

By Senator Baxley

12-00669E-21

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1                   A bill to be entitled  
2       An act relating to vote-by-mail ballots; amending s.  
3       101.62, F.S.; limiting the duration of requests for  
4       vote-by-mail ballots to all elections held within a  
5       calendar year of a request; amending s. 101.68, F.S.;  
6       authorizing the canvassing of vote-by-mail ballots  
7       upon the completion of the public preelection testing  
8       of automatic tabulating equipment; providing for  
9       construction and applicability; providing an effective  
10      date.

11  
12 Be It Enacted by the Legislature of the State of Florida:

13  
14       Section 1. Paragraph (a) of subsection (1) of section  
15       101.62, Florida Statutes, is amended to read:

16       101.62 Request for vote-by-mail ballots.—

17       (1) (a) The supervisor shall accept a request for a vote-by-  
18       mail ballot from an elector in person or in writing. One request  
19       is ~~shall be~~ deemed sufficient to receive a vote-by-mail ballot  
20       for all elections that are held within a calendar year through  
21       ~~the end of the calendar year of the second ensuing regularly~~  
22       ~~scheduled general election~~, unless the elector or the elector's  
23       designee indicates at the time the request is made the elections  
24       for which the elector desires to receive a vote-by-mail ballot.  
25       Such request may be considered canceled when any first-class  
26       mail sent by the supervisor to the elector is returned as  
27       undeliverable.

28       Section 2. Paragraph (a) of subsection (2) of section  
29       101.68, Florida Statutes, is amended to read:

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30 101.68 Canvassing of vote-by-mail ballot.-

31 (2) (a) The county canvassing board may begin the canvassing  
32 of vote-by-mail ballots upon the completion of the public  
33 testing of automatic tabulating equipment pursuant to s.  
34 101.5612(2) at 7 a.m. on the 22nd day before the election, but  
35 must begin such canvassing by no ~~not~~ later than noon on the day  
36 following the election. ~~In addition, for any county using~~  
37 ~~electronic tabulating equipment, the processing of vote-by-mail~~  
38 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~  
39 ~~the 22nd day before the election.~~ However, notwithstanding any  
40 such authorization to begin canvassing or otherwise processing  
41 vote-by-mail ballots early, no result shall be released until  
42 after the closing of the polls in that county on election day.  
43 Any supervisor, deputy supervisor, canvassing board member,  
44 election board member, or election employee who releases the  
45 results of a canvassing or processing of vote-by-mail ballots  
46 prior to the closing of the polls in that county on election day  
47 commits a felony of the third degree, punishable as provided in  
48 s. 775.082, s. 775.083, or s. 775.084.

49 Section 3. Notwithstanding that an elector has submitted a  
50 vote-by-mail ballot request before the effective date of this  
51 act initially applicable through the end of the calendar year of  
52 the second ensuing regularly scheduled general election, any  
53 such elector must affirmatively resubmit a vote-by-mail ballot  
54 request following the effective date of this act in order to  
55 receive vote-by-mail ballots for the 2022 primary and general  
56 elections.

57 Section 4. This act shall take effect July 1, 2021.