



940740

LEGISLATIVE ACTION

Senate	.	House
Comm: UNFAV	.	
04/20/2021	.	
	.	
	.	
	.	

The Committee on Rules (Thurston) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Subsection (1) of section 20.10, Florida
Statutes, is amended to read:

20.10 Department of State.—There is created a Department of
State.

(1) The head of the Department of State is the Secretary of
State. The Secretary of State shall be elected at the statewide
general election at which the Governor, Lieutenant Governor, and



940740

12 Cabinet officers are elected as provided in s. 5, Art. IV of the
13 State Constitution, for a term of 4 years beginning on the first
14 Tuesday after the first Monday in January of the year following
15 such election appointed by the Governor, subject to confirmation
16 by the Senate, and shall serve at the pleasure of the Governor.

17 The Secretary of State shall perform the functions conferred by
18 the State Constitution upon the custodian of state records.

19 Section 2. Subsection (6) of section 97.052, Florida
20 Statutes, is amended to read:

21 97.052 Uniform statewide voter registration application.—

22 (6) If a voter registration applicant fails to provide any
23 of the required information on the voter registration
24 application form, the supervisor shall notify the applicant of
25 the failure by mail within 5 business days after the supervisor
26 has the information available in the voter registration system.
27 ~~The applicant shall have an opportunity to complete the~~
28 ~~application form to vote in the next election up until the book~~
29 ~~closing for that next election.~~

30 Section 3. Subsections (2) and (4), paragraph (b) of
31 subsection (5), and subsection (6) of section 97.053, Florida
32 Statutes, are amended to read:

33 97.053 Acceptance of voter registration applications.—

34 (2) A voter registration application is complete and
35 becomes the official voter registration record of that applicant
36 when all information necessary to establish the applicant's
37 eligibility pursuant to s. 97.041 is received by a voter
38 registration official and verified pursuant to subsection (6).
39 ~~If the applicant fails to complete his or her voter registration~~
40 ~~application prior to the date of book closing for an election,~~



940740

41 ~~then such applicant shall not be eligible to vote in that~~
42 ~~election.~~

43 (4) The registration date for a valid initial voter
44 registration application that has been mailed to a driver
45 license office, a voter registration agency, an armed forces
46 recruitment office, the division, or the office of any
47 supervisor in the state and bears a clear postmark is the date
48 of that postmark. If an initial voter registration application
49 that has been mailed does not bear a postmark or if the postmark
50 is unclear, the registration date is the date the application is
51 received by any supervisor or the division, ~~unless it is~~
52 ~~received within 5 days after the closing of the books for an~~
53 ~~election, excluding Saturdays, Sundays, and legal holidays, in~~
54 ~~which case the registration date is the book-closing date.~~

55 (5)

56 (b) An applicant who fails to designate party affiliation
57 or affirmatively select no party affiliation may not ~~must~~ be
58 registered ~~without party affiliation~~. The supervisor must notify
59 the voter by mail that the voter has not been registered ~~without~~
60 ~~party affiliation~~ and that the voter must complete a new
61 registration application and designate a party affiliation or
62 affirmatively select no party affiliation. The voter
63 registration application must clearly denote this requirement
64 ~~may change party affiliation as provided in s. 97.1031.~~

65 (6) A voter registration application may be accepted as
66 valid only after the department has verified the authenticity or
67 nonexistence of the driver license number, the Florida
68 identification card number, or the last four digits of the
69 social security number provided by the applicant. If a completed



940740

70 voter registration application has been received ~~by the book-~~
71 ~~closing deadline~~ but the driver license number, the Florida
72 identification card number, or the last four digits of the
73 social security number provided by the applicant cannot be
74 verified, the applicant shall be notified that the number cannot
75 be verified and that the applicant must provide evidence to the
76 supervisor sufficient to verify the authenticity of the
77 applicant's driver license number, Florida identification card
78 number, or last four digits of the social security number. If
79 the applicant provides the necessary evidence, the supervisor
80 shall place the applicant's name on the registration rolls as an
81 active voter. If the applicant has not provided the necessary
82 evidence or the number has not otherwise been verified prior to
83 the applicant presenting himself or herself to vote, the
84 applicant shall be provided a provisional ballot. The
85 provisional ballot shall be counted only if the number is
86 verified by the end of the canvassing period or if the applicant
87 presents evidence to the supervisor of elections sufficient to
88 verify the authenticity of the applicant's driver license
89 number, Florida identification card number, or last four digits
90 of the social security number within a reasonable amount of time
91 after no later than 5 p.m. of the second day following the
92 election.

93 Section 4. Sections 97.055 and 97.0555, Florida Statutes,
94 are repealed.

95 Section 5. Section 97.0556, Florida Statutes, is created to
96 read:

97 97.0556 Same-day voter registration.—A person who meets the
98 qualifications to register to vote in s. 97.041 and provides the



99 information required for the uniform statewide voter
100 registration application prescribed in s. 97.052 may register to
101 vote and cast a ballot on election day or at an early voting
102 site.

103 Section 6. Subsection (1) of section 97.057, Florida
104 Statutes, is amended to read:

105 97.057 Voter registration by the Department of Highway
106 Safety and Motor Vehicles.—

107 (1) The Department of Highway Safety and Motor Vehicles
108 shall provide the opportunity to preregister to vote, register
109 to vote, ~~or~~ update a voter registration record to each
110 individual who comes to an office of that department to:

111 (a) Apply for or renew a driver license;

112 (b) Apply for or renew an identification card pursuant to
113 chapter 322; or

114 (c) Change an address on an existing driver license or
115 identification card.

116 Section 7. Paragraph (a) of subsection (3) of section
117 97.0575, Florida Statutes, is amended to read:

118 97.0575 Third-party voter registrations.—

119 (3) (a) A third-party voter registration organization that
120 collects voter registration applications serves as a fiduciary
121 to the applicant, ensuring that any voter registration
122 application entrusted to the organization, irrespective of party
123 affiliation, race, ethnicity, or gender, shall be promptly
124 delivered to the division or the supervisor of elections within
125 48 hours after the applicant completes it or the next business
126 day if the appropriate office is closed for that 48-hour period.
127 If a voter registration application collected by any third-party



940740

128 voter registration organization is not promptly delivered to the
129 division or supervisor of elections, the third-party voter
130 registration organization is liable for the following fines:

131 1. A fine in the amount of \$50 for each application
132 received by the division or the supervisor of elections more
133 than 48 hours after the applicant delivered the completed voter
134 registration application to the third-party voter registration
135 organization or any person, entity, or agent acting on its
136 behalf or the next business day, if the office is closed. A fine
137 in the amount of \$250 for each application received if the
138 third-party voter registration organization or person, entity,
139 or agency acting on its behalf acted willfully.

140 ~~2. A fine in the amount of \$100 for each application~~
141 ~~collected by a third-party voter registration organization or~~
142 ~~any person, entity, or agent acting on its behalf, before book~~
143 ~~closing for any given election for federal or state office and~~
144 ~~received by the division or the supervisor of elections after~~
145 ~~the book-closing deadline for such election. A fine in the~~
146 ~~amount of \$500 for each application received if the third-party~~
147 ~~registration organization or person, entity, or agency acting on~~
148 ~~its behalf acted willfully.~~

149 ~~3.~~ A fine in the amount of \$500 for each application
150 collected by a third-party voter registration organization or
151 any person, entity, or agent acting on its behalf, which is not
152 submitted to the division or supervisor of elections. A fine in
153 the amount of \$1,000 for any application not submitted if the
154 third-party voter registration organization or person, entity,
155 or agency acting on its behalf acted willfully.

156



940740

157 The aggregate fine pursuant to this paragraph which may be
158 assessed against a third-party voter registration organization,
159 including affiliate organizations, for violations committed in a
160 calendar year is \$1,000.

161 Section 8. Paragraph (c) of subsection (4) of section
162 98.065, Florida Statutes, is amended to read:

163 98.065 Registration list maintenance programs.—

164 (4)

165 (c) The supervisor must designate as inactive all voters
166 who have not voted in at least one of the last two general
167 elections, who have been sent an address confirmation final
168 notice, and who have not returned the postage prepaid,
169 preaddressed return form within 30 days or for which the final
170 notice has been returned as undeliverable. Names on the inactive
171 list may not be used to calculate the number of signatures
172 needed on any petition. A voter on the inactive list may be
173 restored to the active list of voters upon the voter updating
174 his or her registration, requesting a vote-by-mail ballot, or
175 appearing to vote. However, if the voter does not update his or
176 her voter registration information, request a vote-by-mail
177 ballot, or vote by the second general election after being
178 placed on the inactive list, the voter's name shall be removed
179 from the statewide voter registration system and the voter shall
180 be required to reregister to have his or her name restored to
181 the statewide voter registration system.

182 Section 9. Paragraph (d) of subsection (1) and subsection
183 (3) of section 98.0981, Florida Statutes, are amended to read:

184 98.0981 Reports; voting history; statewide voter
185 registration system information; precinct-level election



940740

186 results; preelection ~~book closing~~ statistics.-

187 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
188 INFORMATION.-

189 (d) File specifications are as follows:

190 1. The file shall contain records designated by the
191 categories below for all qualified voters who, regardless of the
192 voter's county of residence or active or inactive registration
193 status on election day ~~at the book closing~~ for the corresponding
194 election that the file is being created for:

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

196 b. Voted at a precinct location using a provisional ballot
197 that was subsequently counted.

198 c. Voted a regular ballot during the early voting period.

199 d. Voted during the early voting period using a provisional
200 ballot that was subsequently counted.

201 e. Voted by vote-by-mail ballot.

202 f. Attempted to vote by vote-by-mail ballot, but the ballot
203 was not counted.

204 g. Attempted to vote by provisional ballot, but the ballot
205 was not counted in that election.

206 2. Each file shall be created or converted into a tab-
207 delimited format.

208 3. File names shall adhere to the following convention:

209 a. Three-character county identifier as established by the
210 department followed by an underscore.

211 b. Followed by four-character file type identifier of
212 "VHO3" followed by an underscore.

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

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



940740

215 e. Date format is YYYYMMDD.
216 f. Followed by Time Created - HHMMSS.
217 g. Followed by ".txt".
218 4. Each record shall contain the following columns: Record
219 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote
220 Date, Vote History Code, Precinct, Congressional District, House
221 District, Senate District, County Commission District, and
222 School Board District.
223 (3) PRECINCT-LEVEL PREELECTION ~~BOOK CLOSING~~ STATISTICS.—
224 After the 29th day before the date of an election ~~the date of~~
225 ~~book closing~~ but before the date of an election as defined in s.
226 97.021 to fill a national, state, county, or district office, or
227 to vote on a proposed constitutional amendment, the department
228 shall compile the following precinct-level statistical data for
229 each county:
230 (a) Precinct numbers.
231 (b) Total number of active registered voters by party for
232 each precinct.
233 Section 10. Paragraph (a) of subsection (7) of section
234 99.061, Florida Statutes, is amended to read:
235 99.061 Method of qualifying for nomination or election to
236 federal, state, county, or district office.—
237 (7) (a) In order for a candidate to be qualified, the
238 following items must be received by the filing officer by the
239 end of the qualifying period:
240 1. A cashier's check purchased with funds of the campaign
241 account or a properly executed check drawn upon the candidate's
242 campaign account payable to the person or entity as prescribed
243 by the filing officer in an amount not less than the fee



940740

244 required by s. 99.092, unless the candidate obtained the
245 required number of signatures on petitions pursuant to s.
246 99.095. The filing fee for a special district candidate is not
247 required to be drawn upon the candidate's campaign account. If a
248 candidate's check is returned by the bank for any reason, the
249 filing officer shall immediately notify the candidate and the
250 candidate shall have until the end of qualifying to pay the fee
251 with a cashier's check purchased from funds of the campaign
252 account. Failure to pay the fee as provided in this subparagraph
253 shall disqualify the candidate.

254 2. The candidate's oath required by s. 99.021, which must
255 contain the name of the candidate as it is to appear on the
256 ballot; the office sought, including the district or group
257 number if applicable; and the signature of the candidate, which
258 must be verified under oath or affirmation pursuant to s.
259 92.525(1) (a).

260 3. If the office sought is partisan, the written statement
261 of political party affiliation required by s. 99.021(1) (b).

262 4. The completed form for the appointment of campaign
263 treasurer and designation of campaign depository, as required by
264 s. 106.021.

265 5. The full and public disclosure or statement of financial
266 interests required by subsection (5). A public officer who has
267 filed the full and public disclosure or statement of financial
268 interests with the Commission on Ethics or the supervisor before
269 ~~of elections prior to~~ qualifying for office may file a copy of
270 that disclosure at the time of qualifying.

271 Section 11. Subsection (7) and paragraph (a) of subsection
272 (11) of section 100.371, Florida Statutes, are amended to read:



940740

273 100.371 Initiatives; procedure for placement on ballot.-

274 (7)~~(a)~~ A sponsor that collects petition forms or uses a
275 petition circulator to collect petition forms serves as a
276 fiduciary to the elector signing the petition form, ensuring
277 that any petition form entrusted to the petition circulator
278 shall be promptly delivered to the supervisor ~~of elections~~
279 within 30 days after the elector signs the form.

280 (a) If a petition form collected by any petition circulator
281 is not promptly delivered to the supervisor of elections, the
282 sponsor is liable for the following fines:

283 1. A fine in the amount of \$50 for each petition form
284 received by the supervisor of elections more than 30 days after
285 the elector signed the petition form or the next business day,
286 if the office is closed. A fine in the amount of \$250 for each
287 petition form received if the sponsor or petition circulator
288 acted willfully.

289 2. A fine in the amount of \$500 for each petition form
290 collected by a petition circulator which is not submitted to the
291 supervisor of elections. A fine in the amount of \$1,000 for any
292 petition form not submitted if the sponsor or petition
293 circulator acted willfully.

294 (b) A showing by the sponsor that the failure to deliver
295 the petition form within the required timeframe is based upon
296 force majeure or impossibility of performance is an affirmative
297 defense to a violation of this subsection. The fines described
298 in this subsection may be waived upon a showing that the failure
299 to deliver the petition form promptly is based upon force
300 majeure or impossibility of performance.

301 (c) A sponsor shall deliver petition forms, which must be



940740

302 grouped in batches by the petition circulator who collected
303 them, to the supervisor.

304 (11) (a) An initiative petition form circulated for
305 signature may not be bundled with or attached to any other
306 petition. Each signature shall be dated when made and shall be
307 valid until the next February 1 occurring in an even-numbered
308 year for the purpose of the amendment appearing on the ballot
309 for the general election occurring in that same year, provided
310 all other requirements of law are met. The sponsor shall submit
311 signed and dated forms to the supervisor of elections for the
312 county of residence listed by the person signing the form for
313 verification of the number of valid signatures obtained. If a
314 signature on a petition is from a registered voter in another
315 county, the supervisor shall notify the petition sponsor of the
316 misfiled petition. The supervisor shall promptly verify the
317 signatures within 60 days after receipt of the petition forms
318 and payment of a fee for the actual cost of signature
319 verification incurred by the supervisor. However, for petition
320 forms submitted less than 60 days before February 1 of an even-
321 numbered year, the supervisor shall promptly verify the
322 signatures within 30 days after receipt of the form and payment
323 of the fee for signature verification. The supervisor shall
324 promptly record, in the manner prescribed by the Secretary of
325 State, the date each form is received by the supervisor, and the
326 date the signature on the form is verified as valid. The
327 supervisor may verify that the signature on a form is valid only
328 if:

329 1. The form contains the original signature of the
330 purported elector. A digital signature of the purported elector



940740

331 which complies with the requirements of part I of chapter 668 is
332 considered an original signature for purposes of this
333 requirement.

334 2. The purported elector has accurately recorded on the
335 form the date on which he or she signed the form.

336 3. The form sets forth the purported elector's name,
337 address, city, county, and voter registration number or date of
338 birth.

339 4. The purported elector is, at the time he or she signs
340 the form and at the time the form is verified, a duly qualified
341 and registered elector in the state.

342 5. The signature was obtained legally, including that if a
343 paid petition circulator was used, the circulator was validly
344 registered under subsection (3) when the signature was obtained.

345
346 The supervisor shall retain the signature forms for at least 1
347 year following the election in which the issue appeared on the
348 ballot or until the division notifies the supervisors of
349 elections that the committee that circulated the petition is no
350 longer seeking to obtain ballot position.

351 Section 12. Section 100.51, Florida Statutes, is created to
352 read:

353 100.51 General Election Day paid holiday.-In order to
354 encourage civic participation, enable more individuals to serve
355 as poll workers, and provide additional time for the resolution
356 of any issues that arise while an elector is casting his or her
357 vote, General Election Day is a paid holiday. An elector is
358 entitled to absent himself or herself from any service or
359 employment in which he or she is engaged or employed during the



940740

360 time the polls are open on General Election Day. An elector who
361 absents himself or herself under this section may not be
362 penalized in any way and a deduction may not be made from his or
363 her usual salary or wages on account of his or her absence.

364 Section 13. Section 101.016, Florida Statutes, is created
365 to read:

366 101.016 Strategic elections equipment reserve.—The Division
367 of Elections shall maintain a strategic elections equipment
368 reserve of voting systems that may be deployed in the event of
369 an emergency as defined in s. 101.732 or upon the occurrence of
370 equipment capacity issues due to unexpected voter turnout. The
371 reserve shall include tabulation equipment and any other
372 necessary equipment, such as printers, that are in use by each
373 supervisor of elections. In lieu of maintaining a physical
374 reserve of such equipment, the division may contract with a
375 vendor of voting equipment that shall provide such equipment on
376 an as-needed basis.

377 Section 14. Subsections (1) and (2) of section 101.048,
378 Florida Statutes, are amended to read:

379 101.048 Provisional ballots.—

380 (1) At all elections, a voter claiming to be properly
381 registered in the state and eligible to vote ~~at the precinct~~ in
382 the election but whose eligibility cannot be determined, a
383 person whom an election official asserts is not eligible, and
384 other persons specified in the code shall be entitled to vote a
385 provisional ballot in the county in which the voter claims to be
386 registered. Once voted, the provisional ballot shall be placed
387 in a secrecy envelope and thereafter sealed in a provisional
388 ballot envelope. The provisional ballot shall be deposited in a



940740

389 ballot box. All provisional ballots shall remain sealed in their
390 envelopes for return to the supervisor of elections. The
391 department shall prescribe the form of the provisional ballot
392 envelope. A person casting a provisional ballot shall have the
393 right to present written evidence supporting his or her
394 eligibility to vote to the supervisor of elections by not later
395 than 5 p.m. on the second day following the election.

396 (2) (a) The county canvassing board shall examine each
397 Provisional Ballot Voter's Certificate and Affirmation to
398 determine if the person voting that ballot was entitled to vote
399 in the county in which ~~at the precinct where~~ the person cast a
400 vote in the election and that the person had not already cast a
401 ballot in the election. In determining whether a person casting
402 a provisional ballot is entitled to vote, the county canvassing
403 board shall review the information provided in the Voter's
404 Certificate and Affirmation, written evidence provided by the
405 person pursuant to subsection (1), information provided in any
406 cure affidavit and accompanying supporting documentation
407 pursuant to subsection (6), any other evidence presented by the
408 supervisor, and, in the case of a challenge, any evidence
409 presented by the challenger. A ballot of a person casting a
410 provisional ballot shall be canvassed pursuant to paragraph (b)
411 unless the canvassing board determines by a preponderance of the
412 evidence that the person was not entitled to vote.

413 (b) If it is determined that the person was registered and
414 entitled to vote in the county in which ~~at the precinct where~~
415 the person cast a vote in the election, the canvassing board
416 must compare the signature on the Provisional Ballot Voter's
417 Certificate and Affirmation or the provisional ballot cure



940740

418 affidavit with the signature on the voter's registration or
419 precinct register. A provisional ballot may be counted only if:

420 1. The signature on the voter's certificate or the cure
421 affidavit matches the elector's signature in the registration
422 books or the precinct register; however, in the case of a cure
423 affidavit, the supporting identification listed in subsection
424 (6) must also confirm the identity of the elector; or

425 2. The cure affidavit contains a signature that does not
426 match the elector's signature in the registration books or the
427 precinct register, but the elector has submitted a current and
428 valid Tier 1 form of identification confirming his or her
429 identity pursuant to subsection (6).

430

431 For purposes of this paragraph, any canvassing board finding
432 that signatures do not match must be by majority vote and beyond
433 a reasonable doubt.

434 (c) Any provisional ballot not counted must remain in the
435 envelope containing the Provisional Ballot Voter's Certificate
436 and Affirmation and the envelope shall be marked "Rejected as
437 Illegal."

438 (d) If a provisional ballot is validated following the
439 submission of a cure affidavit, the supervisor must make a copy
440 of the affidavit, affix it to a voter registration application,
441 and immediately process it as a valid request for a signature
442 update pursuant to s. 98.077.

443 Section 15. Paragraph (a) of subsection (2) and paragraph
444 (a) of subsection (3) of section 101.151, Florida Statutes, are
445 amended to read:

446 101.151 Specifications for ballots.—



940740

447 (2) (a) The ballot must include the following office titles
448 above the names of the candidates for the respective offices in
449 the following order:

450 1. The office titles of President and Vice President ~~above~~
451 ~~the names of the candidates for President and Vice President of~~
452 ~~the United States nominated by the political party that received~~
453 ~~the highest vote for Governor in the last general election of~~
454 ~~the Governor in this state, followed by the names of other~~
455 ~~candidates for President and Vice President of the United States~~
456 ~~who have been properly nominated.~~

457 2. The office titles of United States Senator and
458 Representative in Congress.

459 3. The office titles of Governor and Lieutenant Governor;
460 Attorney General; Chief Financial Officer; Commissioner of
461 Agriculture; Secretary of State; State Attorney, with the
462 applicable judicial circuit; and Public Defender, with the
463 applicable judicial circuit.

464 4. The office titles of State Senator and State
465 Representative, with the applicable district for the office
466 printed beneath.

467 5. The office titles of Clerk of the Circuit Court or, when
468 the Clerk of the Circuit Court also serves as the County
469 Comptroller, Clerk of the Circuit Court and Comptroller, when
470 authorized by law; Clerk of the County Court, when authorized by
471 law; Sheriff; Property Appraiser; Tax Collector; District
472 Superintendent of Schools; and Supervisor of Elections.

473 6. The office titles of Board of County Commissioners, with
474 the applicable district printed beneath each office, and such
475 other county and district offices as are involved in the



940740

476 election, in the order fixed by the Department of State,
477 followed, in the year of their election, by "Party Offices," and
478 thereunder the offices of state and county party executive
479 committee members.

480 (3) (a) The names of the candidates of each ~~the~~ party ~~that~~
481 ~~received the highest number of votes for Governor in the last~~
482 ~~election in which a Governor was elected~~ shall be ordered
483 randomly placed first for each office on the general election
484 ballot, together with an appropriate abbreviation of the party
485 name; ~~the names of the candidates of the party that received the~~
486 ~~second highest vote for Governor shall be placed second for each~~
487 ~~office, together with an appropriate abbreviation of the party~~
488 ~~name.~~

489 Section 16. Subsection (6) is added to section 101.5612,
490 Florida Statutes, to read:

491 101.5612 Testing of tabulating equipment.-

492 (6) A supervisor of elections shall annually file with the
493 Secretary of State a detailed plan for operations in the event
494 that maximum voter turnout occurs on election day and a recount
495 is required in each race on a ballot.

496 Section 17. Paragraph (a) of subsection (1), subsection
497 (2), and paragraph (c) of subsection (4) of section 101.62,
498 Florida Statutes, are amended, and subsection (7) is added to
499 that section, to read:

500 101.62 Request for vote-by-mail ballots.-

501 (1) (a) The supervisor shall accept a request for a vote-by-
502 mail ballot from an elector in person or in writing. One request
503 shall be deemed sufficient to receive a vote-by-mail ballot for
504 all elections until the elector or the elector's designee



940740

505 notifies the supervisor that the elector cancels such request
506 through the end of the calendar year of the second ensuing
507 regularly scheduled general election, unless the elector or the
508 elector's designee indicates at the time the request is made the
509 elections for which the elector desires to receive a vote-by-
510 mail ballot. Such request may be considered canceled when any
511 first-class mail sent by the supervisor to the elector is
512 returned as undeliverable.

513 (2) A request for a vote-by-mail ballot to be mailed to a
514 voter must be received no later than 5 p.m. on the 11th ~~10th~~ day
515 before the election by the supervisor. The supervisor shall mail
516 vote-by-mail ballots to voters requesting ballots by such
517 deadline no later than 8 days before the election.

518 (4)

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

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

525 2. By forwardable mail, e-mail, or facsimile machine
526 transmission to absent uniformed services voters and overseas
527 voters. The absent uniformed services voter or overseas voter
528 may designate in the vote-by-mail ballot request the preferred
529 method of transmission. If the voter does not designate the
530 method of transmission, the vote-by-mail ballot shall be mailed.

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



534 4. By delivery to a designee on election day or up to 11 ~~9~~
535 days prior to the day of an election. Any elector may designate
536 in writing a person to pick up the ballot for the elector;
537 however, the person designated may not pick up more than two
538 vote-by-mail ballots per election, other than the designee's own
539 ballot, except that additional ballots may be picked up for
540 members of the designee's immediate family. For purposes of this
541 section, "immediate family" means the designee's spouse or the
542 parent, child, grandparent, or sibling of the designee or of the
543 designee's spouse. The designee shall provide to the supervisor
544 the written authorization by the elector and a picture
545 identification of the designee and must complete an affidavit.
546 The designee shall state in the affidavit that the designee is
547 authorized by the elector to pick up that ballot and shall
548 indicate if the elector is a member of the designee's immediate
549 family and, if so, the relationship. The department shall
550 prescribe the form of the affidavit. If the supervisor is
551 satisfied that the designee is authorized to pick up the ballot
552 and that the signature of the elector on the written
553 authorization matches the signature of the elector on file, the
554 supervisor shall give the ballot to that designee for delivery
555 to the elector.

556 5. Except as provided in s. 101.655, the supervisor may not
557 deliver a vote-by-mail ballot to an elector or an elector's
558 immediate family member on the day of the election unless there
559 is an emergency, to the extent that the elector will be unable
560 to go to his or her assigned polling place. If a vote-by-mail
561 ballot is delivered, the elector or his or her designee shall
562 execute an affidavit affirming to the facts which allow for



940740

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

565 (7) If a deadline imposed under this section falls on a day
566 when the office of the supervisor is usually closed, the
567 deadline shall be extended until the next business day.

568 Section 18. Subsections (1) and (2) of section 101.64,
569 Florida Statutes, are amended to read:

570 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

571 (1) The supervisor shall enclose with each vote-by-mail
572 ballot two envelopes: a secrecy envelope, into which the absent
573 elector shall enclose his or her marked ballot; and a postage
574 paid mailing envelope, into which the absent elector shall then
575 place the secrecy envelope, which shall be addressed to the
576 supervisor and also bear on the back side a certificate in
577 substantially the following form:

578

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

581

582 VOTER'S CERTIFICATE

583

584 I,, do solemnly swear or affirm that I am a qualified
585 and registered voter of County, Florida, and that I have
586 not and will not vote more than one ballot in this election. I
587 understand that if I commit or attempt to commit any fraud in
588 connection with voting, vote a fraudulent ballot, or vote more
589 than once in an election, I can be convicted of a felony of the
590 third degree and fined up to \$5,000 and/or imprisoned for up to
591 5 years. I also understand that failure to sign this certificate



940740

592 will invalidate my ballot.
593 ... (Date) ...
594 ... (Voter's Signature or Last Four Digits of Social Security
595 Number) ...
596 ... (E-Mail Address) (Home Telephone Number) ...
597 ... (Mobile Telephone Number) ...

598 (2) The certificate shall be arranged on the back of the
599 mailing envelope so that the line for the signature or the last
600 four digits of the social security number of the absent elector
601 is across the seal of the envelope; however, no statement shall
602 appear on the envelope which indicates that a signature or the
603 last four digits of the social security number of the voter must
604 cross the seal of the envelope. The absent elector shall execute
605 the certificate on the envelope.

606 Section 19. Section 101.65, Florida Statutes, is amended to
607 read:

608 101.65 Instructions to absent electors.—The supervisor
609 shall enclose with each vote-by-mail ballot separate printed
610 instructions in substantially the following form; however, where
611 the instructions appear in capitalized text, the text of the
612 printed instructions must be in bold font:

613 READ THESE INSTRUCTIONS CAREFULLY
614 BEFORE MARKING BALLOT.

615 1. VERY IMPORTANT. In order to ensure that your vote-by-
616 mail ballot will be counted, it ~~should be completed and returned~~
617 ~~as soon as possible so that it can reach the supervisor of~~
618 ~~elections of the county in which your precinct is located no~~
619 ~~later than 7 p.m. on the day of the election. However, if you~~
620 ~~are an overseas voter casting a ballot in a presidential~~



940740

621 ~~preference primary or general election, your vote by mail ballot~~
622 must be postmarked or dated no later than the date of the
623 election and received by the supervisor of elections of the
624 county in which you are registered to vote no later than 10 days
625 after the date of the election. Note that the later you return
626 your ballot, the less time you will have to cure any signature
627 deficiencies, which may cause your ballot to not be counted ~~is~~
628 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

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

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

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

642 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
643 be counted, you must sign your name or print the last four
644 digits of your social security number on the line above (Voter's
645 Signature or Last Four Digits of Social Security Number). A
646 vote-by-mail ballot will be considered illegal and not be
647 counted if the signature or the last four digits of the social
648 security number on the voter's certificate does not match the
649 signature or social security number on record. The signature on



650 file at the time the supervisor of elections in the county in
651 which your precinct is located receives your vote-by-mail ballot
652 is the signature that will be used to verify your signature on
653 the voter's certificate. If you need to update your signature
654 for this election, send your signature update on a voter
655 registration application to your supervisor of elections ~~so that~~
656 ~~it is received before your vote-by-mail ballot is received.~~

657 8. VERY IMPORTANT. If you are an overseas voter, you must
658 include the date you signed the Voter's Certificate or printed
659 the last four digits of your social security number on the line
660 above (Date) or your ballot may not be counted.

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

667 10. FELONY NOTICE. It is a felony under Florida law to
668 accept any gift, payment, or gratuity in exchange for your vote
669 for a candidate. It is also a felony under Florida law to vote
670 in an election using a false identity or false address, or under
671 any other circumstances making your ballot false or fraudulent.

672 Section 20. Subsection (1), paragraphs (a) and (c) of
673 subsection (2), and paragraphs (a) through (d) of subsection (4)
674 of section 101.68, Florida Statutes, are amended to read:

675 101.68 Canvassing of vote-by-mail ballot.—

676 (1) The supervisor of the county where the absent elector
677 resides shall receive the voted ballot, at which time the
678 supervisor shall compare the signature or partial social



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

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



940740

708 prior to the closing of the polls in that county on election day
709 commits a felony of the third degree, punishable as provided in
710 s. 775.082, s. 775.083, or s. 775.084.

711 (c)1. The canvassing board must, if the supervisor has not
712 already done so, compare the signature or partial social
713 security number of the elector on the voter's certificate or on
714 the vote-by-mail ballot cure affidavit as provided in subsection
715 (4) with the signature or partial social security number of the
716 elector in the registration books or the precinct register to
717 see that the elector is duly registered in the county and to
718 determine the legality of that vote-by-mail ballot. A vote-by-
719 mail ballot may only be counted if:

720 a. The signature or partial social security number on the
721 voter's certificate or the cure affidavit matches the elector's
722 signature or partial social security number in the registration
723 books or precinct register; however, in the case of a cure
724 affidavit, the supporting identification listed in subsection
725 (4) must also confirm the identity of the elector; or

726 b. The cure affidavit contains a signature or partial
727 social security number that does not match the elector's
728 signature or partial social security number in the registration
729 books or precinct register, but the elector has submitted a
730 current and valid Tier 1 identification pursuant to subsection
731 (4) which confirms the identity of the elector.

732
733 For purposes of this subparagraph, any canvassing board finding
734 that an elector's signatures or partial social security numbers
735 do not match must be by majority vote and beyond a reasonable
736 doubt.



940740

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

743 3. A vote-by-mail ballot is not considered illegal if the
744 signature or partial social security number of the elector does
745 not cross the seal of the mailing envelope.

746 4. If any elector or candidate present believes that a
747 vote-by-mail ballot is illegal due to a defect apparent on the
748 voter's certificate or the cure affidavit, he or she may, at any
749 time before the ballot is removed from the envelope, file with
750 the canvassing board a protest against the canvass of that
751 ballot, specifying the precinct, the ballot, and the reason he
752 or she believes the ballot to be illegal. A challenge based upon
753 a defect in the voter's certificate or cure affidavit may not be
754 accepted after the ballot has been removed from the mailing
755 envelope.

756 5. If the canvassing board determines that a ballot is
757 illegal, a member of the board must, without opening the
758 envelope, mark across the face of the envelope: "rejected as
759 illegal." The cure affidavit, if applicable, the envelope, and
760 the ballot therein shall be preserved in the manner that
761 official ballots are preserved.

762 (4) (a) As soon as practicable, the supervisor shall, on
763 behalf of the county canvassing board, attempt to notify an
764 elector who has returned a vote-by-mail ballot that does not
765 include the elector's signature or partial social security



940740

766 number or contains a signature or partial social security number
767 that does not match the elector's signature or partial social
768 security number in the registration books or precinct register
769 by:

770 1. Notifying the elector of the signature or partial social
771 security number deficiency by e-mail and directing the elector
772 to the cure affidavit and instructions on the supervisor's
773 website;

774 2. Notifying the elector of the signature or partial social
775 security number deficiency by text message and directing the
776 elector to the cure affidavit and instructions on the
777 supervisor's website; or

778 3. Notifying the elector of the signature or partial social
779 security number deficiency by telephone and directing the
780 elector to the cure affidavit and instructions on the
781 supervisor's website.

782

783 In addition to the notification required under subparagraph 1.,
784 subparagraph 2., or subparagraph 3., the supervisor must notify
785 the elector of the signature or partial social security number
786 deficiency by first-class mail and direct the elector to the
787 cure affidavit and instructions on the supervisor's website.
788 Beginning the day before the election, the supervisor is not
789 required to provide notice of the signature deficiency by first-
790 class mail, but shall continue to provide notice as required
791 under subparagraph 1., subparagraph 2., or subparagraph 3.

792 (b) The supervisor shall allow a reasonable amount of time
793 for such an elector to complete and submit an affidavit in order
794 to cure the vote-by-mail ballot ~~until 5 p.m. on the 2nd day~~



940740

795 ~~after the election.~~

796 (c) The elector must complete a cure affidavit in
797 substantially the following form:

798

799 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

800

801 I,, am a qualified voter in this election and
802 registered voter of County, Florida. I do solemnly swear or
803 affirm that I requested and returned the vote-by-mail ballot and
804 that I have not and will not vote more than one ballot in this
805 election. I understand that if I commit or attempt any fraud in
806 connection with voting, vote a fraudulent ballot, or vote more
807 than once in an election, I may be convicted of a felony of the
808 third degree and fined up to \$5,000 and imprisoned for up to 5
809 years. I understand that my failure to sign this affidavit means
810 that my vote-by-mail ballot will be invalidated.

811

812 . . . (Voter's Signature or Last Four Digits of Social Security
813 Number) . . .

814 . . . (Address) . . .

815

816 (d) Instructions must accompany the cure affidavit in
817 substantially the following form:

818

819 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
820 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
821 BALLOT NOT TO COUNT.

822

823 1. In order to ensure that your vote-by-mail ballot will be



824 counted, your affidavit should be completed and returned as soon
825 as possible so that it can reach the supervisor of elections of
826 the county in which your precinct is located in a reasonable
827 amount of time ~~no later than 5 p.m. on the 2nd day after the~~
828 ~~election.~~

829 2. You must sign your name or print the last four digits of
830 your social security number on the line above (Voter's Signature
831 or Last Four Digits of Social Security Number).

832 3. You must make a copy of one of the following forms of
833 identification:

834 a. Tier 1 identification.—Current and valid identification
835 that includes your name and photograph: Florida driver license;
836 Florida identification card issued by the Department of Highway
837 Safety and Motor Vehicles; United States passport; debit or
838 credit card; military identification; student identification;
839 retirement center identification; neighborhood association
840 identification; public assistance identification; veteran health
841 identification card issued by the United States Department of
842 Veterans Affairs; a Florida license to carry a concealed weapon
843 or firearm; or an employee identification card issued by any
844 branch, department, agency, or entity of the Federal Government,
845 the state, a county, or a municipality; or

846 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
847 FORM OF IDENTIFICATION, identification that shows your name and
848 current residence address: current utility bill, bank statement,
849 government check, paycheck, or government document (excluding
850 voter information card).

851 4. Place the envelope bearing the affidavit into a mailing
852 envelope addressed to the supervisor. Insert a copy of your



940740

853 identification in the mailing envelope. Mail (if time permits),
854 deliver, or have delivered the completed affidavit along with
855 the copy of your identification to your county supervisor of
856 elections. Be sure there is sufficient postage if mailed and
857 that the supervisor's address is correct. Remember, your
858 information MUST reach your county supervisor of elections in a
859 reasonable amount of time no later than 5 p.m. on the 2nd day
860 after the election, or your ballot will not count.

861 5. Alternatively, you may fax or e-mail your completed
862 affidavit and a copy of your identification to the supervisor of
863 elections. If e-mailing, please provide these documents as
864 attachments.

865 Section 21. Section 101.6952, Florida Statutes, is amended
866 to read:

867 101.6952 Vote-by-mail ballots for absent ~~uniformed services~~
868 ~~and overseas~~ voters.—

869 (1) If an absent ~~uniformed services voter's or an overseas~~
870 voter's request for an official vote-by-mail ballot pursuant to
871 s. 101.62 includes an e-mail address, the supervisor of
872 elections shall:

873 (a) Record the voter's e-mail address in the vote-by-mail
874 ballot record;

875 (b) Confirm by e-mail that the vote-by-mail ballot request
876 was received and include in that e-mail the estimated date the
877 vote-by-mail ballot will be sent to the voter; and

878 (c) Notify the voter by e-mail when the voted vote-by-mail
879 ballot is received by the supervisor of elections.

880 (2) (a) An absent ~~uniformed services voter or an overseas~~
881 voter who makes timely application for but does not receive an



940740

882 official vote-by-mail ballot may use the federal write-in
883 absentee ballot to vote in any federal, state, or local
884 election.

885 (b)1. In an election for federal office, an elector may
886 designate a candidate by writing the name of a candidate on the
887 ballot. Except for a primary or special primary election, the
888 elector may alternatively designate a candidate by writing the
889 name of a political party on the ballot. A written designation
890 of the political party shall be counted as a vote for the
891 candidate of that party if there is such a party candidate in
892 the race.

893 2. In a state or local election, an elector may vote in the
894 section of the federal write-in absentee ballot designated for
895 nonfederal races by writing on the ballot the title of each
896 office and by writing on the ballot the name of the candidate
897 for whom the elector is voting. Except for a primary, special
898 primary, or nonpartisan election, the elector may alternatively
899 designate a candidate by writing the name of a political party
900 on the ballot. A written designation of the political party
901 shall be counted as a vote for the candidate of that party if
902 there is such a party candidate in the race. In addition, the
903 elector may vote on any ballot measure presented in such
904 election by identifying the ballot measure on which he or she
905 desires to vote and specifying his or her vote on the measure.
906 For purposes of this section, a vote cast in a judicial merit
907 retention election shall be treated in the same manner as a
908 ballot measure in which the only allowable responses are "Yes"
909 or "No."

910 (c) In the case of a joint candidacy, such as for the



940740

911 offices of President/Vice President or Governor/Lieutenant
912 Governor, a valid vote for one or both qualified candidates on
913 the same ticket shall constitute a vote for the joint candidacy.

914 (d) For purposes of this subsection and except when the
915 context clearly indicates otherwise, such as when a candidate in
916 the election is affiliated with a political party whose name
917 includes the word "Independent," "Independence," or a similar
918 term, a voter designation of "No Party Affiliation" or
919 "Independent," or any minor variation, misspelling, or
920 abbreviation thereof, shall be considered a designation for the
921 candidate, other than a write-in candidate, who qualified to run
922 in the race with no party affiliation. If more than one
923 candidate qualifies to run as a candidate with no party
924 affiliation, the designation may not count for any candidate
925 unless there is a valid, additional designation of the
926 candidate's name.

927 (e) Any abbreviation, misspelling, or other minor variation
928 in the form of the name of an office, the name of a candidate,
929 the ballot measure, or the name of a political party must be
930 disregarded in determining the validity of the ballot.

931 (3) (a) An absent ~~uniformed services voter or an overseas~~
932 voter who submits a federal write-in absentee ballot and later
933 receives an official vote-by-mail ballot may submit the official
934 vote-by-mail ballot. An elector who submits a federal write-in
935 absentee ballot and later receives and submits an official vote-
936 by-mail ballot should make every reasonable effort to inform the
937 appropriate supervisor of elections that the elector has
938 submitted more than one ballot.

939 (b) ~~A federal write-in absentee ballot may not be canvassed~~



940740

940 ~~until 7 p.m. on the day of the election.~~ A federal write-in
941 absentee ballot from an absent overseas voter in a presidential
942 preference primary or general election may not be canvassed
943 until the conclusion of the 10-day period specified in
944 subsection (5). ~~Each federal write-in absentee ballot received~~
945 ~~by 7 p.m. on the day of the election shall be canvassed pursuant~~
946 ~~to ss. 101.5614(4) and 101.68, unless the elector's official~~
947 ~~vote-by-mail ballot is received by 7 p.m. on election day.~~ Each
948 federal write-in absentee ballot from an absent overseas voter
949 in a presidential preference primary or general election
950 received by 10 days after the date of the election shall be
951 canvassed pursuant to ss. 101.5614(4) and 101.68, unless the
952 absent overseas voter's official vote-by-mail ballot is received
953 by 10 days after the date of the election. If the elector's
954 official vote-by-mail ballot is received ~~by 7 p.m. on election~~
955 ~~day, or, for an overseas voter in a presidential preference~~
956 ~~primary or general election,~~ no later than 10 days after the
957 date of the election, the federal write-in absentee ballot is
958 invalid and the official vote-by-mail ballot shall be canvassed.
959 The time shall be regulated by the customary time in standard
960 use in the county seat of the locality.

961 (4) For vote-by-mail ballots received from absent ~~uniformed~~
962 ~~services voters or overseas~~ voters, there is a presumption that
963 the envelope was mailed on the date stated on the outside of the
964 return envelope, regardless of the absence of a postmark on the
965 mailed envelope or the existence of a postmark date that is
966 later than the date of the election.

967 (5) A vote-by-mail ballot from an absent overseas voter in
968 any presidential preference primary or general election which is



969 postmarked or dated no later than the date of the election and
970 is received by the supervisor of elections of the county in
971 which the ~~overseas~~ voter is registered no later than 10 days
972 after the date of the election shall be counted as long as the
973 vote-by-mail ballot is otherwise proper.

974 Section 22. Section 101.697, Florida Statutes, is amended
975 to read:

976 101.697 Electronic transmission of election materials.—

977 (1) The Department of State shall determine whether secure
978 electronic means can be established for receiving ballots from
979 overseas voters. If such security can be established, the
980 department shall adopt rules to authorize a supervisor of
981 elections to accept from an overseas voter a request for a vote-
982 by-mail ballot or a voted vote-by-mail ballot by secure
983 facsimile machine transmission or other secure electronic means.
984 The rules must provide that in order to accept a voted ballot,
985 the verification of the voter must be established, the security
986 of the transmission must be established, and each ballot
987 received must be recorded.

988 (2) The Department of State shall determine whether secure
989 electronic means can be established for receiving ballots from
990 voters for good cause, including during or immediately after an
991 emergency as defined in s. 101.732. If such secure electronic
992 means can be established, the department shall adopt rules to
993 authorize a supervisor of elections to accept from a voter a
994 voted ballot by secure facsimile machine transmission or other
995 secure electronic means. The rules must provide that in order to
996 accept a voted ballot, the verification of the voter must be
997 established, the security of the transmission must be



940740

998 established, and each ballot received must be recorded. Such a
999 ballot may not be accepted by a supervisor of elections except
1000 upon a determination of good cause by the department.

1001 Section 23. Subsection (6) is added to section 101.71,
1002 Florida Statutes, to read:

1003 101.71 Polling place.—

1004 (6) A polling place may not be located within a gated
1005 community unless the legal residence of every elector in the
1006 precinct is within such gated community.

1007 Section 24. Paragraph (e) of subsection (4) of section
1008 102.031, Florida Statutes, is amended, and subsection (6) is
1009 added to that section, to read:

1010 102.031 Maintenance of good order ~~at polls~~; authorities;
1011 persons allowed in polling rooms and early voting areas;
1012 unlawful solicitation of voters.—

1013 (4)

1014 ~~(c) The owner, operator, or lessee of the property on which~~
1015 ~~a polling place or an early voting site is located, or an agent~~
1016 ~~or employee thereof, may not prohibit the solicitation of voters~~
1017 ~~outside of the no-solicitation zone during polling hours.~~

1018 (6) Bullhorns or other devices used to amplify sound are
1019 prohibited in close proximity to:

1020 (a) A polling place during voting hours.

1021 (b) An office of the supervisor during a recount.

1022 Section 25. Subsection (2) of section 102.111, Florida
1023 Statutes, is amended to read:

1024 102.111 Elections Canvassing Commission.—

1025 (2) The Elections Canvassing Commission shall meet at 9
1026 a.m. on the 9th day after a primary election to certify the



940740

1027 returns for each federal, state, and multicounty office. The
1028 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a
1029 general election to certify the returns of the election for each
1030 ~~federal, state, and multicounty office. The commission shall~~
1031 meet at 9 a.m. on the 21st day after a general election to
1032 certify the returns for each federal and state office. If a
1033 member of a county canvassing board that was constituted
1034 pursuant to s. 102.141 determines, within 5 days after the
1035 certification by the Elections Canvassing Commission, that a
1036 typographical error occurred in the official returns of the
1037 county, the correction of which could result in a change in the
1038 outcome of an election, the county canvassing board must certify
1039 corrected returns to the Department of State within 24 hours,
1040 and the Elections Canvassing Commission must correct and
1041 recertify the election returns as soon as practicable.

1042 Section 26. Subsection (2) of section 102.112, Florida
1043 Statutes, is amended to read:

1044 102.112 Deadline for submission of county returns to the
1045 Department of State.—

1046 (2) Returns must be filed by 5 p.m. on the 7th day
1047 following a primary election, ~~and~~ by noon on the 12th day
1048 following the general election for multicounty offices, and by
1049 noon on the 19th day following the general election for federal
1050 and statewide offices. However, the Department of State may
1051 correct typographical errors, including the transposition of
1052 numbers, in any returns submitted to the Department of State
1053 pursuant to s. 102.111(2).

1054 Section 27. Section 102.181, Florida Statutes, is created
1055 to read:



1056 102.181 Action against supervisor of elections.-
1057 (1) Any elector qualified to vote in or any candidate for
1058 office in an election may file an action against the supervisor
1059 of elections administering such election for noncompliance with
1060 any provision of this code.
1061 (2) Any elector or candidate who files such an action is
1062 entitled to an immediate hearing.
1063 (3) In any such action, any filing fees or costs shall be
1064 waived and attorney fees shall be awarded to the prevailing
1065 party or parties.

1066 Section 28. This act shall take effect July 1, 2021.

1068 ===== T I T L E A M E N D M E N T =====

1069 And the title is amended as follows:

1070 Delete everything before the enacting clause
1071 and insert:

1072 A bill to be entitled
1073 An act relating to elections; amending s. 20.10, F.S.;
1074 requiring the Secretary of State to be elected rather
1075 than appointed; specifying when such election will
1076 occur; amending s. 97.052, F.S.; conforming provisions
1077 to changes made by the act; amending s. 97.053, F.S.;
1078 providing that an applicant must designate a party
1079 affiliation or select no party affiliation to be
1080 registered to vote; requiring a supervisor of
1081 elections to notify an applicant who fails to be
1082 registered; requiring the voter registration
1083 application to include certain information; providing
1084 for the canvassing of provisional ballots if certain



940740

1085 information is provided within a reasonable amount of
1086 time following an election; repealing s. 97.055, F.S.,
1087 relating to the closure of registration books for an
1088 election; repealing s. 97.0555, F.S., relating to late
1089 registration to vote; creating s. 97.0556, F.S.;
1090 providing that a person who meets certain requirements
1091 may register to vote and cast a ballot on election day
1092 or at an early voting site; amending s. 97.057, F.S.;
1093 requiring the Department of Highway Safety and Motor
1094 Vehicles to provide the opportunity to preregister to
1095 vote to certain individuals; amending s. 97.0575,
1096 F.S.; revising penalties for third-party voter
1097 registration organizations collecting voter
1098 registration applications; amending s. 98.065, F.S.;
1099 providing additional requirements before a voter can
1100 be made inactive; amending s. 98.0981, F.S.; revising
1101 certain reports and data to conform with changes made
1102 by the act; amending s. 99.061, F.S.; authorizing a
1103 candidate to pay his or her qualifying fee with a
1104 cashier's check; amending s. 100.371, F.S.; providing
1105 a requirement for the delivery of certain petitions;
1106 specifying that a digital signature that complies with
1107 the Electronic Signature Act of 1996 satisfies the
1108 requirement that a petition form must contain an
1109 original signature; creating s. 100.51, F.S.;
1110 designating General Election Day as a paid holiday;
1111 providing that any elector may absent himself or
1112 herself from service or employment at a specific time
1113 on a General Election Day and may not be penalized or



940740

1114 have pay reduced for such absence; creating s.
1115 101.016, F.S.; requiring the Division of Elections to
1116 maintain a strategic elections equipment reserve of
1117 voting systems and other equipment for specified
1118 purposes; requiring such reserve to include specified
1119 equipment; authorizing the division to contract with
1120 specified entities rather than physically maintain
1121 such reserve; amending s. 101.048, F.S.; providing
1122 that a person may cast a provisional ballot in the
1123 county in which the voter claims to be registered;
1124 amending s. 101.151, F.S.; revising the order in which
1125 office titles and names of candidates are placed on
1126 the ballot; amending s. 101.5612, F.S.; requiring the
1127 supervisor of elections to annually file a plan for
1128 operations under certain conditions; amending s.
1129 101.62, F.S.; providing that a request for a vote-by-
1130 mail ballot is valid until the request is canceled;
1131 revising the deadline by which vote-by-mail ballots
1132 must be received by a supervisor of elections;
1133 revising the period during which a supervisor of
1134 elections may deliver certain ballots; providing for
1135 extension of deadlines under certain conditions;
1136 amending s. 101.64, F.S.; requiring the supervisor of
1137 elections to enclose a postage paid mailing envelope
1138 with each vote-by-mail ballot; providing that vote-by-
1139 mail ballot voter certificates may require a voter's
1140 signature or the last four digits of the voter's
1141 social security number; amending s. 101.65, F.S.;
1142 revising instructions that must be provided with a



1143 vote-by-mail ballot; amending s. 101.68, F.S.;

1144 requiring the supervisor of elections to compare the

1145 signature or partial social security number with the

1146 signature or partial social security number in the

1147 registration books or precinct register when

1148 canvassing a vote-by-mail ballot; authorizing the

1149 canvassing of vote-by-mail ballots upon the completion

1150 of the public preelection testing of automatic

1151 tabulating equipment; revising the timeframe during

1152 which an elector may cure a vote-by-mail ballot;

1153 amending s. 101.6952, F.S.; authorizing an absent

1154 voter to submit a federal write-in absentee ballot or

1155 vote-by-mail ballot; revising requirements for the

1156 canvassing of specified ballots; providing that a

1157 certain presumption applies to vote-by-mail ballots

1158 received from absent voters; requiring a vote-by-mail

1159 ballot from an absent voter which is postmarked by a

1160 certain date to be counted; amending s. 101.697, F.S.;

1161 requiring the Department of State to adopt rules to

1162 authorize a supervisor of elections to accept a voted

1163 ballot by secure electronic means under certain

1164 circumstances; amending s. 101.71, F.S.; prohibiting a

1165 polling place from being located within a gated

1166 community unless certain conditions are met; amending

1167 s. 102.031, F.S.; removing a provision prohibiting the

1168 restriction of solicitation by certain parties;

1169 prohibiting the use of devices that amplify sound in

1170 certain locations; amending s. 102.111, F.S.; revising

1171 the dates by which the Elections Canvassing Commission



940740

1172 must certify certain election returns; amending s.
1173 102.112, F.S.; revising the deadlines for submission
1174 of county returns to the Department of State; creating
1175 s. 102.181, F.S.; authorizing certain persons to file
1176 actions against a supervisor of elections who fail to
1177 comply with the Florida Election Code; providing that
1178 such person is entitled to an immediate hearing;
1179 providing for the waiver of fees and costs and the
1180 award of attorney fees; providing an effective date.