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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
04/20/2021	.	
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The Committee on Rules (Baxley) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Paragraph (t) of subsection (2) of section
97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—

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

(t)~~1~~. Whether the applicant has ~~never~~ been convicted of a



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12 felony and, if convicted, has had his or her voting rights
13 restored by including the statement "I affirm that I am not a
14 convicted felon or, if I am, my right to vote has been restored
15 ~~I have never been convicted of a felony."~~ and providing a box
16 for the applicant to check to affirm the statement.

17 ~~2. Whether the applicant has been convicted of a felony,~~
18 ~~and if convicted, has had his or her civil rights restored~~
19 ~~through executive clemency, by including the statement "If I~~
20 ~~have been convicted of a felony, I affirm my voting rights have~~
21 ~~been restored by the Board of Executive Clemency."~~ and providing
22 a box for the applicant to check to affirm the statement.

23 ~~3. Whether the applicant has been convicted of a felony~~
24 ~~and, if convicted, has had his or her voting rights restored~~
25 ~~pursuant s. 4, Art. VI of the State Constitution, by including~~
26 ~~the statement "If I have been convicted of a felony, I affirm my~~
27 ~~voting rights have been restored pursuant to s. 4, Art. VI of~~
28 ~~the State Constitution upon the completion of all terms of my~~
29 ~~sentence, including parole or probation."~~ and providing a box
30 for the applicant to check to affirm the statement.

31 Section 2. Effective July 1, 2022, subsections (1) and (2),
32 paragraph (a) of subsection (3), and subsection (4) of section
33 97.0525, Florida Statutes, are amended to read:

34 97.0525 Online voter registration.—

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

38 (2) The division shall establish and maintain a secure
39 ~~Internet~~ website that safeguards an applicant's information to
40 ensure data integrity and permits an applicant to:



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41 (a) Submit a voter registration application, including
42 first-time voter registration applications and updates to
43 current voter registration records.

44 (b) Submit information necessary to establish an
45 applicant's eligibility to vote, pursuant to s. 97.041, which
46 includes the information required for the uniform statewide
47 voter registration application pursuant to s. 97.052(2).

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

49 (3)(a) The online voter registration system must ~~shall~~
50 comply with the information technology security provisions of s.
51 282.318 and must ~~shall~~ use a unique identifier for each
52 applicant to prevent unauthorized persons from altering a
53 voter's registration information. For an applicant to update his
54 or her voter registration record, he or she must provide his or
55 her date of birth and either his or her Florida driver license
56 number or the identification number from a Florida
57 identification card issued under s. 322.051 or the last four
58 digits of the his or her social security number if the applicant
59 has not been issued a Florida driver license or identification
60 card.

61 (4)(a) In order to submit a voter registration application
62 through the online voter registration system, an applicant must
63 provide his or her Florida driver license number or the
64 identification number from a Florida identification card issued
65 under s. 322.051; or if an applicant has not been issued a
66 Florida driver license or Florida identification card, he or she
67 must provide the last four digits of the applicant's social
68 security number.

69 (b)1. If the applicant has submitted his or her Florida



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70 driver license number or the identification number from a
71 Florida identification card with a voter registration
72 application, the online voter registration system shall compare
73 the Florida driver license number or Florida identification
74 number ~~submitted pursuant to s. 97.052(2)(n)~~ with information
75 maintained by the Department of Highway Safety and Motor
76 Vehicles to confirm that the name and date of birth on the
77 application are consistent with the records of the Department of
78 Highway Safety and Motor Vehicles.

79 2.~~(b)~~ If the applicant's name and date of birth are
80 consistent with the records of the Department of Highway Safety
81 and Motor Vehicles, the online voter registration system shall
82 transmit, using the statewide voter registration system
83 maintained pursuant to s. 98.035, the applicant's registration
84 application, along with the digital signature of the applicant
85 on file with the Department of Highway Safety and Motor
86 Vehicles, to the supervisor of elections. The applicant's
87 digital signature satisfies the signature requirement of s.
88 97.052(2)(q).

89 (c)1. If the applicant has submitted the last four digits
90 of his or her social security number, the online voter
91 registration system must verify the last four digits of the
92 social security number in accordance with s. 97.053(6).

93 2. If the last four digits of the applicant's social
94 security number are verified pursuant to s. 97.053(6), the
95 online voter registration system shall transmit, using the
96 statewide voter registration system maintained pursuant to s.
97 98.035, the applicant's registration application to the
98 supervisor of elections.



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99 (d) If the applicant's name and date of birth cannot be
100 verified by the records of the Department of Highway Safety and
101 Motor Vehicles, or if the last four digits of the applicant's
102 social security number cannot be verified ~~applicant indicated~~
103 ~~that he or she has not been issued a Florida driver license or~~
104 ~~Florida identification card~~, the online voter registration
105 system shall populate the applicant's information into a
106 printable voter registration application pursuant to s.
107 97.052(2) and direct the applicant to print, sign, and date the
108 application and deliver the application to the supervisor of
109 elections for disposition pursuant to s. 97.073.

110 Section 3. Paragraph (a) of subsection (5) and subsection
111 (6) of section 97.053, Florida Statutes, are amended to read:

112 97.053 Acceptance of voter registration applications.—

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

116 1. The applicant's name.

117 2. The applicant's address of legal residence, including a
118 distinguishing apartment, suite, lot, room, or dormitory room
119 number or other identifier, if appropriate. Failure to include a
120 distinguishing apartment, suite, lot, room, or dormitory room or
121 other identifier on a voter registration application does not
122 impact a voter's eligibility to register to vote or cast a
123 ballot, and such an omission may not serve as the basis for a
124 challenge to a voter's eligibility or reason to not count a
125 ballot.

126 3. The applicant's date of birth.

127 4. A mark in the checkbox affirming that the applicant is a



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128 citizen of the United States.

129 5.a. The applicant's current and valid Florida driver
130 license number or the identification number from a Florida
131 identification card issued under s. 322.051, or

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

135

136 In case an applicant has not been issued a current and valid
137 Florida driver license, Florida identification card, or social
138 security number, the applicant shall affirm this fact in the
139 manner prescribed in the uniform statewide voter registration
140 application.

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

146 7. A mark in the checkbox affirming that the applicant has
147 not been adjudicated mentally incapacitated with respect to
148 voting or that, if so adjudicated, has had his or her right to
149 vote restored.

150 8. The original signature or a digital signature
151 transmitted by the Department of Highway Safety and Motor
152 Vehicles of the applicant swearing or affirming under the
153 penalty for false swearing pursuant to s. 104.011 that the
154 information contained in the registration application is true
155 and subscribing to the oath required by s. 3, Art. VI of the
156 State Constitution and s. 97.051.



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157 (6) A voter registration application, including an
158 application with a change in name, address, or party
159 affiliation, may be accepted as valid only after the department
160 has verified the authenticity or nonexistence of the driver
161 license number, the Florida identification card number, or the
162 last four digits of the social security number provided by the
163 applicant. If a completed voter registration application has
164 been received by the book-closing deadline but the driver
165 license number, the Florida identification card number, or the
166 last four digits of the social security number provided by the
167 applicant cannot be verified, the applicant shall be notified
168 that the number cannot be verified and that the applicant must
169 provide evidence to the supervisor sufficient to verify the
170 authenticity of the applicant's driver license number, Florida
171 identification card number, or last four digits of the social
172 security number. If the applicant provides the necessary
173 evidence, the supervisor shall place the applicant's name on the
174 registration rolls as an active voter. If the applicant has not
175 provided the necessary evidence or the number has not otherwise
176 been verified prior to the applicant presenting himself or
177 herself to vote, the applicant shall be provided a provisional
178 ballot. The provisional ballot shall be counted only if the
179 number is verified by the end of the canvassing period or if the
180 applicant presents evidence to the supervisor of elections
181 sufficient to verify the authenticity of the applicant's driver
182 license number, Florida identification card number, or last four
183 digits of the social security number no later than 5 p.m. of the
184 second day following the election.

185 Section 4. Subsection (13) is added to section 97.057,



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186 Florida Statutes, to read:

187 97.057 Voter registration by the Department of Highway
188 Safety and Motor Vehicles.—

189 (13) The Department of Highway Safety and Motor Vehicles
190 must assist the Department of State in regularly identifying
191 changes in residence address on the driver license or
192 identification card of a voter. The Department of State must
193 report each such change to the appropriate supervisor of
194 elections, who must change the voter's registration records in
195 accordance with s. 98.065(4).

196 Section 5. Paragraphs (c) and (d) of subsection (1),
197 paragraph (a) of subsection (3), and subsection (5) of section
198 97.0575, Florida Statutes, are amended to read:

199 97.0575 Third-party voter registrations.—

200 (1) Before engaging in any voter registration activities, a
201 third-party voter registration organization must register and
202 provide to the division, in an electronic format, the following
203 information:

204 (c) The names, permanent addresses, and temporary
205 addresses, if any, of each registration agent registering
206 persons to vote in this state on behalf of the organization.
207 This paragraph does not apply to persons who only solicit
208 applications and do not collect or handle voter registration
209 applications.

210 ~~(d) A sworn statement from each registration agent employed~~
211 ~~by or volunteering for the organization stating that the agent~~
212 ~~will obey all state laws and rules regarding the registration of~~
213 ~~voters. Such statement must be on a form containing notice of~~
214 ~~applicable penalties for false registration.~~



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215 (3) (a) A third-party voter registration organization that
216 collects voter registration applications serves as a fiduciary
217 to the applicant, ensuring that any voter registration
218 application entrusted to the organization, irrespective of party
219 affiliation, race, ethnicity, or gender, must ~~shall~~ be promptly
220 delivered to the division or the supervisor of elections in the
221 county in which the applicant resides within 14 days after the
222 applicant completes it, but not after registration closes for
223 the next ensuing election. A third-party voter registration
224 organization must notify the applicant at the time the
225 application is collected that the organization might not deliver
226 the application to the division or the supervisor of elections
227 in less than 14 days or before registration closes for the next
228 ensuing election and must advise the applicant that he or she
229 may deliver the application in person or by mail. The third-
230 party voter registration organization must also inform the
231 applicant how to register online with the division and how to
232 determine whether the application has been delivered ~~48 hours~~
233 ~~after the applicant completes it or the next business day if the~~
234 ~~appropriate office is closed for that 48-hour period.~~ If a voter
235 registration application collected by any third-party voter
236 registration organization is not promptly delivered to the
237 division or supervisor of elections, the third-party voter
238 registration organization is liable for the following fines:
239 1. A fine in the amount of \$50 for each application
240 received by the division or the supervisor of elections in the
241 county in which the applicant resides more than 14 days ~~48 hours~~
242 after the applicant delivered the completed voter registration
243 application to the third-party voter registration organization



244 or any person, entity, or agent acting on its behalf ~~or the next~~
245 ~~business day, if the office is closed.~~ A fine in the amount of
246 \$250 for each application received if the third-party voter
247 registration organization or person, entity, or agency acting on
248 its behalf acted willfully.

249 2. A fine in the amount of \$100 for each application
250 collected by a third-party voter registration organization or
251 any person, entity, or agent acting on its behalf, before book
252 closing for any given election for federal or state office and
253 received by the division or the supervisor of elections in the
254 county in which the applicant resides after the book-closing
255 deadline for such election. A fine in the amount of \$500 for
256 each application received if the third-party registration
257 organization or person, entity, or agency acting on its behalf
258 acted willfully.

259 3. A fine in the amount of \$500 for each application
260 collected by a third-party voter registration organization or
261 any person, entity, or agent acting on its behalf, which is not
262 submitted to the division or supervisor of elections in the
263 county in which the applicant resides. A fine in the amount of
264 \$1,000 for any application not submitted if the third-party
265 voter registration organization or person, entity, or agency
266 acting on its behalf acted willfully.

267
268 The aggregate fine pursuant to this paragraph which may be
269 assessed against a third-party voter registration organization,
270 including affiliate organizations, for violations committed in a
271 calendar year is \$1,000.

272 (5) The division shall adopt by rule a form to elicit



273 specific information concerning the facts and circumstances from
274 a person who claims to have been registered to vote by a third-
275 party voter registration organization but who does not appear as
276 an active voter on the voter registration rolls. The division
277 shall also adopt rules to ensure the integrity of the
278 registration process, including controls to ensure that all
279 completed forms are promptly delivered to the division or an
280 appropriate supervisor ~~rules requiring third-party voter~~
281 ~~registration organizations to account for all state and federal~~
282 ~~registration forms used by their registration agents. Such rules~~
283 ~~may require an organization to provide organization and form~~
284 ~~specific identification information on each form as determined~~
285 ~~by the department as needed to assist in the accounting of state~~
286 ~~and federal registration forms.~~

287 Section 6. Paragraphs (d), (e), and (f) of subsection (1)
288 of section 97.0585, Florida Statutes, are amended to read:

289 97.0585 Public records exemption; information regarding
290 voters and voter registration; confidentiality.-

291 (1) The following information held by an agency, as defined
292 in s. 119.011, and obtained for the purpose of voter
293 registration is confidential and exempt from s. 119.07(1) and s.
294 24(a), Art. I of the State Constitution and may be used only for
295 purposes of voter registration:

296 (d) ~~Information related to a voter registration applicant's~~
297 ~~or voter's prior felony conviction and whether such person has~~
298 ~~had his or her voting rights restored by the Board of Executive~~
299 ~~Clemency or pursuant to s. 4, Art. VI of the State Constitution.~~

300 (e) All information concerning preregistered voter
301 registration applicants who are 16 or 17 years of age.



302 (e)-(f) Paragraph (d) is Paragraphs (d) and (e) are subject
303 to the Open Government Sunset Review Act in accordance with s.
304 119.15 and shall stand repealed on October 2, 2024, unless
305 reviewed and saved from repeal through reenactment by the
306 Legislature.

307 Section 7. Paragraph (b) of subsection (1) and subsection
308 (2) of section 97.1031, Florida Statutes, are amended to read:

309 97.1031 Notice of change of residence, change of name, or
310 change of party affiliation.—

311 (1)

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

315 1. Contacting the supervisor of elections via telephone or
316 electronic means, in which case the elector must provide his or
317 her date of birth and either his or her Florida driver license
318 number or the identification number from a Florida
319 identification card issued under s. 322.051 or the last four
320 digits of the his or her social security number if the elector
321 has not been issued a Florida driver license or identification
322 card; or

323 2. Submitting the change on a voter registration
324 application or other signed written notice.

325 (2) When an elector seeks to change party affiliation, the
326 elector shall notify his or her supervisor of elections or other
327 voter registration official by submitting a voter registration
328 application or other ~~using a~~ signed written notice that contains
329 the elector's date of birth or voter registration number and
330 either his or her Florida driver license number or the



331 identification number from a Florida identification card issued
332 under s. 322.051 or the last four digits of his or her social
333 security number if the elector has not been issued a Florida
334 driver license or identification card. When an elector changes
335 his or her name by marriage or other legal process, the elector
336 shall notify his or her supervisor of elections or other voter
337 registration official by submitting a voter registration
338 application or other ~~using a~~ signed written notice that contains
339 the elector's date of birth or voter's registration number and
340 either his or her Florida driver license number or the
341 identification number from a Florida identification card issued
342 under s. 322.051 or the last four digits of his or her social
343 security number if the elector has not been issued a Florida
344 driver license or identification card.

345 Section 8. Present subsections (4) and (5) of section
346 98.0981, Florida Statutes, are redesignated as subsections (5)
347 and (6), respectively, a new subsection (4) is added to that
348 section, and paragraph (a) of subsection (2) of that section is
349 amended, to read:

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

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



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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
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.-

376 (a) Supervisors of elections shall make live voter turnout
377 data on election day available on their respective websites. At
378 a minimum, a supervisor must post updated turnout data on their
379 website at 8 a.m., 2 p.m., and 6 p.m. on election day. The
380 supervisors shall transmit the turnout data to the division,
381 which must create and maintain a real-time statewide turnout
382 dashboard that is available for viewing by the public on its
383 website as the data becomes available.

384 (b) For each election, supervisors of elections shall make
385 available on their respective websites the number of vote-by-
386 mail ballots requested, the number of completed vote-by-mail
387 ballots received, and the number of vote-by-mail ballots not yet
388 tabulated. Such information must be updated daily.



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389 Section 9. Section 101.046, Florida Statutes, is created to
390 read:

391 101.046 Signature verification procedure.—When a signature
392 is verified with the voter’s signature in the registration
393 records, the verifier shall only use a signature in the
394 registration books or the precinct register from the preceding 4
395 years. If a wet signature is not available from the preceding 4
396 years, the verifier may use the most recent wet signature on
397 record. For purposes of this section, “wet signature” means a
398 signature that a voter physically signed on paper with a pen or
399 other writing utensil.

400 Section 10. Subsections (2) and (5) of section 101.051,
401 Florida Statutes, are amended to read:

402 101.051 Electors seeking assistance in casting ballots;
403 oath to be executed; forms to be furnished.—

404 (2) It is unlawful for any person to be in the voting booth
405 with any elector except as provided in subsection (1). A person
406 at a polling place, a drop box location, or an early voting
407 site, or within 150 ~~100~~ feet of a drop box location or the
408 entrance of a polling place or an early voting site, may not
409 solicit any elector in an effort to provide assistance to vote
410 pursuant to subsection (1). Any person who violates this
411 subsection commits a misdemeanor of the first degree, punishable
412 as provided in s. 775.082 or s. 775.083.

413 (5) If an elector needing assistance requests that a person
414 other than an election official provide him or her with
415 assistance in voting, the clerk or one of the inspectors shall
416 require the person providing assistance to take the following
417 oath:



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DECLARATION TO PROVIDE ASSISTANCE

State of Florida
County of
Date
Precinct

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

...(Signature of assistor)...

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

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

Section 11. Section 101.545, Florida Statutes, is amended to read:

101.545 Retention and destruction of certain election materials.—All ballots, forms, and other election materials shall be retained in the custody of the supervisor of elections for a minimum of 22 months after an election and in accordance



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447 with the schedule approved by the Division of Library and
448 Information Services of the Department of State. All unused
449 ballots, forms, and other election materials may, with the
450 approval of the Department of State, be destroyed by the
451 supervisor after the election for which such ballots, forms, or
452 other election materials were to be used.

453 Section 12. Paragraph (d) of subsection (2) of section
454 101.5605, Florida Statutes, is amended to read:

455 101.5605 Examination and approval of equipment.—

456 (2)

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

460 Section 13. Paragraph (a) of subsection (4) of section
461 101.5614, Florida Statutes, is amended to read:

462 101.5614 Canvass of returns.—

463 (4) (a) If any vote-by-mail ballot is physically damaged so
464 that it cannot properly be counted by the voting system's
465 automatic tabulating equipment, a true duplicate copy shall be
466 made of the damaged ballot in an open and accessible room in the
467 presence of witnesses and substituted for the damaged ballot.
468 Likewise, a duplicate ballot shall be made of a vote-by-mail
469 ballot containing an overvoted race or a marked vote-by-mail
470 ballot in which every race is undervoted which shall include all
471 valid votes as determined by the canvassing board based on rules
472 adopted by the division pursuant to s. 102.166(4). A duplicate
473 may not include a vote if the voter's intent in such race or on
474 such measure is not clear. Upon request, a physically present
475 candidate, a political party official, a political committee



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476 official, or an authorized designee thereof, must be allowed to
477 observe the duplication of ballots. The observer must be allowed
478 to stand in close enough proximity to observe the duplication of
479 ballots in such a way that the observer is able to see the
480 markings on each ballot and the duplication taking place. All
481 duplicate ballots must ~~shall~~ be clearly labeled "duplicate,"
482 bear a serial number which shall be recorded on the defective
483 ballot, and be counted in lieu of the defective ballot. After a
484 ballot has been duplicated, the defective ballot shall be placed
485 in an envelope provided for that purpose, and the duplicate
486 ballot shall be tallied with the other ballots for that
487 precinct. Upon reasonable objection by an observer to a
488 duplicate of a ballot, the ballot must be presented to the
489 canvassing board for a determination of the validity of the
490 duplicate. The canvassing board must document the serial number
491 of the ballot in the canvassing board's minutes. The canvassing
492 board must decide whether the duplication is valid. If the
493 duplicate ballot is determined to be valid, the duplicate ballot
494 must be counted. If the duplicate ballot is determined to be
495 invalid, the duplicate ballot must be rejected and a proper
496 duplicate ballot must be made and counted in lieu of the
497 original.

498 Section 14. Subsection (5) of section 101.591, Florida
499 Statutes, is amended to read:

500 101.591 Voting system audit.—

501 (5) By December 15 of each general election year ~~Within 15~~
502 ~~days after completion of the audit,~~ the county canvassing board
503 or the board responsible for certifying the election shall
504 provide a report with the results of the audit to the Department



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505 of State in a standard format as prescribed by the department.
506 The report must be consolidated into one report with the
507 overvote and undervote report required under s. 101.595(1). The
508 report shall contain, but is not limited to, the following
509 items:

510 (a) The overall accuracy of audit.

511 (b) A description of any problems or discrepancies
512 encountered.

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

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

516 Section 15. Subsections (1) and (3) of section 101.595,
517 Florida Statutes, are amended to read:

518 101.595 Analysis and reports of voting problems.—

519 (1) No later than December 15 of each general election
520 year, the supervisor of elections in each county shall report to
521 the Department of State the total number of overvotes and
522 undervotes in the "President and Vice President" or "Governor
523 and Lieutenant Governor" race that appears first on the ballot
524 or, if neither appears, the first race appearing on the ballot
525 pursuant to s. 101.151(2), along with the likely reasons for
526 such overvotes and undervotes and other information as may be
527 useful in evaluating the performance of the voting system and
528 identifying problems with ballot design and instructions which
529 may have contributed to voter confusion. This report must be
530 consolidated into one report with the audit report required
531 under s. 101.591(5).

532 (3) The Department of State shall submit the report to the
533 Governor, the President of the Senate, and the Speaker of the



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534 House of Representatives by February 15 ~~January 31~~ of each year
535 following a general election.

536 Section 16. Paragraphs (a) and (b) of subsection (1),
537 subsection (3), and paragraph (c) of subsection (4) of section
538 101.62, Florida Statutes, are amended, and subsection (7) is
539 added to that section, to read:

540 101.62 Request for vote-by-mail ballots.-

541 (1) (a) The supervisor shall accept a request for a vote-by-
542 mail ballot from an elector in person or in writing. One request
543 is ~~shall be~~ deemed sufficient to receive a vote-by-mail ballot
544 for all elections through the end of the calendar year of the
545 next ~~second ensuing~~ regularly scheduled general election,
546 provided that a request received after November 6, 2018, and
547 before July 1, 2021, is deemed sufficient through the end of the
548 calendar year of the second ensuing regularly scheduled general
549 election, unless the elector or the elector's designee indicates
550 at the time the request is made the elections for which the
551 elector desires to receive a vote-by-mail ballot. Such request
552 may be considered canceled when any first-class mail sent by the
553 supervisor to the elector is returned as undeliverable.

554 (b) The supervisor may accept a written or telephonic
555 request for a vote-by-mail ballot to be mailed to an elector's
556 address on file in the Florida Voter Registration System from
557 the elector, or, if directly instructed by the elector, a member
558 of the elector's immediate family, or the elector's legal
559 guardian. For written or telephonic requests, the elector must
560 provide either his or her Florida driver license number or
561 Florida identification card number or the last four digits of
562 his or her social security number. If the ballot is requested



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563 to be mailed to an address other than the elector's address on
564 file in the Florida Voter Registration System, the request must
565 be made in writing, ~~and~~ signed by the elector, and include
566 either his or her Florida driver license number or Florida
567 identification card number or the last four digits of his or her
568 social security number. However, an absent uniformed service
569 voter or an overseas voter seeking a vote-by-mail ballot is not
570 required to submit a signed, written request for a vote-by-mail
571 ballot that is being mailed to an address other than the
572 elector's address on file in the Florida Voter Registration
573 System. For purposes of this section, the term "immediate
574 family" has the same meaning as specified in paragraph (4) (c).
575 The person making the request must disclose:

- 576 1. The name of the elector for whom the ballot is
577 requested.
- 578 2. The elector's address.
- 579 3. The elector's date of birth.
- 580 4. The elector's Florida driver license number or Florida
581 identification card number or the last four digits of the
582 elector's social security number.
- 583 5. The requester's name.
- 584 ~~6.5.~~ The requester's address.
- 585 ~~7.6.~~ The requester's driver license number or
586 identification card number or the last four digits of the
587 requester's social security number, if available.
- 588 ~~8.7.~~ The requester's relationship to the elector.
- 589 ~~9.8.~~ The requester's signature (written requests only).

590 (3) For each request for a vote-by-mail ballot received,
591 the supervisor shall record the date the request was made; ~~7~~ the



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592 date the vote-by-mail ballot was delivered to the voter or the
593 voter's designee or the date the vote-by-mail ballot was
594 delivered to the post office or other carrier; the identity of
595 the voter's designee or the address to which the ballot was
596 mailed; ~~the~~ the date the ballot was received by the supervisor; ~~the~~
597 the absence of the voter's signature on the voter's certificate,
598 if applicable; whether the voter's certificate contains a
599 signature that does not match the elector's signature in the
600 registration books or precinct register; ~~and~~ and such other
601 information he or she may deem necessary. This information shall
602 be provided in electronic format as provided by division rule
603 ~~adopted by the division~~. The information shall be updated and
604 made available no later than 8 a.m. of each day, including
605 weekends, beginning 60 days before the primary until 15 days
606 after the general election and shall be contemporaneously
607 provided to the division. This information shall be confidential
608 and exempt from s. 119.07(1) and shall be made available to or
609 reproduced only for the voter requesting the ballot, a
610 canvassing board, an election official, a political party or
611 official thereof, a candidate who has filed qualification papers
612 and is opposed in an upcoming election, and registered political
613 committees for political purposes only.

614 (4)

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

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



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621 2. By forwardable mail, e-mail, or facsimile machine
622 transmission to absent uniformed services voters and overseas
623 voters. The absent uniformed services voter or overseas voter
624 may designate in the vote-by-mail ballot request the preferred
625 method of transmission. If the voter does not designate the
626 method of transmission, the vote-by-mail ballot shall be mailed.

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

630 4. By delivery to a designee on election day or up to 9
631 days before ~~prior to~~ the day of an election. Any elector may
632 designate in writing a person to pick up the ballot for the
633 elector; however, the person designated may not pick up more
634 than two vote-by-mail ballots per election, other than the
635 designee's own ballot, except that additional ballots may be
636 picked up for members of the designee's immediate family. For
637 purposes of this section, "immediate family" means the
638 designee's spouse or the parent, child, grandparent, grandchild,
639 or sibling of the designee or of the designee's spouse. The
640 designee shall provide to the supervisor the written
641 authorization by the elector and a picture identification of the
642 designee and must complete an affidavit. The designee shall
643 state in the affidavit that the designee is authorized by the
644 elector to pick up that ballot and shall indicate if the elector
645 is a member of the designee's immediate family and, if so, the
646 relationship. The department shall prescribe the form of the
647 affidavit. If the supervisor is satisfied that the designee is
648 authorized to pick up the ballot and that the signature of the
649 elector on the written authorization matches the signature of



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650 the elector on file, the supervisor shall give the ballot to
651 that designee for delivery to the elector.

652 5. Except as provided in s. 101.655, the supervisor may not
653 deliver a vote-by-mail ballot to an elector or an elector's
654 immediate family member on the day of the election unless there
655 is an emergency, to the extent that the elector will be unable
656 to go to his or her assigned polling place. If a vote-by-mail
657 ballot is delivered, the elector or his or her designee shall
658 execute an affidavit affirming to the facts which allow for
659 delivery of the vote-by-mail ballot. The department shall adopt
660 a rule providing for the form of the affidavit.

661 (7) Except as expressly authorized for voters having a
662 disability under s. 101.662, for overseas voters under s.
663 101.697, or for local referenda under ss. 101.6102 and 101.6103,
664 a county, municipality, or state agency may not send a vote-by-
665 mail ballot to a voter unless the voter has requested a vote-by-
666 mail ballot in the manner authorized under this section.

667 Section 17. Subsection (6) is added to section 101.64,
668 Florida Statutes, to read:

669 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

670 (6) The outside of the ballot and the secrecy and mailing
671 envelopes may not display the party affiliation of the absent
672 elector who has been issued such ballot or display any other
673 partisan information.

674 Section 18. Subsection (1) and paragraph (a) of subsection
675 (2) of section 101.68, Florida Statutes, are amended to read:

676 101.68 Canvassing of vote-by-mail ballot.—

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



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679 supervisor shall compare the signature of the elector on the
680 voter's certificate with the signature of the elector in the
681 registration books or the precinct register to determine whether
682 the elector is duly registered in the county and must ~~may~~ record
683 on the elector's registration record ~~certificate~~ that the
684 elector has voted. During the signature comparison process, the
685 supervisor may not use any knowledge of the political
686 affiliation of the voter whose signature is subject to
687 verification. An elector who dies after casting a vote-by-mail
688 ballot but on or before election day shall remain listed in the
689 registration books until the results have been certified for the
690 election in which the ballot was cast. The supervisor shall
691 safely keep the ballot unopened in his or her office until the
692 county canvassing board canvasses the vote. Except as provided
693 in subsection (4), after a vote-by-mail ballot is received by
694 the supervisor, the ballot is deemed to have been cast, and
695 changes or additions may not be made to the voter's certificate.

696 (2) (a) The county canvassing board may begin the canvassing
697 of vote-by-mail ballots upon the completion of the public
698 testing of automatic tabulating equipment pursuant to s.
699 101.5612(2) at 7 a.m. on the 22nd day before the election, but
700 must begin such canvassing by no ~~not~~ later than noon on the day
701 following the election. ~~In addition, for any county using~~
702 ~~electronic tabulating equipment, the processing of vote-by-mail~~
703 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
704 ~~the 22nd day before the election.~~ However, notwithstanding any
705 such authorization to begin canvassing or otherwise processing
706 vote-by-mail ballots early, no result shall be released until
707 after the closing of the polls in that county on election day.



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708 Any supervisor, deputy supervisor, canvassing board member,
709 election board member, or election employee who releases the
710 results of a canvassing or processing of vote-by-mail ballots
711 prior to the closing of the polls in that county on election day
712 commits a felony of the third degree, punishable as provided in
713 s. 775.082, s. 775.083, or s. 775.084.

714 Section 19. Subsection (2) of section 101.69, Florida
715 Statutes, is amended, and subsection (3) is added to that
716 section, to read:

717 101.69 Voting in person; return of vote-by-mail ballot.—

718 (2) (a) The supervisor shall allow an elector who has
719 received a vote-by-mail ballot to physically return a voted
720 vote-by-mail ballot to the supervisor by placing the envelope
721 containing his or her marked ballot in a secure drop box. Secure
722 drop boxes shall be placed at the main office of the supervisor,
723 at each branch office of the supervisor, and at each early
724 voting site. Secure drop boxes may also be placed at any other
725 site that would otherwise qualify as an early voting site under
726 s. 101.657(1). A secure drop box may only be used; provided,
727 ~~however, that any such site must be staffed~~ during the county's
728 early voting hours of operation and must be monitored in person
729 by an employee of the supervisor's office ~~or a sworn law~~
730 ~~enforcement officer.~~

731 (b) A supervisor shall designate each drop box site at
732 least 30 days before an election. After a drop box location has
733 been designated, it may not be moved or changed.

734 (c) On each day of early voting, all drop boxes must be
735 emptied at the end of early voting hours and all ballots
736 retrieved from the drop boxes must be returned to the



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737 supervisor's office. Employees of the supervisor must comply
738 with procedures for the chain of custody of ballots as required
739 by s. 101.015(4).

740 (3) If any drop box at an early voting site is left
741 accessible for the return of ballots outside of early voting
742 hours, the supervisor is subject to a civil penalty of \$25,000.
743 The division is authorized to enforce this provision.

744 Section 20. Paragraphs (a), (b), and (e) of subsection (4)
745 of section 102.031, Florida Statutes, are amended to read:

746 102.031 Maintenance of good order at polls; authorities;
747 persons allowed in polling rooms and early voting areas;
748 unlawful solicitation of voters.-

749 (4) (a) No person, political committee, or other group or
750 organization may solicit voters inside the polling place or
751 within 150 feet of a drop box or the entrance to any polling
752 place, a polling room where the polling place is also a polling
753 room, an early voting site, or an office of the supervisor where
754 vote-by-mail ballots are requested and printed on demand for the
755 convenience of electors who appear in person to request them.
756 Before the opening of a drop box location, ~~a~~ the polling place,
757 or an early voting site, the clerk or supervisor shall designate
758 the no-solicitation zone and mark the boundaries.

759 (b) For the purpose of this subsection, the terms "solicit"
760 or "solicitation" shall include, but not be limited to, seeking
761 or attempting to seek any vote, fact, opinion, or contribution;
762 distributing or attempting to distribute any political or
763 campaign material, leaflet, or handout; conducting a poll except
764 as specified in this paragraph; seeking or attempting to seek a
765 signature on any petition; ~~and~~ selling or attempting to sell any



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766 item; and giving or attempting to give any item to a voter. The
767 terms "solicit" or "solicitation" may not be construed to
768 prohibit an employee of, or a volunteer with, the supervisor
769 from providing nonpartisan assistance to voters within the no-
770 solicitation zone such as, but not limited to, giving items to
771 voters, or to prohibit exit polling.

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

777 Section 21. Subsection (1) and paragraphs (a) and (b) of
778 subsection (2) of section 102.141, Florida Statutes, are amended
779 to read:

780 102.141 County canvassing board; duties.—

781 (1) The county canvassing board shall be composed of the
782 supervisor of elections; a county court judge, who shall act as
783 chair; and the chair of the board of county commissioners. The
784 names of the canvassing board members must be published on the
785 supervisor's website before any vote-by-mail ballot is
786 tabulated. Alternate canvassing board members must be appointed
787 pursuant to paragraph (e). In the event any member of the county
788 canvassing board is unable to serve, is a candidate who has
789 opposition in the election being canvassed, or is an active
790 participant in the campaign or candidacy of any candidate who
791 has opposition in the election being canvassed, such member
792 shall be replaced as follows:

793 (a) If no county court judge is able to serve or if all are
794 disqualified, the chief judge of the judicial circuit in which



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795 the county is located shall appoint as a substitute member a
796 qualified elector of the county who is not a candidate with
797 opposition in the election being canvassed and who is not an
798 active participant in the campaign or candidacy of any candidate
799 with opposition in the election being canvassed. In such event,
800 the members of the county canvassing board shall meet and elect
801 a chair.

802 (b) If the supervisor of elections is unable to serve or is
803 disqualified, the chair of the board of county commissioners
804 shall appoint as a substitute member a member of the board of
805 county commissioners who is not a candidate with opposition in
806 the election being canvassed and who is not an active
807 participant in the campaign or candidacy of any candidate with
808 opposition in the election being canvassed. The supervisor,
809 however, shall act in an advisory capacity to the canvassing
810 board.

811 (c) If the chair of the board of county commissioners is
812 unable to serve or is disqualified, the board of county
813 commissioners shall appoint as a substitute member one of its
814 members who is not a candidate with opposition in the election
815 being canvassed and who is not an active participant in the
816 campaign or candidacy of any candidate with opposition in the
817 election being canvassed.

818 (d) If a substitute member or alternate member cannot be
819 appointed as provided elsewhere in this subsection, or in the
820 event of a vacancy in such office, the chief judge of the
821 judicial circuit in which the county is located shall appoint as
822 a substitute member or alternate member a qualified elector of
823 the county who is not a candidate with opposition in the



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824 election being canvassed and who is not an active participant in
825 the campaign or candidacy of any candidate with opposition in
826 the election being canvassed.

827 (e)1. The chief judge of the judicial circuit in which the
828 county is located shall appoint a county court judge as an
829 alternate member of the county canvassing board or, if each
830 county court judge is unable to serve or is disqualified, shall
831 appoint an alternate member who is qualified to serve as a
832 substitute member under paragraph (a).

833 2. The chair of the board of county commissioners shall
834 appoint a member of the board of county commissioners as an
835 alternate member of the county canvassing board or, if each
836 member of the board of county commissioners is unable to serve
837 or is disqualified, shall appoint an alternate member who is
838 qualified to serve as a substitute member under paragraph (d).

839 3. If a member of the county canvassing board is unable to
840 participate in a meeting of the board, the chair of the county
841 canvassing board or his or her designee shall designate which
842 alternate member will serve as a member of the board in the
843 place of the member who is unable to participate at that
844 meeting.

845 4. If not serving as one of the three members of the county
846 canvassing board, an alternate member may be present, observe,
847 and communicate with the three members constituting the county
848 canvassing board, but may not vote in the board's decisions or
849 determinations.

850 (2) (a) The county canvassing board shall meet in a building
851 accessible to the public in the county where the election
852 occurred at a time and place to be designated by the supervisor



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853 to publicly canvass the absent electors' ballots as provided for
854 in s. 101.68 and provisional ballots as provided by ss. 101.048,
855 101.049, and 101.6925. During each meeting of the county
856 canvassing board, each political party and each candidate may
857 have one watcher within a distance that allows him or her to
858 directly observe ballots being examined for signature matching
859 and other processes. Provisional ballots cast pursuant to s.
860 101.049 shall be canvassed in a manner that votes for candidates
861 and issues on those ballots can be segregated from other votes.
862 As soon as the absent electors' ballots and the provisional
863 ballots are canvassed, the board shall proceed to publicly
864 canvass the vote given each candidate, nominee, constitutional
865 amendment, or other measure submitted to the electorate of the
866 county, as shown by the returns then on file in the office of
867 the supervisor.

868 (b) Public notice of the canvassing board members,
869 alternates, time, and place at which the county canvassing board
870 shall meet to canvass the absent electors' ballots and
871 provisional ballots must be given at least 48 hours prior
872 thereto by publication on the supervisor's website and published
873 in one or more newspapers of general circulation in the county
874 or, if there is no newspaper of general circulation in the
875 county, by posting such notice in at least four conspicuous
876 places in the county. The time given in the notice as to the
877 convening of the meeting of the county canvassing board must be
878 specific and may not be a time period during which the board may
879 meet.

880 Section 22. Section 104.0616, Florida Statutes, is amended
881 to read:



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882 104.0616 Vote-by-mail ballots and voting; violations.-

883 (1) For purposes of this section, the term "immediate
884 family" means a person's spouse or the parent, child,
885 grandparent, grandchild, or sibling of the person or the
886 person's spouse.

887 (2) Any person who distributes, orders, requests, collects,
888 delivers ~~provides or offers to provide, and any person who~~
889 ~~accepts, a pecuniary or other benefit in exchange for~~
890 ~~distributing, ordering, requesting, collecting, delivering, or~~
891 otherwise physically possesses ~~possessing~~ more than two vote-by-
892 mail ballots per election in addition to his or her own ballot
893 or a ballot belonging to an immediate family member, except as
894 provided in ss. 101.6105-101.694, commits a misdemeanor of the
895 first degree, punishable as provided in s. 775.082 or ~~s.~~
896 ~~775.083, or s. 775.084.~~

897 Section 23. Except as otherwise expressly provided in this
898 act, this act shall take effect July 1, 2021.

899
900 ===== T I T L E A M E N D M E N T =====

901 And the title is amended as follows:

902 Delete everything before the enacting clause
903 and insert:

904 A bill to be entitled
905 An act relating to election administration; amending
906 s. 97.052, F.S.; revising requirements for the uniform
907 statewide voter registration application; amending s.
908 97.0525, F.S.; authorizing an applicant to submit an
909 online voter registration application using the last
910 four digits of the applicant's social security number;



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911 prescribing procedures for applicants who submit an
912 application using the last four digits of their social
913 security numbers; amending s. 97.053, F.S.; revising
914 requirements governing the acceptance of voter
915 registration applications; amending s. 97.057, F.S.;
916 requiring the Department of Highway Safety and Motor
917 Vehicles to assist the Department of State in
918 identifying certain residence address changes;
919 requiring the Department of State to report such
920 changes to supervisors of elections; amending s.
921 97.0575, F.S.; revising requirements for third-party
922 voter registration organizations; providing
923 applicability; revising circumstances under which a
924 third-party voter registration organization is subject
925 to fines for violations regarding the delivery of
926 voter registration applications; revising requirements
927 for Division of Elections rules governing third-party
928 voter registration organizations; amending s. 97.0585,
929 F.S.; deleting an exemption from public records
930 requirements for information related to a voter
931 registration applicant's or voter's prior felony
932 conviction and his or her restoration of voting rights
933 to conform to changes made by the act; amending s.
934 97.1031, F.S.; revising requirements for notifying the
935 supervisor of address changes; modifying procedures
936 for submitting changes of name or party affiliation to
937 conform to changes made by the act; amending s.
938 98.0981, F.S.; providing that certain ballot types or
939 precinct subtotals may not be reported in precinct-



940 level election results; requiring supervisors to post
941 live turnout data for election day voting and vote-by-
942 mail ballot statistics on their websites; requiring
943 supervisors to transmit live turnout data to the
944 Division of Elections; directing the division to
945 create and maintain a statewide voter turnout
946 dashboard on its website using such data; creating s.
947 101.046, F.S.; prescribing procedures and limitations
948 governing signature verification; defining the term
949 "wet signature"; amending s. 101.051, F.S.;

950 prohibiting certain solicitation of voters at drop box
951 locations; increasing the no-solicitation zone
952 surrounding a drop box location or the entrance of a
953 polling place or an early voting site wherein certain
954 activities are prohibited; amending s. 101.545, F.S.;

955 requiring ballots, forms, and election materials to be
956 retained for a specified minimum timeframe following
957 an election; amending s. 101.5605, F.S.; revising the
958 timeframe within which the department must approve or
959 disapprove a voting system submitted for
960 certification; amending s. 101.5614, F.S.; revising
961 requirements for making true duplicate copies of vote-
962 by-mail ballots under certain circumstances; requiring
963 that an observer of the duplication of ballots be
964 provided certain allowances; requiring the canvassing
965 board to take certain action in response to an
966 objection to a ballot duplicate; amending s. 101.591,
967 F.S.; revising the timeframe and requirements for the
968 voting systems audit report submitted to the



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969 department; amending s. 101.595, F.S.; requiring a
970 specified report regarding overvotes and undervotes to
971 be submitted with the voting systems audit report;
972 revising the date by which the department must submit
973 the report to the Governor and Legislature; amending
974 s. 101.62, F.S.; limiting the duration of requests for
975 vote-by-mail ballots to all elections through the end
976 of the calendar year of the next regularly scheduled
977 general election; specifying applicability; requiring
978 certain vote-by-mail ballot requests to include
979 additional identifying information regarding the
980 requesting elector; requiring supervisors of elections
981 to record whether a voter's certificate on a vote-by-
982 mail ballot has a mismatched signature; revising the
983 definition of the term "immediate family" to conform
984 to changes made by the act; prohibiting counties,
985 municipalities, and state agencies from sending vote-
986 by-mail ballots to voters absent a request; providing
987 exceptions; amending s. 101.64, F.S.; prohibiting the
988 display of an absent elector's party affiliation or
989 other partisan information on the outside of vote-by-
990 mail ballots and return and secrecy envelopes;
991 amending s. 101.68, F.S.; specifying that the
992 supervisor may not use any knowledge of a voter's
993 party affiliation during the signature comparison
994 process; authorizing the canvassing of vote-by-mail
995 ballots upon the completion of the public preelection
996 testing of automatic tabulating equipment; amending s.
997 101.69, F.S.; revising requirements governing the



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998 placement and supervision of secure drop boxes for the
999 return of vote-by-mail ballots; requiring the
1000 supervisor to designate drop box locations in advance
1001 of an election; prohibiting changes in drop box
1002 locations for an election after their initial
1003 designation; specifying requirements regarding the
1004 retrieval of vote-by-mail ballots returned in a drop
1005 box; providing that the supervisor is subject to a
1006 civil penalty for certain violations regarding drop
1007 boxes; amending s. 102.031, F.S.; prohibiting certain
1008 solicitation activities within a specified area
1009 surrounding a drop box; revising the definition of
1010 "solicit" and "solicitation" to include the giving, or
1011 attempting to give, any item to a voter by certain
1012 persons; providing for construction; restricting
1013 certain persons from prohibiting the solicitation of
1014 voters by a candidate or a candidate's designee
1015 outside of the no-solicitation zone; amending s.
1016 102.141, F.S.; requiring the names of canvassing board
1017 members be published on the supervisor's website
1018 before the tabulation of any vote-by-mail ballots in
1019 an election; authorizing each political party and
1020 candidate to have one watcher at canvassing board
1021 meetings within a distance that allows him or her to
1022 directly observe proceedings; requiring additional
1023 information be included in public notices of
1024 canvassing board meetings; amending s. 104.0616, F.S.;
1025 revising the definition of "immediate family";
1026 prohibiting any person from distributing, ordering,



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1027 requesting, collecting, delivering, or otherwise
1028 physically possessing more than two vote-by-mail
1029 ballots of other electors per election, not including
1030 immediate family members; providing exceptions;
1031 providing a penalty; providing effective dates.