

By the Committees on Rules; Governmental Oversight and Accountability; and Ethics and Elections; and Senator Baxley

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1 A bill to be entitled
2 An act relating to election administration; amending
3 s. 97.052, F.S.; revising requirements for the uniform
4 statewide voter registration application; amending s.
5 97.0525, F.S.; authorizing an applicant to submit an
6 online voter registration application using the last
7 four digits of the applicant's social security number;
8 prescribing procedures for applicants who submit an
9 application using the last four digits of their social
10 security numbers; specifying additional requirements
11 for comprehensive risk assessments of the online voter
12 registration system; amending s. 97.053, F.S.;
13 revising requirements governing the acceptance of
14 voter registration applications; amending s. 97.057,
15 F.S.; requiring the Department of Highway Safety and
16 Motor Vehicles to assist the Department of State in
17 identifying certain residence address changes;
18 requiring the Department of State to report such
19 changes to supervisors of elections; amending s.
20 97.0575, F.S.; revising requirements for third-party
21 voter registration organizations; providing
22 applicability; revising circumstances under which a
23 third-party voter registration organization is subject
24 to fines for violations regarding the delivery of
25 voter registration applications; revising requirements
26 for Division of Elections rules governing third-party
27 voter registration organizations; amending s. 97.0585,
28 F.S.; deleting an exemption from public records
29 requirements for information related to a voter

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30 registration applicant's or voter's prior felony
31 conviction and his or her restoration of voting rights
32 to conform to changes made by the act; amending s.
33 97.1031, F.S.; revising requirements for notifying the
34 supervisor of address changes; modifying procedures
35 for submitting changes of name or party affiliation to
36 conform to changes made by the act; amending s.
37 98.0981, F.S.; providing that certain ballot types or
38 precinct subtotals may not be reported in precinct-
39 level election results; requiring supervisors to post
40 live turnout data for election day voting and vote-by-
41 mail ballot statistics on their websites; requiring
42 supervisors to transmit live turnout data to the
43 Division of Elections; directing the division to
44 create and maintain a statewide voter turnout
45 dashboard on its website using such data; amending s.
46 99.021, F.S.; requiring a person seeking to qualify
47 for office as a candidate with no party affiliation to
48 subscribe to an oath or affirmation that he or she is
49 registered without party affiliation and has not been
50 a registered member of a political party for a
51 specified timeframe; amending ss. 99.061 and 99.063,
52 F.S.; conforming provisions to changes made by the
53 act; amending s. 101.043, F.S.; deleting a provision
54 that prohibits the use of an address appearing on
55 identification presented by an elector at the polls as
56 a basis to confirm an elector's legal residence;
57 deleting a provision that prohibits a clerk or an
58 inspector from asking an elector to provide additional

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59 identification information under specified
60 circumstances; creating s. 101.046, F.S.; prescribing
61 procedures and limitations governing signature
62 verification; defining the term "wet signature";
63 amending s. 101.051, F.S.; prohibiting certain
64 solicitation of voters at drop box locations;
65 increasing the no-solicitation zone surrounding a drop
66 box location or the entrance of a polling place or an
67 early voting site wherein certain activities are
68 prohibited; amending s. 101.545, F.S.; requiring
69 ballots, forms, and election materials to be retained
70 for a specified minimum timeframe following an
71 election; amending s. 101.5605, F.S.; revising the
72 timeframe within which the department must approve or
73 disapprove a voting system submitted for
74 certification; amending s. 101.5614, F.S.; revising
75 requirements for making true duplicate copies of vote-
76 by-mail ballots under certain circumstances; requiring
77 that an observer of the duplication of ballots be
78 provided certain allowances; requiring the canvassing
79 board to take certain action in response to an
80 objection to a ballot duplicate; amending s. 101.591,
81 F.S.; revising the timeframe and requirements for the
82 voting systems audit report submitted to the
83 department; amending s. 101.595, F.S.; requiring a
84 specified report regarding overvotes and undervotes to
85 be submitted with the voting systems audit report;
86 revising the date by which the department must submit
87 the report to the Governor and Legislature; amending

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88 s. 101.62, F.S.; limiting the duration of requests for
89 vote-by-mail ballots to all elections through the end
90 of the calendar year of the next regularly scheduled
91 general election; specifying applicability; requiring
92 certain vote-by-mail ballot requests to include
93 additional identifying information regarding the
94 requesting elector; requiring supervisors of elections
95 to record whether a voter's certificate on a vote-by-
96 mail ballot has a mismatched signature; revising the
97 definition of the term "immediate family" to conform
98 to changes made by the act; prohibiting counties,
99 municipalities, and state agencies from sending vote-
100 by-mail ballots to voters absent a request; providing
101 exceptions; amending s. 101.64, F.S.; prohibiting the
102 display of an absent elector's party affiliation or
103 other partisan information on the outside of vote-by-
104 mail ballots and return and secrecy envelopes;
105 amending s. 101.68, F.S.; specifying that the
106 supervisor may not use any knowledge of a voter's
107 party affiliation during the signature comparison
108 process; authorizing the canvassing of vote-by-mail
109 ballots upon the completion of the public preelection
110 testing of automatic tabulating equipment; amending s.
111 101.69, F.S.; revising requirements governing the
112 placement and supervision of secure drop boxes for the
113 return of vote-by-mail ballots; requiring the
114 supervisor to designate drop box locations in advance
115 of an election; prohibiting changes in drop box
116 locations for an election after their initial

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117 designation; specifying requirements regarding the
118 retrieval of vote-by-mail ballots returned in a drop
119 box; providing that the supervisor is subject to a
120 civil penalty for certain violations regarding drop
121 boxes; amending s. 102.031, F.S.; prohibiting certain
122 solicitation activities within a specified area
123 surrounding a drop box; revising the definition of
124 "solicit" and "solicitation" to include the giving, or
125 attempting to give, any item to a voter by certain
126 persons; providing for construction; restricting
127 certain persons from prohibiting the solicitation of
128 voters by a candidate or a candidate's designee
129 outside of the no-solicitation zone; amending s.
130 102.141, F.S.; requiring the names of canvassing board
131 members be published on the supervisor's website
132 before the tabulation of any vote-by-mail ballots in
133 an election; authorizing each political party and
134 candidate to have one watcher at canvassing board
135 meetings within a distance that allows him or her to
136 directly observe proceedings; requiring additional
137 information be included in public notices of
138 canvassing board meetings; amending s. 104.0616, F.S.;
139 revising the definition of "immediate family";
140 prohibiting any person from distributing, ordering,
141 requesting, collecting, delivering, or otherwise
142 physically possessing more than two vote-by-mail
143 ballots of other electors per election, not including
144 immediate family members; providing exceptions;
145 providing a penalty; providing effective dates.

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

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

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

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

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175 Section 2. Effective July 1, 2022, subsections (1) through
176 (4) of section 97.0525, Florida Statutes, are amended to read:
177 97.0525 Online voter registration.—

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

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

184 (a) Submit a voter registration application, including
185 first-time voter registration applications and updates to
186 current voter registration records.

187 (b) Submit information necessary to establish an
188 applicant's eligibility to vote, pursuant to s. 97.041, which
189 includes the information required for the uniform statewide
190 voter registration application pursuant to s. 97.052(2).

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

192 (3) (a) The online voter registration system must ~~shall~~
193 comply with the information technology security provisions of s.
194 282.318 and must ~~shall~~ use a unique identifier for each
195 applicant to prevent unauthorized persons from altering a
196 voter's registration information. For an applicant to update his
197 or her voter registration record, he or she must provide his or
198 her date of birth and either his or her Florida driver license
199 number or the identification number from a Florida
200 identification card issued under s. 322.051 or the last four
201 digits of his or her social security number if the applicant has
202 not been issued a Florida driver license or identification card.

203 (b) The division shall conduct a comprehensive risk

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204 assessment of the online voter registration system ~~before making~~
205 ~~the system publicly available and every 2 years thereafter.~~ The
206 comprehensive risk assessment must comply with the risk
207 assessment methodology developed by the Department of Management
208 Services for identifying security risks, determining the
209 magnitude of such risks, and identifying areas that require
210 safeguards. In addition, the comprehensive risk assessment must
211 incorporate all of the following:

212 1. Load testing and stress testing to ensure that the
213 online voter registration system has sufficient capacity to
214 accommodate foreseeable use, including during periods of high
215 volume of website users in the week immediately preceding the
216 book-closing deadline for an election.

217 2. Screening of computers and networks used to support the
218 online voter registration system for malware and other
219 vulnerabilities.

220 3. Evaluation of database infrastructure, including
221 software and operating systems, in order to fortify defenses
222 against cyberattacks.

223 4. Identification of any anticipated threats to the
224 security and integrity of data collected, maintained, received,
225 or transmitted by the online voter registration system.

226 (4) (a) In order to submit a voter registration application
227 through the online voter registration system, an applicant must
228 provide his or her Florida driver license number or the
229 identification number from a Florida identification card issued
230 under s. 322.051; or if an applicant has not been issued a
231 Florida driver license or Florida identification card, he or she
232 must provide the last four digits of the applicant's social

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233 security number.

234 (b)1. If the applicant has submitted his or her Florida
235 driver license number or the identification number from a
236 Florida identification card with a voter registration
237 application, the online voter registration system shall compare
238 the Florida driver license number or Florida identification
239 number ~~submitted pursuant to s. 97.052(2)(n)~~ with information
240 maintained by the Department of Highway Safety and Motor
241 Vehicles to confirm that the name and date of birth on the
242 application are consistent with the records of the Department of
243 Highway Safety and Motor Vehicles.

244 2.~~(b)~~ If the applicant's name and date of birth are
245 consistent with the records of the Department of Highway Safety
246 and Motor Vehicles, the online voter registration system shall
247 transmit, using the statewide voter registration system
248 maintained pursuant to s. 98.035, the applicant's registration
249 application, along with the digital signature of the applicant
250 on file with the Department of Highway Safety and Motor
251 Vehicles, to the supervisor of elections. The applicant's
252 digital signature satisfies the signature requirement of s.
253 97.052(2)(q).

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

258 2. If the last four digits of the applicant's social
259 security number are verified pursuant to s. 97.053(6), the
260 online voter registration system shall transmit, using the
261 statewide voter registration system maintained pursuant to s.

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262 98.035, the applicant's registration application to the
263 supervisor of elections.

264 (d) If the applicant's name and date of birth cannot be
265 verified by the records of the Department of Highway Safety and
266 Motor Vehicles, or if the last four digits of the applicant's
267 social security number cannot be verified ~~applicant indicated~~
268 ~~that he or she has not been issued a Florida driver license or~~
269 ~~Florida identification card,~~ the online voter registration
270 system shall populate the applicant's information into a
271 printable voter registration application pursuant to s.
272 97.052(2) and direct the applicant to print, sign, and date the
273 application and deliver the application to the supervisor of
274 elections for disposition pursuant to s. 97.073.

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

277 97.053 Acceptance of voter registration applications.—

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

281 1. The applicant's name.

282 2. The applicant's address of legal residence, including a
283 distinguishing apartment, suite, lot, room, or dormitory room
284 number or other identifier, if appropriate. Failure to include a
285 distinguishing apartment, suite, lot, room, or dormitory room or
286 other identifier on a voter registration application does not
287 impact a voter's eligibility to register to vote or cast a
288 ballot, and such an omission may not serve as the basis for a
289 challenge to a voter's eligibility or reason to not count a
290 ballot.

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- 291 3. The applicant's date of birth.
- 292 4. A mark in the checkbox affirming that the applicant is a
293 citizen of the United States.
- 294 5.a. The applicant's current and valid Florida driver
295 license number or the identification number from a Florida
296 identification card issued under s. 322.051, or
- 297 b. If the applicant has not been issued a current and valid
298 Florida driver license or a Florida identification card, the
299 last four digits of the applicant's social security number.
300
- 301 In case an applicant has not been issued a current and valid
302 Florida driver license, Florida identification card, or social
303 security number, the applicant shall affirm this fact in the
304 manner prescribed in the uniform statewide voter registration
305 application.
- 306 6. A mark in the ~~applicable~~ checkbox affirming that the
307 applicant has not been convicted of a felony or that, if
308 convicted, ~~has had his or her civil rights restored through~~
309 ~~executive clemency, or~~ has had his or her voting rights restored
310 pursuant to s. 4, Art. VI of the State Constitution.
- 311 7. A mark in the checkbox affirming that the applicant has
312 not been adjudicated mentally incapacitated with respect to
313 voting or that, if so adjudicated, has had his or her right to
314 vote restored.
- 315 8. The original signature or a digital signature
316 transmitted by the Department of Highway Safety and Motor
317 Vehicles of the applicant swearing or affirming under the
318 penalty for false swearing pursuant to s. 104.011 that the
319 information contained in the registration application is true

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320 and subscribing to the oath required by s. 3, Art. VI of the
321 State Constitution and s. 97.051.

322 (6) A voter registration application, including an
323 application with a change in name, address, or party
324 affiliation, may be accepted as valid only after the department
325 has verified the authenticity or nonexistence of the driver
326 license number, the Florida identification card number, or the
327 last four digits of the social security number provided by the
328 applicant. If a completed voter registration application has
329 been received by the book-closing deadline but the driver
330 license number, the Florida identification card number, or the
331 last four digits of the social security number provided by the
332 applicant cannot be verified, the applicant shall be notified
333 that the number cannot be verified and that the applicant must
334 provide evidence to the supervisor sufficient to verify the
335 authenticity of the applicant's driver license number, Florida
336 identification card number, or last four digits of the social
337 security number. If the applicant provides the necessary
338 evidence, the supervisor shall place the applicant's name on the
339 registration rolls as an active voter. If the applicant has not
340 provided the necessary evidence or the number has not otherwise
341 been verified prior to the applicant presenting himself or
342 herself to vote, the applicant shall be provided a provisional
343 ballot. The provisional ballot shall be counted only if the
344 number is verified by the end of the canvassing period or if the
345 applicant presents evidence to the supervisor of elections
346 sufficient to verify the authenticity of the applicant's driver
347 license number, Florida identification card number, or last four
348 digits of the social security number no later than 5 p.m. of the

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349 second day following the election.

350 Section 4. Subsection (13) is added to section 97.057,
351 Florida Statutes, to read:

352 97.057 Voter registration by the Department of Highway
353 Safety and Motor Vehicles.—

354 (13) The Department of Highway Safety and Motor Vehicles
355 must assist the Department of State in regularly identifying
356 changes in residence address on the driver license or
357 identification card of a voter. The Department of State must
358 report each such change to the appropriate supervisor of
359 elections, who must change the voter's registration records in
360 accordance with s. 98.065(4).

361 Section 5. Paragraphs (c) and (d) of subsection (1),
362 paragraph (a) of subsection (3), and subsection (5) of section
363 97.0575, Florida Statutes, are amended to read:

364 97.0575 Third-party voter registrations.—

365 (1) Before engaging in any voter registration activities, a
366 third-party voter registration organization must register and
367 provide to the division, in an electronic format, the following
368 information:

369 (c) The names, permanent addresses, and temporary
370 addresses, if any, of each registration agent registering
371 persons to vote in this state on behalf of the organization.
372 This paragraph does not apply to persons who only solicit
373 applications and do not collect or handle voter registration
374 applications.

375 ~~(d) A sworn statement from each registration agent employed~~
376 ~~by or volunteering for the organization stating that the agent~~
377 ~~will obey all state laws and rules regarding the registration of~~

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378 ~~voters. Such statement must be on a form containing notice of~~
379 ~~applicable penalties for false registration.~~

380 (3) (a) A third-party voter registration organization that
381 collects voter registration applications serves as a fiduciary
382 to the applicant, ensuring that any voter registration
383 application entrusted to the organization, irrespective of party
384 affiliation, race, ethnicity, or gender, must ~~shall~~ be promptly
385 delivered to the division or the supervisor of elections in the
386 county in which the applicant resides within 14 days after the
387 applicant completes it, but not after registration closes for
388 the next ensuing election. A third-party voter registration
389 organization must notify the applicant at the time the
390 application is collected that the organization might not deliver
391 the application to the division or the supervisor of elections
392 in less than 14 days or before registration closes for the next
393 ensuing election and must advise the applicant that he or she
394 may deliver the application in person or by mail. The third-
395 party voter registration organization must also inform the
396 applicant how to register online with the division and how to
397 determine whether the application has been delivered ~~48 hours~~
398 ~~after the applicant completes it or the next business day if the~~
399 ~~appropriate office is closed for that 48-hour period.~~ If a voter
400 registration application collected by any third-party voter
401 registration organization is not promptly delivered to the
402 division or supervisor of elections, the third-party voter
403 registration organization is liable for the following fines:
404 1. A fine in the amount of \$50 for each application
405 received by the division or the supervisor of elections in the
406 county in which the applicant resides more than 14 days ~~48 hours~~

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407 after the applicant delivered the completed voter registration
408 application to the third-party voter registration organization
409 or any person, entity, or agent acting on its behalf ~~or the next~~
410 ~~business day, if the office is closed.~~ A fine in the amount of
411 \$250 for each application received if the third-party voter
412 registration organization or person, entity, or agency acting on
413 its behalf acted willfully.

414 2. A fine in the amount of \$100 for each application
415 collected by a third-party voter registration organization or
416 any person, entity, or agent acting on its behalf, before book
417 closing for any given election for federal or state office and
418 received by the division or the supervisor of elections in the
419 county in which the applicant resides after the book-closing
420 deadline for such election. A fine in the amount of \$500 for
421 each application received if the third-party registration
422 organization or person, entity, or agency acting on its behalf
423 acted willfully.

424 3. A fine in the amount of \$500 for each application
425 collected by a third-party voter registration organization or
426 any person, entity, or agent acting on its behalf, which is not
427 submitted to the division or supervisor of elections in the
428 county in which the applicant resides. A fine in the amount of
429 \$1,000 for any application not submitted if the third-party
430 voter registration organization or person, entity, or agency
431 acting on its behalf acted willfully.

432
433 The aggregate fine pursuant to this paragraph which may be
434 assessed against a third-party voter registration organization,
435 including affiliate organizations, for violations committed in a

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436 calendar year is \$1,000.

437 (5) The division shall adopt by rule a form to elicit
438 specific information concerning the facts and circumstances from
439 a person who claims to have been registered to vote by a third-
440 party voter registration organization but who does not appear as
441 an active voter on the voter registration rolls. The division
442 shall also adopt rules to ensure the integrity of the
443 registration process, including controls to ensure that all
444 completed forms are promptly delivered to the division or an
445 appropriate supervisor ~~rules requiring third-party voter~~
446 ~~registration organizations to account for all state and federal~~
447 ~~registration forms used by their registration agents. Such rules~~
448 ~~may require an organization to provide organization and form~~
449 ~~specific identification information on each form as determined~~
450 ~~by the department as needed to assist in the accounting of state~~
451 ~~and federal registration forms.~~

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

454 97.0585 Public records exemption; information regarding
455 voters and voter registration; confidentiality.-

456 (1) The following information held by an agency, as defined
457 in s. 119.011, and obtained for the purpose of voter
458 registration is confidential and exempt from s. 119.07(1) and s.
459 24(a), Art. I of the State Constitution and may be used only for
460 purposes of voter registration:

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

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465 ~~(e)~~ All information concerning preregistered voter
466 registration applicants who are 16 or 17 years of age.

467 (e)(f) Paragraph (d) is Paragraphs (d) and (e) are subject
468 to the Open Government Sunset Review Act in accordance with s.
469 119.15 and shall stand repealed on October 2, 2024, unless
470 reviewed and saved from repeal through reenactment by the
471 Legislature.

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

474 97.1031 Notice of change of residence, change of name, or
475 change of party affiliation.—

476 (1)

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

480 1. Contacting the supervisor of elections via telephone or
481 electronic means, in which case the elector must provide his or
482 her date of birth and either his or her Florida driver license
483 number or the identification number from a Florida
484 identification card issued under s. 322.051 or the last four
485 digits of the his or her social security number if the elector
486 has not been issued a Florida driver license or identification
487 card; or

488 2. Submitting the change on a voter registration
489 application or other signed written notice.

490 (2) When an elector seeks to change party affiliation, the
491 elector shall notify his or her supervisor of elections or other
492 voter registration official by submitting a voter registration
493 application or other ~~using a~~ signed written notice that contains

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494 the elector's date of birth or voter registration number and
495 either his or her Florida driver license number or the
496 identification number from a Florida identification card issued
497 under s. 322.051 or the last four digits of his or her social
498 security number if the elector has not been issued a Florida
499 driver license or identification card. When an elector changes
500 his or her name by marriage or other legal process, the elector
501 shall notify his or her supervisor of elections or other voter
502 registration official by submitting a voter registration
503 application or other ~~using~~ a signed written notice that contains
504 the elector's date of birth or voter's registration number and
505 either his or her Florida driver license number or the
506 identification number from a Florida identification card issued
507 under s. 322.051 or the last four digits of his or her social
508 security number if the elector has not been issued a Florida
509 driver license or identification card.

510 Section 8. Present subsections (4) and (5) of section
511 98.0981, Florida Statutes, are redesignated as subsections (5)
512 and (6), respectively, a new subsection (4) is added to that
513 section, and paragraph (a) of subsection (2) of that section is
514 amended, to read:

515 98.0981 Reports; voting history; statewide voter
516 registration system information; precinct-level election
517 results; book closing statistics; live turnout data.—

518 (2) PRECINCT-LEVEL ELECTION RESULTS.—

519 (a) Within 30 days after certification by the Elections
520 Canvassing Commission of a presidential preference primary
521 election, special election, primary election, or general
522 election, the supervisors of elections shall collect and submit

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523 to the department precinct-level election results for the
524 election in a uniform electronic format specified by paragraph
525 (c). The precinct-level election results shall be compiled
526 separately for the primary or special primary election that
527 preceded the general or special general election, respectively.
528 The results shall specifically include for each precinct the
529 total of all ballots cast for each candidate or nominee to fill
530 a national, state, county, or district office or proposed
531 constitutional amendment, with subtotals for each candidate and
532 ballot type. However, ballot type or precinct subtotals in a
533 race or question having fewer than 30 voters voting on the
534 ballot type or in the precinct may not be reported in precinct
535 results, unless fewer than 30 voters voted a ballot type. "All
536 ballots cast" means ballots cast by voters who cast a ballot
537 whether at a precinct location, by vote-by-mail ballot including
538 overseas vote-by-mail ballots, during the early voting period,
539 or by provisional ballot.

540 (4) LIVE TURNOUT DATA.—

541 (a) Supervisors of elections shall make live voter turnout
542 data on election day available on their respective websites. At
543 a minimum, a supervisor must post updated turnout data on their
544 website at 8 a.m., 2 p.m., and 6 p.m. on election day. The
545 supervisors shall transmit the turnout data to the division,
546 which must create and maintain a real-time statewide turnout
547 dashboard that is available for viewing by the public on its
548 website as the data becomes available.

549 (b) For each election, supervisors of elections shall make
550 available on their respective websites the number of vote-by-
551 mail ballots requested, the number of completed vote-by-mail

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552 ballots received, and the number of vote-by-mail ballots not yet
553 tabulated. Such information must be updated daily.

554 Section 9. Present paragraph (c) of subsection (1) of
555 section 99.021, Florida Statutes, is redesignated as paragraph
556 (d), and a new paragraph (c) is added to that subsection, to
557 read:

558 99.021 Form of candidate oath.—

559 (1)

560 (c) In addition, any person seeking to qualify for office
561 as a candidate with no party affiliation shall, at the time of
562 subscribing to the oath or affirmation, state in writing that he
563 or she is registered without any party affiliation and that he
564 or she has not been a registered member of any political party
565 for 365 days before the beginning of qualifying preceding the
566 general election for which the person seeks to qualify.

567 Section 10. Paragraph (a) of subsection (7) of section
568 99.061, Florida Statutes, is amended to read:

569 99.061 Method of qualifying for nomination or election to
570 federal, state, county, or district office.—

571 (7) (a) In order for a candidate to be qualified, the
572 following items must be received by the filing officer by the
573 end of the qualifying period:

574 1. A properly executed check drawn upon the candidate's
575 campaign account payable to the person or entity as prescribed
576 by the filing officer in an amount not less than the fee
577 required by s. 99.092, unless the candidate obtained the
578 required number of signatures on petitions pursuant to s.
579 99.095. The filing fee for a special district candidate is not
580 required to be drawn upon the candidate's campaign account. If a

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581 candidate's check is returned by the bank for any reason, the
582 filing officer shall immediately notify the candidate and the
583 candidate shall have until the end of qualifying to pay the fee
584 with a cashier's check purchased from funds of the campaign
585 account. Failure to pay the fee as provided in this subparagraph
586 shall disqualify the candidate.

587 2. The candidate's oath required by s. 99.021, which must
588 contain the name of the candidate as it is to appear on the
589 ballot; the office sought, including the district or group
590 number if applicable; and the signature of the candidate, which
591 must be verified under oath or affirmation pursuant to s.
592 92.525(1) (a).

593 3. If the office sought is partisan, the written statement
594 of political party affiliation required by s. 99.021(1) (b); or
595 if the candidate is running without party affiliation for a
596 partisan office, the written statement required by s.
597 99.021(1) (c).

598 4. The completed form for the appointment of campaign
599 treasurer and designation of campaign depository, as required by
600 s. 106.021.

601 5. The full and public disclosure or statement of financial
602 interests required by subsection (5). A public officer who has
603 filed the full and public disclosure or statement of financial
604 interests with the Commission on Ethics or the supervisor of
605 elections prior to qualifying for office may file a copy of that
606 disclosure at the time of qualifying.

607 Section 11. Paragraph (b) of subsection (2) of section
608 99.063, Florida Statutes, is amended to read:

609 99.063 Candidates for Governor and Lieutenant Governor.—

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610 (2) No later than 5 p.m. of the 9th day following the
611 primary election, each designated candidate for Lieutenant
612 Governor shall file with the Department of State:

613 (b) If the office sought is partisan, the written statement
614 of political party affiliation required by s. 99.021(1)(b); or
615 if the office sought is without party affiliation, the written
616 statement required by s. 99.021(1)(c).

617 Section 12. Paragraphs (b) and (c) of subsection (1) of
618 section 101.043, Florida Statutes, are amended to read:

619 101.043 Identification required at polls.—

620 (1)

621 (b) If the picture identification does not contain the
622 signature of the elector, an additional identification that
623 provides the elector's signature shall be required. The address
624 appearing on the identification presented by the elector may not
625 be used as the basis to ~~confirm an elector's legal residence or~~
626 ~~otherwise~~ challenge an elector's legal residence. The elector
627 shall sign his or her name in the space provided on the precinct
628 register or on an electronic device provided for recording the
629 elector's signature. The clerk or inspector shall compare the
630 signature with that on the identification provided by the
631 elector and enter his or her initials in the space provided on
632 the precinct register or on an electronic device provided for
633 that purpose and allow the elector to vote if the clerk or
634 inspector is satisfied as to the identity of the elector.

635 ~~(c) When an elector presents his or her picture~~
636 ~~identification to the clerk or inspector and the elector's~~
637 ~~address on the picture identification matches the elector's~~
638 ~~address in the supervisor's records, the elector may not be~~

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639 ~~asked to provide additional information or to recite his or her~~
640 ~~home address.~~

641 Section 13. Section 101.046, Florida Statutes, is created
642 to read:

643 101.046 Signature verification procedure.—When a signature
644 is verified with the voter's signature in the registration
645 records, the verifier shall only use a signature in the
646 registration books or the precinct register from the preceding 4
647 years. If a wet signature is not available from the preceding 4
648 years, the verifier may use the most recent wet signature on
649 record. For purposes of this section, "wet signature" means a
650 signature that a voter physically signed on paper with a pen or
651 other writing utensil.

652 Section 14. Subsections (2) and (5) of section 101.051,
653 Florida Statutes, are amended to read:

654 101.051 Electors seeking assistance in casting ballots;
655 oath to be executed; forms to be furnished.—

656 (2) It is unlawful for any person to be in the voting booth
657 with any elector except as provided in subsection (1). A person
658 at a polling place, a drop box location, or an early voting
659 site, or within 150 ~~100~~ feet of a drop box location or the
660 entrance of a polling place or an early voting site, may not
661 solicit any elector in an effort to provide assistance to vote
662 pursuant to subsection (1). Any person who violates this
663 subsection commits a misdemeanor of the first degree, punishable
664 as provided in s. 775.082 or s. 775.083.

665 (5) If an elector needing assistance requests that a person
666 other than an election official provide him or her with
667 assistance in voting, the clerk or one of the inspectors shall

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668 require the person providing assistance to take the following
 669 oath:

670

671 DECLARATION TO PROVIDE ASSISTANCE

672

673 State of Florida

674 County of

675 Date

676 Precinct

677

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

686

687 ...(Signature of assistor)...

688

689 Sworn and subscribed to before me this day of,

690 ...(year)....

691

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

693 Section 15. Section 101.545, Florida Statutes, is amended
 694 to read:

695 101.545 Retention and destruction of certain election
 696 materials.—All ballots, forms, and other election materials

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697 shall be retained in the custody of the supervisor of elections
698 for a minimum of 22 months after an election and in accordance
699 with the schedule approved by the Division of Library and
700 Information Services of the Department of State. All unused
701 ballots, forms, and other election materials may, with the
702 approval of the Department of State, be destroyed by the
703 supervisor after the election for which such ballots, forms, or
704 other election materials were to be used.

705 Section 16. Paragraph (d) of subsection (2) of section
706 101.5605, Florida Statutes, is amended to read:

707 101.5605 Examination and approval of equipment.—

708 (2)

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

712 Section 17. Paragraph (a) of subsection (4) of section
713 101.5614, Florida Statutes, is amended to read:

714 101.5614 Canvass of returns.—

715 (4) (a) If any vote-by-mail ballot is physically damaged so
716 that it cannot properly be counted by the voting system's
717 automatic tabulating equipment, a true duplicate copy shall be
718 made of the damaged ballot in an open and accessible room in the
719 presence of witnesses and substituted for the damaged ballot.
720 Likewise, a duplicate ballot shall be made of a vote-by-mail
721 ballot containing an overvoted race or a marked vote-by-mail
722 ballot in which every race is undervoted which shall include all
723 valid votes as determined by the canvassing board based on rules
724 adopted by the division pursuant to s. 102.166(4). A duplicate
725 may not include a vote if the voter's intent in such race or on

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726 such measure is not clear. Upon request, a physically present
727 candidate, a political party official, a political committee
728 official, or an authorized designee thereof, must be allowed to
729 observe the duplication of ballots. The observer must be allowed
730 to stand in close enough proximity to observe the duplication of
731 ballots in such a way that the observer is able to see the
732 markings on each ballot and the duplication taking place. All
733 duplicate ballots must ~~shall~~ be clearly labeled "duplicate,"
734 bear a serial number which shall be recorded on the defective
735 ballot, and be counted in lieu of the defective ballot. After a
736 ballot has been duplicated, the defective ballot shall be placed
737 in an envelope provided for that purpose, and the duplicate
738 ballot shall be tallied with the other ballots for that
739 precinct. Upon reasonable objection by an observer to a
740 duplicate of a ballot, the ballot must be presented to the
741 canvassing board for a determination of the validity of the
742 duplicate. The canvassing board must document the serial number
743 of the ballot in the canvassing board's minutes. The canvassing
744 board must decide whether the duplication is valid. If the
745 duplicate ballot is determined to be valid, the duplicate ballot
746 must be counted. If the duplicate ballot is determined to be
747 invalid, the duplicate ballot must be rejected and a proper
748 duplicate ballot must be made and counted in lieu of the
749 original.

750 Section 18. Subsection (5) of section 101.591, Florida
751 Statutes, is amended to read:

752 101.591 Voting system audit.—

753 (5) By December 15 of each general election year ~~Within 15~~
754 ~~days after completion of the audit,~~ the county canvassing board

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755 or the board responsible for certifying the election shall
756 provide a report with the results of the audit to the Department
757 of State in a standard format as prescribed by the department.
758 The report must be consolidated into one report with the
759 overvote and undervote report required under s. 101.595(1). The
760 report shall contain, but is not limited to, the following
761 items:

762 (a) The overall accuracy of audit.

763 (b) A description of any problems or discrepancies
764 encountered.

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

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

768 Section 19. Subsections (1) and (3) of section 101.595,
769 Florida Statutes, are amended to read:

770 101.595 Analysis and reports of voting problems.—

771 (1) No later than December 15 of each general election
772 year, the supervisor of elections in each county shall report to
773 the Department of State the total number of overvotes and
774 undervotes in the "President and Vice President" or "Governor
775 and Lieutenant Governor" race that appears first on the ballot
776 or, if neither appears, the first race appearing on the ballot
777 pursuant to s. 101.151(2), along with the likely reasons for
778 such overvotes and undervotes and other information as may be
779 useful in evaluating the performance of the voting system and
780 identifying problems with ballot design and instructions which
781 may have contributed to voter confusion. This report must be
782 consolidated into one report with the audit report required
783 under s. 101.591(5).

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784 (3) The Department of State shall submit the report to the
785 Governor, the President of the Senate, and the Speaker of the
786 House of Representatives by February 15 ~~January 31~~ of each year
787 following a general election.

788 Section 20. Paragraphs (a) and (b) of subsection (1),
789 subsection (3), and paragraph (c) of subsection (4) of section
790 101.62, Florida Statutes, are amended, and subsection (7) is
791 added to that section, to read:

792 101.62 Request for vote-by-mail ballots.—

793 (1) (a) The supervisor shall accept a request for a vote-by-
794 mail ballot from an elector in person or in writing. One request
795 is ~~shall be~~ deemed sufficient to receive a vote-by-mail ballot
796 for all elections through the end of the calendar year of the
797 next second ensuing regularly scheduled general election,
798 provided that a request received after November 6, 2018, and
799 before July 1, 2021, is deemed sufficient through the end of the
800 calendar year of the second ensuing regularly scheduled general
801 election, unless the elector or the elector's designee indicates
802 at the time the request is made the elections for which the
803 elector desires to receive a vote-by-mail ballot. Such request
804 may be considered canceled when any first-class mail sent by the
805 supervisor to the elector is returned as undeliverable.

806 (b) The supervisor may accept a written or telephonic
807 request for a vote-by-mail ballot to be mailed to an elector's
808 address on file in the Florida Voter Registration System from
809 the elector, or, if directly instructed by the elector, a member
810 of the elector's immediate family, or the elector's legal
811 guardian. For written or telephonic requests, the elector must
812 provide either his or her Florida driver license number or

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813 Florida identification card number or the last four digits of
814 his or her social security number. If the ballot is requested
815 to be mailed to an address other than the elector's address on
816 file in the Florida Voter Registration System, the request must
817 be made in writing, ~~and~~ signed by the elector, and include
818 either his or her Florida driver license number or Florida
819 identification card number or the last four digits of his or her
820 social security number. However, an absent uniformed service
821 voter or an overseas voter seeking a vote-by-mail ballot is not
822 required to submit a signed, written request for a vote-by-mail
823 ballot that is being mailed to an address other than the
824 elector's address on file in the Florida Voter Registration
825 System. For purposes of this section, the term "immediate
826 family" has the same meaning as specified in paragraph (4)(c).
827 The person making the request must disclose:

- 828 1. The name of the elector for whom the ballot is
829 requested.
- 830 2. The elector's address.
- 831 3. The elector's date of birth.
- 832 4. The elector's Florida driver license number or Florida
833 identification card number or the last four digits of the
834 elector's social security number.
- 835 5. The requester's name.
- 836 ~~6.5.~~ The requester's address.
- 837 ~~7.6.~~ The requester's driver license number or
838 identification card number or the last four digits of the
839 requester's social security number, if available.
- 840 ~~8.7.~~ The requester's relationship to the elector.
- 841 ~~9.8.~~ The requester's signature (written requests only).

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842 (3) For each request for a vote-by-mail ballot received,
843 the supervisor shall record the date the request was made;~~;~~ the
844 date the vote-by-mail ballot was delivered to the voter or the
845 voter's designee or the date the vote-by-mail ballot was
846 delivered to the post office or other carrier; the identity of
847 the voter's designee or the address to which the ballot was
848 mailed;~~;~~ the date the ballot was received by the supervisor;~~;~~
849 the absence of the voter's signature on the voter's certificate,
850 if applicable; whether the voter's certificate contains a
851 signature that does not match the elector's signature in the
852 registration books or precinct register;~~;~~ and such other
853 information he or she may deem necessary. This information shall
854 be provided in electronic format as provided by division rule
855 ~~adopted by the division~~. The information shall be updated and
856 made available no later than 8 a.m. of each day, including
857 weekends, beginning 60 days before the primary until 15 days
858 after the general election and shall be contemporaneously
859 provided to the division. This information shall be confidential
860 and exempt from s. 119.07(1) and shall be made available to or
861 reproduced only for the voter requesting the ballot, a
862 canvassing board, an election official, a political party or
863 official thereof, a candidate who has filed qualification papers
864 and is opposed in an upcoming election, and registered political
865 committees for political purposes only.

866 (4)

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

870 1. By nonforwardable, return-if-undeliverable mail to the

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871 elector's current mailing address on file with the supervisor or
872 any other address the elector specifies in the request.

873 2. By forwardable mail, e-mail, or facsimile machine
874 transmission to absent uniformed services voters and overseas
875 voters. The absent uniformed services voter or overseas voter
876 may designate in the vote-by-mail ballot request the preferred
877 method of transmission. If the voter does not designate the
878 method of transmission, the vote-by-mail ballot shall be mailed.

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

882 4. By delivery to a designee on election day or up to 9
883 days before ~~prior to~~ the day of an election. Any elector may
884 designate in writing a person to pick up the ballot for the
885 elector; however, the person designated may not pick up more
886 than two vote-by-mail ballots per election, other than the
887 designee's own ballot, except that additional ballots may be
888 picked up for members of the designee's immediate family. For
889 purposes of this section, "immediate family" means the
890 designee's spouse or the parent, child, grandparent, grandchild,
891 or sibling of the designee or of the designee's spouse. The
892 designee shall provide to the supervisor the written
893 authorization by the elector and a picture identification of the
894 designee and must complete an affidavit. The designee shall
895 state in the affidavit that the designee is authorized by the
896 elector to pick up that ballot and shall indicate if the elector
897 is a member of the designee's immediate family and, if so, the
898 relationship. The department shall prescribe the form of the
899 affidavit. If the supervisor is satisfied that the designee is

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900 authorized to pick up the ballot and that the signature of the
901 elector on the written authorization matches the signature of
902 the elector on file, the supervisor shall give the ballot to
903 that designee for delivery to the elector.

904 5. Except as provided in s. 101.655, the supervisor may not
905 deliver a vote-by-mail ballot to an elector or an elector's
906 immediate family member on the day of the election unless there
907 is an emergency, to the extent that the elector will be unable
908 to go to his or her assigned polling place. If a vote-by-mail
909 ballot is delivered, the elector or his or her designee shall
910 execute an affidavit affirming to the facts which allow for
911 delivery of the vote-by-mail ballot. The department shall adopt
912 a rule providing for the form of the affidavit.

913 (7) Except as expressly authorized for voters having a
914 disability under s. 101.662, for overseas voters under s.
915 101.697, or for local referenda under ss. 101.6102 and 101.6103,
916 a county, municipality, or state agency may not send a vote-by-
917 mail ballot to a voter unless the voter has requested a vote-by-
918 mail ballot in the manner authorized under this section.

919 Section 21. Subsection (6) is added to section 101.64,
920 Florida Statutes, to read:

921 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

922 (6) The outside of the ballot and the secrecy and mailing
923 envelopes may not display the party affiliation of the absent
924 elector who has been issued such ballot or display any other
925 partisan information.

926 Section 22. Subsection (1) and paragraph (a) of subsection
927 (2) of section 101.68, Florida Statutes, are amended to read:

928 101.68 Canvassing of vote-by-mail ballot.-

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929 (1) The supervisor of the county where the absent elector
930 resides shall receive the voted ballot, at which time the
931 supervisor shall compare the signature of the elector on the
932 voter's certificate with the signature of the elector in the
933 registration books or the precinct register to determine whether
934 the elector is duly registered in the county and must ~~may~~ record
935 on the elector's registration record ~~certificate~~ that the
936 elector has voted. During the signature comparison process, the
937 supervisor may not use any knowledge of the political
938 affiliation of the voter whose signature is subject to
939 verification. An elector who dies after casting a vote-by-mail
940 ballot but on or before election day shall remain listed in the
941 registration books until the results have been certified for the
942 election in which the ballot was cast. The supervisor shall
943 safely keep the ballot unopened in his or her office until the
944 county canvassing board canvasses the vote. Except as provided
945 in subsection (4), after a vote-by-mail ballot is received by
946 the supervisor, the ballot is deemed to have been cast, and
947 changes or additions may not be made to the voter's certificate.

948 (2) (a) The county canvassing board may begin the canvassing
949 of vote-by-mail ballots upon the completion of the public
950 testing of automatic tabulating equipment pursuant to s.
951 101.5612(2) at 7 a.m. on the 22nd day before the election, but
952 must begin such canvassing by no ~~not~~ later than noon on the day
953 following the election. ~~In addition, for any county using~~
954 ~~electronic tabulating equipment, the processing of vote-by-mail~~
955 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
956 ~~the 22nd day before the election.~~ However, notwithstanding any
957 such authorization to begin canvassing or otherwise processing

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958 vote-by-mail ballots early, no result shall be released until
959 after the closing of the polls in that county on election day.
960 Any supervisor, deputy supervisor, canvassing board member,
961 election board member, or election employee who releases the
962 results of a canvassing or processing of vote-by-mail ballots
963 prior to the closing of the polls in that county on election day
964 commits a felony of the third degree, punishable as provided in
965 s. 775.082, s. 775.083, or s. 775.084.

966 Section 23. Subsection (2) of section 101.69, Florida
967 Statutes, is amended, and subsection (3) is added to that
968 section, to read:

969 101.69 Voting in person; return of vote-by-mail ballot.—

970 (2) (a) The supervisor shall allow an elector who has
971 received a vote-by-mail ballot to physically return a voted
972 vote-by-mail ballot to the supervisor by placing the envelope
973 containing his or her marked ballot in a secure drop box. Secure
974 drop boxes shall be placed at the main office of the supervisor,
975 at each branch office of the supervisor, and at each early
976 voting site. Secure drop boxes may also be placed at any other
977 site that would otherwise qualify as an early voting site under
978 s. 101.657(1). A secure drop box may only be used; provided,
979 ~~however, that any such site must be staffed~~ during the county's
980 early voting hours of operation and must be monitored in person
981 by an employee of the supervisor's office ~~or a sworn law~~
982 ~~enforcement officer.~~

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

986 (c) On each day of early voting, all drop boxes must be

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987 emptied at the end of early voting hours and all ballots
988 retrieved from the drop boxes must be returned to the
989 supervisor's office. Employees of the supervisor must comply
990 with procedures for the chain of custody of ballots as required
991 by s. 101.015(4).

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

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

998 102.031 Maintenance of good order at polls; authorities;
999 persons allowed in polling rooms and early voting areas;
1000 unlawful solicitation of voters.—

1001 (4) (a) No person, political committee, or other group or
1002 organization may solicit voters inside the polling place or
1003 within 150 feet of a drop box or the entrance to any polling
1004 place, a polling room where the polling place is also a polling
1005 room, an early voting site, or an office of the supervisor where
1006 vote-by-mail ballots are requested and printed on demand for the
1007 convenience of electors who appear in person to request them.
1008 Before the opening of a drop box location, ~~a the~~ polling place,
1009 or an early voting site, the clerk or supervisor shall designate
1010 the no-solicitation zone and mark the boundaries.

1011 (b) For the purpose of this subsection, the terms "solicit"
1012 or "solicitation" shall include, but not be limited to, seeking
1013 or attempting to seek any vote, fact, opinion, or contribution;
1014 distributing or attempting to distribute any political or
1015 campaign material, leaflet, or handout; conducting a poll except

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1016 as specified in this paragraph; seeking or attempting to seek a
1017 signature on any petition; ~~and~~ selling or attempting to sell any
1018 item; and giving or attempting to give any item to a voter. The
1019 terms "solicit" or "solicitation" may not be construed to
1020 prohibit an employee of, or a volunteer with, the supervisor
1021 from providing nonpartisan assistance to voters within the no-
1022 solicitation zone such as, but not limited to, giving items to
1023 voters, or to prohibit exit polling.

1024 (e) The owner, operator, or lessee of the property on which
1025 a polling place or an early voting site is located, or an agent
1026 or employee thereof, may not prohibit the solicitation of voters
1027 by a candidate or a candidate's designee outside of the no-
1028 solicitation zone during polling hours.

1029 Section 25. Subsection (1) and paragraphs (a) and (b) of
1030 subsection (2) of section 102.141, Florida Statutes, are amended
1031 to read:

1032 102.141 County canvassing board; duties.—

1033 (1) The county canvassing board shall be composed of the
1034 supervisor of elections; a county court judge, who shall act as
1035 chair; and the chair of the board of county commissioners. The
1036 names of the canvassing board members must be published on the
1037 supervisor's website before any vote-by-mail ballot is
1038 tabulated. Alternate canvassing board members must be appointed
1039 pursuant to paragraph (e). In the event any member of the county
1040 canvassing board is unable to serve, is a candidate who has
1041 opposition in the election being canvassed, or is an active
1042 participant in the campaign or candidacy of any candidate who
1043 has opposition in the election being canvassed, such member
1044 shall be replaced as follows:

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1045 (a) If no county court judge is able to serve or if all are
1046 disqualified, the chief judge of the judicial circuit in which
1047 the county is located shall appoint as a substitute member a
1048 qualified elector of the county who is not a candidate with
1049 opposition in the election being canvassed and who is not an
1050 active participant in the campaign or candidacy of any candidate
1051 with opposition in the election being canvassed. In such event,
1052 the members of the county canvassing board shall meet and elect
1053 a chair.

1054 (b) If the supervisor of elections is unable to serve or is
1055 disqualified, the chair of the board of county commissioners
1056 shall appoint as a substitute member a member of the board of
1057 county commissioners who is not a candidate with opposition in
1058 the election being canvassed and who is not an active
1059 participant in the campaign or candidacy of any candidate with
1060 opposition in the election being canvassed. The supervisor,
1061 however, shall act in an advisory capacity to the canvassing
1062 board.

1063 (c) If the chair of the board of county commissioners is
1064 unable to serve or is disqualified, the board of county
1065 commissioners shall appoint as a substitute member one of its
1066 members who is not a candidate with opposition in the election
1067 being canvassed and who is not an active participant in the
1068 campaign or candidacy of any candidate with opposition in the
1069 election being canvassed.

1070 (d) If a substitute member or alternate member cannot be
1071 appointed as provided elsewhere in this subsection, or in the
1072 event of a vacancy in such office, the chief judge of the
1073 judicial circuit in which the county is located shall appoint as

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1074 a substitute member or alternate member a qualified elector of
1075 the county who is not a candidate with opposition in the
1076 election being canvassed and who is not an active participant in
1077 the campaign or candidacy of any candidate with opposition in
1078 the election being canvassed.

1079 (e)1. The chief judge of the judicial circuit in which the
1080 county is located shall appoint a county court judge as an
1081 alternate member of the county canvassing board or, if each
1082 county court judge is unable to serve or is disqualified, shall
1083 appoint an alternate member who is qualified to serve as a
1084 substitute member under paragraph (a).

1085 2. The chair of the board of county commissioners shall
1086 appoint a member of the board of county commissioners as an
1087 alternate member of the county canvassing board or, if each
1088 member of the board of county commissioners is unable to serve
1089 or is disqualified, shall appoint an alternate member who is
1090 qualified to serve as a substitute member under paragraph (d).

1091 3. If a member of the county canvassing board is unable to
1092 participate in a meeting of the board, the chair of the county
1093 canvassing board or his or her designee shall designate which
1094 alternate member will serve as a member of the board in the
1095 place of the member who is unable to participate at that
1096 meeting.

1097 4. If not serving as one of the three members of the county
1098 canvassing board, an alternate member may be present, observe,
1099 and communicate with the three members constituting the county
1100 canvassing board, but may not vote in the board's decisions or
1101 determinations.

1102 (2) (a) The county canvassing board shall meet in a building

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1103 accessible to the public in the county where the election
1104 occurred at a time and place to be designated by the supervisor
1105 to publicly canvass the absent electors' ballots as provided for
1106 in s. 101.68 and provisional ballots as provided by ss. 101.048,
1107 101.049, and 101.6925. During each meeting of the county
1108 canvassing board, each political party and each candidate may
1109 have one watcher within a distance that allows him or her to
1110 directly observe ballots being examined for signature matching
1111 and other processes. Provisional ballots cast pursuant to s.
1112 101.049 shall be canvassed in a manner that votes for candidates
1113 and issues on those ballots can be segregated from other votes.
1114 As soon as the absent electors' ballots and the provisional
1115 ballots are canvassed, the board shall proceed to publicly
1116 canvass the vote given each candidate, nominee, constitutional
1117 amendment, or other measure submitted to the electorate of the
1118 county, as shown by the returns then on file in the office of
1119 the supervisor.

1120 (b) Public notice of the canvassing board members,
1121 alternates, time, and place at which the county canvassing board
1122 shall meet to canvass the absent electors' ballots and
1123 provisional ballots must be given at least 48 hours prior
1124 thereto by publication on the supervisor's website and published
1125 in one or more newspapers of general circulation in the county
1126 or, if there is no newspaper of general circulation in the
1127 county, by posting such notice in at least four conspicuous
1128 places in the county. The time given in the notice as to the
1129 convening of the meeting of the county canvassing board must be
1130 specific and may not be a time period during which the board may
1131 meet.

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1132 Section 26. Section 104.0616, Florida Statutes, is amended
1133 to read:

1134 104.0616 Vote-by-mail ballots and voting; violations.-

1135 (1) For purposes of this section, the term "immediate
1136 family" means a person's spouse or the parent, child,
1137 grandparent, grandchild, or sibling of the person or the
1138 person's spouse.

1139 (2) Any person who distributes, orders, requests, collects,
1140 delivers ~~provides or offers to provide, and any person who~~
1141 ~~accepts, a pecuniary or other benefit in exchange for~~
1142 ~~distributing, ordering, requesting, collecting, delivering, or~~
1143 otherwise physically possesses ~~possessing~~ more than two vote-by-
1144 mail ballots per election in addition to his or her own ballot
1145 or a ballot belonging to an immediate family member, except as
1146 provided in ss. 101.6105-101.694, commits a misdemeanor of the
1147 first degree, punishable as provided in s. 775.082 or ~~s.~~
1148 775.083, ~~or s. 775.084.~~

1149 Section 27. Except as otherwise expressly provided in this
1150 act, this act shall take effect July 1, 2021.