (b) For the purpose of this subsection, the terms
27 "solicit" or "solicitation" shall include, but not be limited
28 to, seeking or attempting to seek any vote, fact, opinion, or
29 contribution; distributing or attempting to distribute any
30 political or campaign material, leaflet, or handout; conducting
31 a poll except as specified in this paragraph; seeking or
32 attempting to seek a signature on any petition; ~~and~~ selling or
33 attempting to sell any item; and engaging in any activity with
34 the intent to influence or effect of influencing a voter. The
35 terms "solicit" or "solicitation" may not be construed to
36 prohibit an employee of, or a volunteer with, the supervisor
37 from providing nonpartisan assistance to voters within the no-
38 solicitation zone, including, but not limited to, giving items

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39 | to voters, or to prohibit exit polling.

40 | (e) The owner, operator, or lessee of the property on
41 | which a polling place or an early voting site is located, or an
42 | agent or employee thereof, may not prohibit the solicitation of
43 | voters by a candidate or a candidate's designee outside of the
44 | no-solicitation zone during polling hours.

45 | Section 25. Section 102.07, Florida Statutes, is created
46 | to read:

47 | 102.07 Vote-by-mail count reporting.—Beginning at 7:00
48 | p.m. election day, the supervisor must, at least once every hour
49 | while actively counting, post on his or her website the number
50 | of vote-by-mail ballots that have been received and the number
51 | of vote-by-mail ballots that remain uncounted.

52 | Section 26. Subsection (1) and paragraphs (a) and (b) of
53 | subsection (2) of section 102.141, Florida Statutes, are amended
54 | to read:

55 | 102.141 County canvassing board; duties.—

56 | (1) The county canvassing board shall be composed of the
57 | supervisor of elections; a county court judge, who shall act as
58 | chair; and the chair of the board of county commissioners. The
59 | names of the canvassing board members must be published on the
60 | supervisor's website upon completion of the logic and accuracy
61 | test. Alternate canvassing board members must be appointed
62 | pursuant to paragraph (e). In the event any member of the county
63 | canvassing board is unable to serve, is a candidate who has

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64 opposition in the election being canvassed, or is an active
65 participant in the campaign or candidacy of any candidate who
66 has opposition in the election being canvassed, such member
67 shall be replaced as follows:

68 (a) If no county court judge is able to serve or if all
69 are disqualified, the chief judge of the judicial circuit in
70 which the county is located shall appoint as a substitute member
71 a qualified elector of the county who is not a candidate with
72 opposition in the election being canvassed and who is not an
73 active participant in the campaign or candidacy of any candidate
74 with opposition in the election being canvassed. In such event,
75 the members of the county canvassing board shall meet and elect
76 a chair.

77 (b) If the supervisor of elections is unable to serve or
78 is disqualified, the chair of the board of county commissioners
79 shall appoint as a substitute member a member of the board of
80 county commissioners who is not a candidate with opposition in
81 the election being canvassed and who is not an active
82 participant in the campaign or candidacy of any candidate with
83 opposition in the election being canvassed. The supervisor,
84 however, shall act in an advisory capacity to the canvassing
85 board.

86 (c) If the chair of the board of county commissioners is
87 unable to serve or is disqualified, the board of county
88 commissioners shall appoint as a substitute member one of its

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89 members who is not a candidate with opposition in the election
90 being canvassed and who is not an active participant in the
91 campaign or candidacy of any candidate with opposition in the
92 election being canvassed.

93 (d) If a substitute member or alternate member cannot be
94 appointed as provided elsewhere in this subsection, or in the
95 event of a vacancy in such office, the chief judge of the
96 judicial circuit in which the county is located shall appoint as
97 a substitute member or alternate member a qualified elector of
98 the county who is not a candidate with opposition in the
99 election being canvassed and who is not an active participant in
100 the campaign or candidacy of any candidate with opposition in
101 the election being canvassed.

102 (e)1. The chief judge of the judicial circuit in which the
103 county is located shall appoint a county court judge as an
104 alternate member of the county canvassing board or, if each
105 county court judge is unable to serve or is disqualified, shall
106 appoint an alternate member who is qualified to serve as a
107 substitute member under paragraph (a).

108 2. The chair of the board of county commissioners shall
109 appoint a member of the board of county commissioners as an
110 alternate member of the county canvassing board or, if each
111 member of the board of county commissioners is unable to serve
112 or is disqualified, shall appoint an alternate member who is
113 qualified to serve as a substitute member under paragraph (d).

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114 3. If a member of the county canvassing board is unable to
115 participate in a meeting of the board, the chair of the county
116 canvassing board or his or her designee shall designate which
117 alternate member will serve as a member of the board in the
118 place of the member who is unable to participate at that
119 meeting.

120 4. If not serving as one of the three members of the
121 county canvassing board, an alternate member may be present,
122 observe, and communicate with the three members constituting the
123 county canvassing board, but may not vote in the board's
124 decisions or determinations.

125 (2) (a) The county canvassing board shall meet in a
126 building accessible to the public in the county where the
127 election occurred at a time and place to be designated by the
128 supervisor to publicly canvass the absent electors' ballots as
129 provided for in s. 101.68 and provisional ballots as provided by
130 ss. 101.048, 101.049, and 101.6925. During each meeting of the
131 county canvassing board, each political party and each candidate
132 may have one watcher able to view directly or on a display
133 screen ballots being examined for signature matching and other
134 processes. Provisional ballots cast pursuant to s. 101.049 shall
135 be canvassed in a manner that votes for candidates and issues on
136 those ballots can be segregated from other votes. As soon as the
137 absent electors' ballots and the provisional ballots are
138 canvassed, the board shall proceed to publicly canvass the vote

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139 given each candidate, nominee, constitutional amendment, or
140 other measure submitted to the electorate of the county, as
141 shown by the returns then on file in the office of the
142 supervisor.

143 (b) Public notice of the canvassing board members,
144 alternates, time, and place at which the county canvassing board
145 shall meet to canvass the absent electors' ballots and
146 provisional ballots must be given at least 48 hours prior
147 thereto by publication on the supervisor's website and published
148 in one or more newspapers of general circulation in the county
149 or, if there is no newspaper of general circulation in the
150 county, by posting such notice in at least four conspicuous
151 places in the county. The time given in the notice as to the
152 convening of the meeting of the county canvassing board must be
153 specific and may not be a time period during which the board may
154 meet.

155 Section 27. Section 104.0616, Florida Statutes, is amended
156 to read:

157 104.0616 Vote-by-mail ballots and voting; violations.—

158 (1) For purposes of this section, the term "immediate
159 family" means a person's spouse or the parent, child,
160 grandparent, grandchild, or sibling of the person or the
161 person's spouse.

162 (2) Any person who distributes, orders, requests,
163 collects, delivers, ~~provides or offers to provide, and any~~

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164 ~~person who accepts, a pecuniary or other benefit in exchange for~~
 165 ~~distributing, ordering, requesting, collecting, delivering, or~~
 166 ~~otherwise physically possesses a vote-by-mail ballot of another~~
 167 ~~person, except for a designee as provided in subsection (3) or~~
 168 ~~possessing more than two vote-by-mail ballots per election in~~
 169 ~~addition to his or her own ballot or a ballot belonging to an~~
 170 ~~immediate family member, except as authorized provided in s.~~
 171 ~~101.62 or s. 101.655 ss. 101.6105-101.694, commits a misdemeanor~~
 172 ~~of the first degree, punishable as provided in s. 775.082, s.~~
 173 ~~775.083, or s. 775.084.~~

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

- 177 (a) An immediate family member.
- 178 (b) Two other voters in an election.

180 -----
 181 **T I T L E A M E N D M E N T**

182 Remove lines 1276-1312 and insert:
 183 requirements for secure drop boxes; providing that a
 184 supervisor of elections is subject to a civil penalty
 185 in certain circumstances; amending s. 102.031, F.S.;
 186 prohibiting the solicitation of voters within a
 187 certain distance of a drop box; revising the
 188 definition of the terms "solicit" and "solicitation";

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189 prohibiting certain persons from prohibiting the
190 solicitation of voters by a candidate or a candidate's
191 designee outside of a no-solicitation zone; creating
192 s. 102.07, F.S.; requiring the supervisor of elections
193 to post and update on his or her website certain
194 information at specified intervals; amending s.
195 102.141, F.S.; requiring that certain information be
196 published on the supervisor of election's website;
197 providing that each political party and candidate may
198 have one watcher able to view certain ballots during
199 each meeting of a county canvassing board; requiring
200 additional information to be made available for public
201 notices of county canvassing board meetings; amending
202 s. 104.0616, F.S.; revising the definition of the term
203 "immediate family"; revising the acts that result in a
204 misdemeanor relating to vote-by-mail ballots;
205 authorizing a person to distribute, order, request,
206 collect, deliver, or possess the vote-by-mail ballot
207 of another person in certain circumstances;

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