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LEGISLATIVE ACTION

Senate

.

House

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Floor: 11/F/2R

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04/22/2021 12:12 PM

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Senator Cruz moved the following:

Senate Amendment (with title amendment)

Delete lines 919 - 921

and insert:

Section 21. Section 101.65, Florida Statutes, is amended to read:

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



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READ THESE INSTRUCTIONS CAREFULLY
BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your vote-by-mail ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your vote-by-mail ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election. Note that the later you return your ballot, the less time you will have to cure any signature deficiencies, which is authorized until 5 p.m. on the 2nd day after the election.

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

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

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

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



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

43 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
44 be counted, you must sign your name on the line above (Voter's
45 Signature). A vote-by-mail ballot will be considered illegal and
46 not be counted if the signature on the voter's certificate does
47 not match the signature on record. The signature on file at the
48 time the supervisor of elections in the county in which your
49 precinct is located receives your vote-by-mail ballot is the
50 signature that will be used to verify your signature on the
51 voter's certificate. If you need to update your signature for
52 this election, send your signature update on a voter
53 registration application to your supervisor of elections so that
54 it is received before your vote-by-mail ballot is received.

55 8. VERY IMPORTANT. If you are an overseas voter, you must
56 include the date you signed the Voter's Certificate on the line
57 above (Date) or your ballot may not be counted.

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

64 10. FELONY NOTICE. It is a felony under Florida law to
65 accept any gift, payment, or gratuity in exchange for your vote
66 for a candidate. It is also a felony under Florida law to vote
67 in an election using a false identity or false address, or under
68 any other circumstances making your ballot false or fraudulent.

69 Section 22. Subsection (2) of section 101.6921, Florida



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70 Statutes, is amended to read:

71 101.6921 Delivery of special vote-by-mail ballot to certain
72 first-time voters.—

73 (2) The supervisor shall enclose with each vote-by-mail
74 ballot three envelopes: a secrecy envelope, into which the
75 absent elector will enclose his or her marked ballot; an
76 envelope containing the Voter's Certificate, into which the
77 absent elector shall place the secrecy envelope; and a postage
78 paid mailing envelope, which shall be addressed to the
79 supervisor and into which the absent elector will place the
80 envelope containing the Voter's Certificate and a copy of the
81 required identification.

82 Section 23. Subsection (2) of section 101.6923, Florida
83 Statutes, is amended to read:

84 101.6923 Special vote-by-mail ballot instructions for
85 certain first-time voters.—

86 (2) A voter covered by this section shall be provided with
87 printed instructions with his or her vote-by-mail ballot in
88 substantially the following form:

89
90 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
91 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
92 YOUR BALLOT NOT TO COUNT.

93
94 1. In order to ensure that your vote-by-mail ballot will be
95 counted, it should be completed and returned as soon as possible
96 so that it can reach the supervisor of elections of the county
97 in which your precinct is located no later than 7 p.m. on the
98 date of the election. However, if you are an overseas voter



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99 casting a ballot in a presidential preference primary or general
100 election, your vote-by-mail ballot must be postmarked or dated
101 no later than the date of the election and received by the
102 supervisor of elections of the county in which you are
103 registered to vote no later than 10 days after the date of the
104 election.

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

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

112 4. Place your marked ballot in the enclosed secrecy
113 envelope and seal the envelope.

114 5. Insert the secrecy envelope into the enclosed envelope
115 bearing the Voter's Certificate. Seal the envelope and
116 completely fill out the Voter's Certificate on the back of the
117 envelope.

118 a. You must sign your name on the line above (Voter's
119 Signature).

120 b. If you are an overseas voter, you must include the date
121 you signed the Voter's Certificate on the line above (Date) or
122 your ballot may not be counted.

123 c. A vote-by-mail ballot will be considered illegal and
124 will not be counted if the signature on the Voter's Certificate
125 does not match the signature on record. The signature on file at
126 the start of the canvass of the vote-by-mail ballots is the
127 signature that will be used to verify your signature on the



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128 Voter's Certificate. If you need to update your signature for
129 this election, send your signature update on a voter
130 registration application to your supervisor of elections so that
131 it is received before your vote-by-mail ballot is received.

132 6. Unless you meet one of the exemptions in Item 7., you
133 must make a copy of one of the following forms of
134 identification:

135 a. Identification which must include your name and
136 photograph: United States passport; debit or credit card;
137 military identification; student identification; retirement
138 center identification; neighborhood association identification;
139 public assistance identification; veteran health identification
140 card issued by the United States Department of Veterans Affairs;
141 a Florida license to carry a concealed weapon or firearm; or an
142 employee identification card issued by any branch, department,
143 agency, or entity of the Federal Government, the state, a
144 county, or a municipality; or

145 b. Identification which shows your name and current
146 residence address: current utility bill, bank statement,
147 government check, paycheck, or government document (excluding
148 voter information card).

149 7. The identification requirements of Item 6. do not apply
150 if you meet one of the following requirements:

151 a. You are 65 years of age or older.
152 b. You have a temporary or permanent physical disability.
153 c. You are a member of a uniformed service on active duty
154 who, by reason of such active duty, will be absent from the
155 county on election day.

156 d. You are a member of the Merchant Marine who, by reason



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157 of service in the Merchant Marine, will be absent from the
158 county on election day.

159 e. You are the spouse or dependent of a member referred to
160 in paragraph c. or paragraph d. who, by reason of the active
161 duty or service of the member, will be absent from the county on
162 election day.

163 f. You are currently residing outside the United States.

164 8. Place the envelope bearing the Voter's Certificate into
165 the mailing envelope addressed to the supervisor. Insert a copy
166 of your identification in the mailing envelope. DO NOT PUT YOUR
167 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
168 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
169 BALLOT WILL NOT COUNT.

170 9. Mail, deliver, or have delivered the completed mailing
171 envelope. ~~Be sure there is sufficient postage if mailed.~~

172 10. FELONY NOTICE. It is a felony under Florida law to
173 accept any gift, payment, or gratuity in exchange for your vote
174 for a candidate. It is also a felony under Florida law to vote
175 in an election using a false identity or false address, or under
176 any other circumstances making your ballot false or fraudulent.

177 Section 24. Subsection (1) of section 101.64, Florida
178 Statutes, is amended, and subsection (6) is added to that
179 section, to read:

180 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

181 (1) The supervisor shall enclose with each vote-by-mail
182 ballot two envelopes: a secrecy envelope, into which the absent
183 elector shall enclose his or her marked ballot; and a postage
184 paid mailing envelope, into which the absent elector shall then
185 place the secrecy envelope, which shall be addressed to the



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186 supervisor and also bear on the back side a certificate in
187 substantially the following form:

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

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192 VOTER'S CERTIFICATE

193 I,, do solemnly swear or affirm that I am a qualified
194 and registered voter of County, Florida, and that I have
195 not and will not vote more than one ballot in this election. I
196 understand that if I commit or attempt to commit any fraud in
197 connection with voting, vote a fraudulent ballot, or vote more
198 than once in an election, I can be convicted of a felony of the
199 third degree and fined up to \$5,000 and/or imprisoned for up to
200 5 years. I also understand that failure to sign this certificate
201 will invalidate my ballot.

202 ... (Date) ... (Voter's Signature) ...
203 ... (E-Mail Address) ... (Home Telephone Number) ...
204 ... (Mobile Telephone Number) ...

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206

207

208 ===== T I T L E A M E N D M E N T =====

209 And the title is amended as follows:

210 Delete line 101

211 and insert:

212 exceptions; amending ss. 101.65, 101.6921, and
213 101.6923, F.S.; requiring the supervisor of elections
214 to enclose a postage paid mailing envelope with each



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215 | vote-by-mail ballot; conforming provisions to changes
216 | made by the act; amending s. 101.64, F.S.; requiring
217 | the supervisor of elections to enclose a postage paid
218 | mailing envelope with each vote-by-mail ballot;
219 | prohibiting the