

202190e1

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

202190e1

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

202190e1

59 identification information under specified
60 circumstances; amending s. 101.051, F.S.; prohibiting
61 certain solicitation of voters at drop box locations;
62 increasing the no-solicitation zone surrounding a drop
63 box location or the entrance of a polling place or an
64 early voting site wherein certain activities are
65 prohibited; amending s. 101.545, F.S.; requiring
66 ballots, forms, and election materials to be retained
67 for a specified minimum timeframe following an
68 election; amending s. 101.5605, F.S.; revising the
69 timeframe within which the department must approve or
70 disapprove a voting system submitted for
71 certification; amending s. 101.5614, F.S.; revising
72 requirements for making true duplicate copies of vote-
73 by-mail ballots under certain circumstances; requiring
74 that an observer of the duplication of ballots be
75 provided certain allowances; requiring the canvassing
76 board to take certain action in response to an
77 objection to a ballot duplicate; amending s. 101.591,
78 F.S.; revising the timeframe and requirements for the
79 voting systems audit report submitted to the
80 department; amending s. 101.595, F.S.; requiring a
81 specified report regarding overvotes and undervotes to
82 be submitted with the voting systems audit report;
83 revising the date by which the department must submit
84 the report to the Governor and Legislature; amending
85 s. 101.62, F.S.; limiting the duration of requests for
86 vote-by-mail ballots to all elections through the end
87 of the calendar year of the next regularly scheduled

202190e1

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

202190e1

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

143
144 Be It Enacted by the Legislature of the State of Florida:
145

202190e1

146 Section 1. Paragraph (t) of subsection (2) of section
147 97.052, Florida Statutes, is amended to read:

148 97.052 Uniform statewide voter registration application.—

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

152 (t)~~1.~~ Whether the applicant has ~~never~~ been convicted of a
153 felony and, if convicted, has had his or her voting rights
154 restored by including the statement “I affirm that I am not a
155 convicted felon or, if I am, my right to vote has been restored
156 ~~I have never been convicted of a felony.~~” and providing a box
157 for the applicant to check to affirm the statement.

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

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

172 Section 2. Effective July 1, 2022, subsections (1) through
173 (4) of section 97.0525, Florida Statutes, are amended to read:

174 97.0525 Online voter registration.—

202190e1

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

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

181 (a) Submit a voter registration application, including
182 first-time voter registration applications and updates to
183 current voter registration records.

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

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

189 (3) (a) The online voter registration system must ~~shall~~
190 comply with the information technology security provisions of s.
191 282.318 and must ~~shall~~ use a unique identifier for each
192 applicant to prevent unauthorized persons from altering a
193 voter's registration information. For an applicant to update his
194 or her voter registration record, he or she must provide his or
195 her date of birth and either his or her Florida driver license
196 number or the identification number from a Florida
197 identification card issued under s. 322.051 or the last four
198 digits of his or her social security number if the applicant has
199 not been issued a Florida driver license or identification card.

200 (b) The division shall conduct a comprehensive risk
201 assessment of the online voter registration system ~~before making~~
202 ~~the system publicly available and every 2 years thereafter.~~ The
203 comprehensive risk assessment must comply with the risk

202190e1

204 assessment methodology developed by the Department of Management
205 Services for identifying security risks, determining the
206 magnitude of such risks, and identifying areas that require
207 safeguards. In addition, the comprehensive risk assessment must
208 incorporate all of the following:

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

214 2. Screening of computers and networks used to support the
215 online voter registration system for malware and other
216 vulnerabilities.

217 3. Evaluation of database infrastructure, including
218 software and operating systems, in order to fortify defenses
219 against cyberattacks.

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

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

231 (b)1. If the applicant has submitted his or her Florida
232 driver license number or the identification number from a

202190e1

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

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

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

255 2. If the last four digits of the applicant's social
256 security number are verified pursuant to s. 97.053(6), the
257 online voter registration system shall transmit, using the
258 statewide voter registration system maintained pursuant to s.
259 98.035, the applicant's registration application to the
260 supervisor of elections.

261 (d) If the applicant's name and date of birth cannot be

202190e1

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

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

274 97.053 Acceptance of voter registration applications.—

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

278 1. The applicant's name.

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

288 3. The applicant's date of birth.

289 4. A mark in the checkbox affirming that the applicant is a
290 citizen of the United States.

202190e1

291 5.a. The applicant's current and valid Florida driver
292 license number or the identification number from a Florida
293 identification card issued under s. 322.051, or

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

297
298 In case an applicant has not been issued a current and valid
299 Florida driver license, Florida identification card, or social
300 security number, the applicant shall affirm this fact in the
301 manner prescribed in the uniform statewide voter registration
302 application.

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

308 7. A mark in the checkbox affirming that the applicant has
309 not been adjudicated mentally incapacitated with respect to
310 voting or that, if so adjudicated, has had his or her right to
311 vote restored.

312 8. The original signature or a digital signature
313 transmitted by the Department of Highway Safety and Motor
314 Vehicles of the applicant swearing or affirming under the
315 penalty for false swearing pursuant to s. 104.011 that the
316 information contained in the registration application is true
317 and subscribing to the oath required by s. 3, Art. VI of the
318 State Constitution and s. 97.051.

319 (6) A voter registration application, including an

202190e1

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

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

202190e1

349 97.057 Voter registration by the Department of Highway
350 Safety and Motor Vehicles.—

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

358 Section 5. Paragraphs (c) and (d) of subsection (1),
359 paragraph (a) of subsection (3), and subsection (5) of section
360 97.0575, Florida Statutes, are amended to read:

361 97.0575 Third-party voter registrations.—

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

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

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

377 (3) (a) A third-party voter registration organization that

202190e1

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

202190e1

407 ~~business day, if the office is closed.~~ A fine in the amount of
408 \$250 for each application received if the third-party voter
409 registration organization or person, entity, or agency acting on
410 its behalf acted willfully.

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

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

429
430 The aggregate fine pursuant to this paragraph which may be
431 assessed against a third-party voter registration organization,
432 including affiliate organizations, for violations committed in a
433 calendar year is \$1,000.

434 (5) The division shall adopt by rule a form to elicit
435 specific information concerning the facts and circumstances from

202190e1

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

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

451 97.0585 Public records exemption; information regarding
452 voters and voter registration; confidentiality.-

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

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

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

464 (e)-(f) Paragraph (d) is Paragraphs (d) and (e) are subject

202190e1

465 to the Open Government Sunset Review Act in accordance with s.
466 119.15 and shall stand repealed on October 2, 2024, unless
467 reviewed and saved from repeal through reenactment by the
468 Legislature.

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

471 97.1031 Notice of change of residence, change of name, or
472 change of party affiliation.—

473 (1)

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

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

485 2. Submitting the change on a voter registration
486 application or other signed written notice.

487 (2) When an elector seeks to change party affiliation, the
488 elector shall notify his or her supervisor of elections or other
489 voter registration official by submitting a voter registration
490 application or other ~~using a~~ signed written notice that contains
491 the elector's date of birth or voter registration number and
492 either his or her Florida driver license number or the
493 identification number from a Florida identification card issued

202190e1

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

507 Section 8. Present subsections (4) and (5) of section
508 98.0981, Florida Statutes, are redesignated as subsections (5)
509 and (6), respectively, a new subsection (4) is added to that
510 section, and paragraph (a) of subsection (2) of that section is
511 amended, to read:

512 98.0981 Reports; voting history; statewide voter
513 registration system information; precinct-level election
514 results; book closing statistics; live turnout data.-

515 (2) PRECINCT-LEVEL ELECTION RESULTS.-

516 (a) Within 30 days after certification by the Elections
517 Canvassing Commission of a presidential preference primary
518 election, special election, primary election, or general
519 election, the supervisors of elections shall collect and submit
520 to the department precinct-level election results for the
521 election in a uniform electronic format specified by paragraph
522 (c). The precinct-level election results shall be compiled

202190e1

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

537 (4) LIVE TURNOUT DATA.-

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

546 (b) For each election, supervisors of elections shall make
547 available on their respective websites the number of vote-by-
548 mail ballots requested, the number of completed vote-by-mail
549 ballots received, and the number of vote-by-mail ballots not yet
550 tabulated. Such information must be updated daily.

551 Section 9. Present paragraph (c) of subsection (1) of

202190e1

552 section 99.021, Florida Statutes, is redesignated as paragraph
553 (d), and a new paragraph (c) is added to that subsection, to
554 read:

555 99.021 Form of candidate oath.—

556 (1)

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

564 Section 10. Paragraph (a) of subsection (7) of section
565 99.061, Florida Statutes, is amended to read:

566 99.061 Method of qualifying for nomination or election to
567 federal, state, county, or district office.—

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

571 1. A properly executed check drawn upon the candidate's
572 campaign account payable to the person or entity as prescribed
573 by the filing officer in an amount not less than the fee
574 required by s. 99.092, unless the candidate obtained the
575 required number of signatures on petitions pursuant to s.
576 99.095. The filing fee for a special district candidate is not
577 required to be drawn upon the candidate's campaign account. If a
578 candidate's check is returned by the bank for any reason, the
579 filing officer shall immediately notify the candidate and the
580 candidate shall have until the end of qualifying to pay the fee

202190e1

581 with a cashier's check purchased from funds of the campaign
582 account. Failure to pay the fee as provided in this subparagraph
583 shall disqualify the candidate.

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

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

595 4. The completed form for the appointment of campaign
596 treasurer and designation of campaign depository, as required by
597 s. 106.021.

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

604 Section 11. Paragraph (b) of subsection (2) of section
605 99.063, Florida Statutes, is amended to read:

606 99.063 Candidates for Governor and Lieutenant Governor.—

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

202190e1

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

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

616 101.043 Identification required at polls.-

617 (1)

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

632 ~~(c) When an elector presents his or her picture~~
633 ~~identification to the clerk or inspector and the elector's~~
634 ~~address on the picture identification matches the elector's~~
635 ~~address in the supervisor's records, the elector may not be~~
636 ~~asked to provide additional information or to recite his or her~~
637 ~~home address.~~

638 Section 13. Subsections (2) and (5) of section 101.051,

202190e1

639 Florida Statutes, are amended to read:

640 101.051 Electors seeking assistance in casting ballots;
641 oath to be executed; forms to be furnished.—

642 (2) It is unlawful for any person to be in the voting booth
643 with any elector except as provided in subsection (1). A person
644 at a polling place, a drop box location, or an early voting
645 site, or within 150 ~~100~~ feet of a drop box location or the
646 entrance of a polling place or an early voting site, may not
647 solicit any elector in an effort to provide assistance to vote
648 pursuant to subsection (1). Any person who violates this
649 subsection commits a misdemeanor of the first degree, punishable
650 as provided in s. 775.082 or s. 775.083.

651 (5) If an elector needing assistance requests that a person
652 other than an election official provide him or her with
653 assistance in voting, the clerk or one of the inspectors shall
654 require the person providing assistance to take the following
655 oath:

656

657 DECLARATION TO PROVIDE ASSISTANCE

658

659 State of Florida

660 County of

661 Date

662 Precinct

663

664 I, ...(Print name)..., have been requested by ...(print
665 name of elector needing assistance)... to provide him or her
666 with assistance to vote. I swear or affirm that I am not the
667 employer, an agent of the employer, or an officer or agent of

202190e1

668 the union of the voter and that I have not solicited this voter
669 at the polling place, drop box location, or early voting site or
670 within 150 ~~100~~ feet of such locations in an effort to provide
671 assistance.

672

673 ... (Signature of assistor) ...

674

675 Sworn and subscribed to before me this day of,

676 ... (year)

677

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

679 Section 14. Section 101.545, Florida Statutes, is amended
680 to read:

681 101.545 Retention and destruction of certain election
682 materials.—All ballots, forms, and other election materials
683 shall be retained in the custody of the supervisor of elections
684 for a minimum of 22 months after an election and in accordance
685 with the schedule approved by the Division of Library and
686 Information Services of the Department of State. All unused
687 ballots, forms, and other election materials may, with the
688 approval of the Department of State, be destroyed by the
689 supervisor after the election for which such ballots, forms, or
690 other election materials were to be used.

691 Section 15. Paragraph (d) of subsection (2) of section
692 101.5605, Florida Statutes, is amended to read:

693 101.5605 Examination and approval of equipment.—

694 (2)

695 (d) The Department of State shall approve or disapprove any
696 voting system submitted to it within 120 ~~90~~ days after the date

202190e1

697 of its initial submission.

698 Section 16. Paragraph (a) of subsection (4) of section
699 101.5614, Florida Statutes, is amended to read:

700 101.5614 Canvass of returns.—

701 (4) (a) If any vote-by-mail ballot is physically damaged so
702 that it cannot properly be counted by the voting system's
703 automatic tabulating equipment, a true duplicate copy shall be
704 made of the damaged ballot in an open and accessible room in the
705 presence of witnesses and substituted for the damaged ballot.
706 Likewise, a duplicate ballot shall be made of a vote-by-mail
707 ballot containing an overvoted race or a marked vote-by-mail
708 ballot containing an undervoted race, if there is a clear
709 indication on the ballot that the voter has made a definite
710 choice in the overvoted or undervoted race or ballot measure. A
711 duplicate in which every race is undervoted which shall include
712 all valid votes as determined by the canvassing board based on
713 rules adopted by the division pursuant to s. 102.166(4). A
714 duplicate may not include a vote if the voter's intent in such
715 race or on such ballot measure is not clear ~~in which every race~~
716 ~~is undervoted which shall include all valid votes as determined~~
717 ~~by the canvassing board based on rules adopted by the division~~
718 ~~pursuant to s. 102.166(4).~~ Upon request, a physically present
719 candidate, a political party official, a political committee
720 official, or an authorized designee thereof, must be allowed to
721 observe the duplication of ballots. The observer must be able to
722 observe the duplication of ballots in such a way that the
723 observer is able to see the markings on each ballot and the
724 duplication taking place. All duplicate ballots must ~~shall~~ be
725 clearly labeled "duplicate," bear a serial number which shall be

202190e1

726 recorded on the defective ballot, and be counted in lieu of the
727 defective ballot. After a ballot has been duplicated, the
728 defective ballot shall be placed in an envelope provided for
729 that purpose, and the duplicate ballot shall be tallied with the
730 other ballots for that precinct. Upon reasonable objection by an
731 observer to a duplicate of a ballot, the ballot must be
732 presented to the canvassing board for a determination of the
733 validity of the duplicate. The canvassing board must document
734 the serial number of the ballot in the canvassing board's
735 minutes. The canvassing board must decide whether the
736 duplication is valid. If the duplicate ballot is determined to
737 be valid, the duplicate ballot must be counted. If the duplicate
738 ballot is determined to be invalid, the duplicate ballot must be
739 rejected and a proper duplicate ballot must be made and counted
740 in lieu of the original.

741 Section 17. Subsection (5) of section 101.591, Florida
742 Statutes, is amended to read:

743 101.591 Voting system audit.—

744 (5) By December 15 of each general election year ~~Within 15~~
745 ~~days after completion of the audit,~~ the county canvassing board
746 or the board responsible for certifying the election shall
747 provide a report with the results of the audit to the Department
748 of State in a standard format as prescribed by the department.
749 The report must be consolidated into one report with the
750 overvote and undervote report required under s. 101.595(1). The
751 report shall contain, but is not limited to, the following
752 items:

753 (a) The overall accuracy of audit.

754 (b) A description of any problems or discrepancies

202190e1

755 encountered.

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

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

759 Section 18. Subsections (1) and (3) of section 101.595,
760 Florida Statutes, are amended to read:

761 101.595 Analysis and reports of voting problems.—

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

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

779 Section 19. Paragraphs (a) and (b) of subsection (1),
780 subsection (3), and paragraph (c) of subsection (4) of section
781 101.62, Florida Statutes, are amended, and subsection (7) is
782 added to that section, to read:

783 101.62 Request for vote-by-mail ballots.—

202190e1

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

797 (b) The supervisor may accept a written or telephonic
798 request for a vote-by-mail ballot to be mailed to an elector's
799 address on file in the Florida Voter Registration System from
800 the elector, or, if directly instructed by the elector, a member
801 of the elector's immediate family, or the elector's legal
802 guardian. For written or telephonic requests, the elector must
803 provide either his or her Florida driver license number or
804 Florida identification card number or the last four digits of
805 his or her social security number. If the ballot is requested
806 to be mailed to an address other than the elector's address on
807 file in the Florida Voter Registration System, the request must
808 be made in writing, and signed by the elector, and include
809 either his or her Florida driver license number or Florida
810 identification card number or the last four digits of his or her
811 social security number. However, an absent uniformed service
812 voter or an overseas voter seeking a vote-by-mail ballot is not

202190e1

813 required to submit a signed, written request for a vote-by-mail
814 ballot that is being mailed to an address other than the
815 elector's address on file in the Florida Voter Registration
816 System. For purposes of this section, the term "immediate
817 family" has the same meaning as specified in paragraph (4) (c).
818 The person making the request must disclose:

819 1. The name of the elector for whom the ballot is
820 requested.

821 2. The elector's address.

822 3. The elector's date of birth.

823 4. The elector's Florida driver license number or Florida
824 identification card number or the last four digits of the
825 elector's social security number.

826 5. The requester's name.

827 ~~6.5.~~ The requester's address.

828 ~~7.6.~~ The requester's driver license number or
829 identification card number or the last four digits of the
830 requester's social security number, if available.

831 ~~8.7.~~ The requester's relationship to the elector.

832 ~~9.8.~~ The requester's signature (written requests only).

833 (3) For each request for a vote-by-mail ballot received,
834 the supervisor shall record the date the request was made;~~;~~ the
835 date the vote-by-mail ballot was delivered to the voter or the
836 voter's designee or the date the vote-by-mail ballot was
837 delivered to the post office or other carrier; the identity of
838 the voter's designee or the address to which the ballot was
839 mailed;~~;~~ the date the ballot was received by the supervisor;~~;~~
840 the absence of the voter's signature on the voter's certificate,
841 if applicable; whether the voter's certificate contains a

202190e1

842 signature that does not match the elector's signature in the
843 registration books or precinct register; and such other
844 information he or she may deem necessary. This information shall
845 be provided in electronic format as provided by division rule
846 ~~adopted by the division~~. The information shall be updated and
847 made available no later than 8 a.m. of each day, including
848 weekends, beginning 60 days before the primary until 15 days
849 after the general election and shall be contemporaneously
850 provided to the division. This information shall be confidential
851 and exempt from s. 119.07(1) and shall be made available to or
852 reproduced only for the voter requesting the ballot, a
853 canvassing board, an election official, a political party or
854 official thereof, a candidate who has filed qualification papers
855 and is opposed in an upcoming election, and registered political
856 committees for political purposes only.

857 (4)

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

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

864 2. By forwardable mail, e-mail, or facsimile machine
865 transmission to absent uniformed services voters and overseas
866 voters. The absent uniformed services voter or overseas voter
867 may designate in the vote-by-mail ballot request the preferred
868 method of transmission. If the voter does not designate the
869 method of transmission, the vote-by-mail ballot shall be mailed.

870 3. By personal delivery before 7 p.m. on election day to

202190e1

871 the elector, upon presentation of the identification required in
872 s. 101.043.

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

895 5. Except as provided in s. 101.655, the supervisor may not
896 deliver a vote-by-mail ballot to an elector or an elector's
897 immediate family member on the day of the election unless there
898 is an emergency, to the extent that the elector will be unable
899 to go to his or her assigned polling place. If a vote-by-mail

202190e1

900 ballot is delivered, the elector or his or her designee shall
901 execute an affidavit affirming to the facts which allow for
902 delivery of the vote-by-mail ballot. The department shall adopt
903 a rule providing for the form of the affidavit.

904 (7) Except as expressly authorized for voters having a
905 disability under s. 101.662, for overseas voters under s.
906 101.697, or for local referenda under ss. 101.6102 and 101.6103,
907 a county, municipality, or state agency may not send a vote-by-
908 mail ballot to a voter unless the voter has requested a vote-by-
909 mail ballot in the manner authorized under this section.

910 Section 20. Subsection (6) is added to section 101.64,
911 Florida Statutes, to read:

912 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

913 (6) The outside of the ballot and the secrecy and mailing
914 envelopes may not display the party affiliation of the absent
915 elector who has been issued such ballot or display any other
916 partisan information.

917 Section 21. Subsection (1) and paragraph (a) of subsection
918 (2) of section 101.68, Florida Statutes, are amended to read:

919 101.68 Canvassing of vote-by-mail ballot.-

920 (1) The supervisor of the county where the absent elector
921 resides shall receive the voted ballot, at which time the
922 supervisor shall compare the signature of the elector on the
923 voter's certificate with the signature of the elector in the
924 registration books or the precinct register to determine whether
925 the elector is duly registered in the county and must ~~may~~ record
926 on the elector's registration record ~~certificate~~ that the
927 elector has voted. During the signature comparison process, the
928 supervisor may not use any knowledge of the political

202190e1

929 affiliation of the voter whose signature is subject to
930 verification. An elector who dies after casting a vote-by-mail
931 ballot but on or before election day shall remain listed in the
932 registration books until the results have been certified for the
933 election in which the ballot was cast. The supervisor shall
934 safely keep the ballot unopened in his or her office until the
935 county canvassing board canvasses the vote. Except as provided
936 in subsection (4), after a vote-by-mail ballot is received by
937 the supervisor, the ballot is deemed to have been cast, and
938 changes or additions may not be made to the voter's certificate.

939 (2) (a) The county canvassing board may begin the canvassing
940 of vote-by-mail ballots upon the completion of the public
941 testing of automatic tabulating equipment pursuant to s.
942 101.5612(2) at 7 a.m. on the 22nd day before the election, but
943 must begin such canvassing by no ~~not~~ later than noon on the day
944 following the election. ~~In addition, for any county using~~
945 ~~electronic tabulating equipment, the processing of vote by mail~~
946 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
947 ~~the 22nd day before the election.~~ However, notwithstanding any
948 such authorization to begin canvassing or otherwise processing
949 vote-by-mail ballots early, no result shall be released until
950 after the closing of the polls in that county on election day.
951 Any supervisor, deputy supervisor, canvassing board member,
952 election board member, or election employee who releases the
953 results of a canvassing or processing of vote-by-mail ballots
954 prior to the closing of the polls in that county on election day
955 commits a felony of the third degree, punishable as provided in
956 s. 775.082, s. 775.083, or s. 775.084.

957 Section 22. Subsection (2) of section 101.69, Florida

202190e1

958 Statutes, is amended, and subsection (3) is added to that
959 section, to read:

960 101.69 Voting in person; return of vote-by-mail ballot.—

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

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

977 (c) On each day of early voting, all drop boxes must be
978 emptied at the end of early voting hours and all ballots
979 retrieved from the drop boxes must be returned to the
980 supervisor's office. Employees of the supervisor must comply
981 with procedures for the chain of custody of ballots as required
982 by s. 101.015(4).

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

202190e1

987 Section 23. Paragraphs (a), (b), and (e) of subsection (4)
988 of section 102.031, Florida Statutes, are amended to read:

989 102.031 Maintenance of good order at polls; authorities;
990 persons allowed in polling rooms and early voting areas;
991 unlawful solicitation of voters.-

992 (4) (a) No person, political committee, or other group or
993 organization may solicit voters inside the polling place or
994 within 150 feet of a drop box or the entrance to any polling
995 place, a polling room where the polling place is also a polling
996 room, an early voting site, or an office of the supervisor where
997 vote-by-mail ballots are requested and printed on demand for the
998 convenience of electors who appear in person to request them.
999 Before the opening of a drop box location, ~~the~~ polling place,
1000 or an early voting site, the clerk or supervisor shall designate
1001 the no-solicitation zone and mark the boundaries.

1002 (b) For the purpose of this subsection, the terms "solicit"
1003 or "solicitation" shall include, but not be limited to, seeking
1004 or attempting to seek any vote, fact, opinion, or contribution;
1005 distributing or attempting to distribute any political or
1006 campaign material, leaflet, or handout; conducting a poll except
1007 as specified in this paragraph; seeking or attempting to seek a
1008 signature on any petition; ~~and~~ selling or attempting to sell any
1009 item; and giving or attempting to give any item to a voter. The
1010 terms "solicit" or "solicitation" may not be construed to
1011 prohibit an employee of, or a volunteer with, the supervisor
1012 from providing nonpartisan assistance to voters within the no-
1013 solicitation zone such as, but not limited to, giving items to
1014 voters, or to prohibit exit polling.

1015 (e) The owner, operator, or lessee of the property on which

202190e1

1016 a polling place or an early voting site is located, or an agent
1017 or employee thereof, may not prohibit the solicitation of voters
1018 by a candidate or a candidate's designee outside of the no-
1019 solicitation zone during polling hours.

1020 Section 24. Subsection (1) and paragraphs (a) and (b) of
1021 subsection (2) of section 102.141, Florida Statutes, are amended
1022 to read:

1023 102.141 County canvassing board; duties.—

1024 (1) The county canvassing board shall be composed of the
1025 supervisor of elections; a county court judge, who shall act as
1026 chair; and the chair of the board of county commissioners. The
1027 names of the canvassing board members must be published on the
1028 supervisor's website before any vote-by-mail ballot is
1029 tabulated. Alternate canvassing board members must be appointed
1030 pursuant to paragraph (e). In the event any member of the county
1031 canvassing board is unable to serve, is a candidate who has
1032 opposition in the election being canvassed, or is an active
1033 participant in the campaign or candidacy of any candidate who
1034 has opposition in the election being canvassed, such member
1035 shall be replaced as follows:

1036 (a) If no county court judge is able to serve or if all are
1037 disqualified, the chief judge of the judicial circuit in which
1038 the county is located shall appoint as a substitute member a
1039 qualified elector of the county who is not a candidate with
1040 opposition in the election being canvassed and who is not an
1041 active participant in the campaign or candidacy of any candidate
1042 with opposition in the election being canvassed. In such event,
1043 the members of the county canvassing board shall meet and elect
1044 a chair.

202190e1

1045 (b) If the supervisor of elections is unable to serve or is
1046 disqualified, the chair of the board of county commissioners
1047 shall appoint as a substitute member a member of the board of
1048 county commissioners who is not a candidate with opposition in
1049 the election being canvassed and who is not an active
1050 participant in the campaign or candidacy of any candidate with
1051 opposition in the election being canvassed. The supervisor,
1052 however, shall act in an advisory capacity to the canvassing
1053 board.

1054 (c) If the chair of the board of county commissioners is
1055 unable to serve or is disqualified, the board of county
1056 commissioners shall appoint as a substitute member one of its
1057 members who is not a candidate with opposition in the election
1058 being canvassed and who is not an active participant in the
1059 campaign or candidacy of any candidate with opposition in the
1060 election being canvassed.

1061 (d) If a substitute member or alternate member cannot be
1062 appointed as provided elsewhere in this subsection, or in the
1063 event of a vacancy in such office, the chief judge of the
1064 judicial circuit in which the county is located shall appoint as
1065 a substitute member or alternate member a qualified elector of
1066 the county who is not a candidate with opposition in the
1067 election being canvassed and who is not an active participant in
1068 the campaign or candidacy of any candidate with opposition in
1069 the election being canvassed.

1070 (e)1. The chief judge of the judicial circuit in which the
1071 county is located shall appoint a county court judge as an
1072 alternate member of the county canvassing board or, if each
1073 county court judge is unable to serve or is disqualified, shall

202190e1

1074 appoint an alternate member who is qualified to serve as a
1075 substitute member under paragraph (a).

1076 2. The chair of the board of county commissioners shall
1077 appoint a member of the board of county commissioners as an
1078 alternate member of the county canvassing board or, if each
1079 member of the board of county commissioners is unable to serve
1080 or is disqualified, shall appoint an alternate member who is
1081 qualified to serve as a substitute member under paragraph (d).

1082 3. If a member of the county canvassing board is unable to
1083 participate in a meeting of the board, the chair of the county
1084 canvassing board or his or her designee shall designate which
1085 alternate member will serve as a member of the board in the
1086 place of the member who is unable to participate at that
1087 meeting.

1088 4. If not serving as one of the three members of the county
1089 canvassing board, an alternate member may be present, observe,
1090 and communicate with the three members constituting the county
1091 canvassing board, but may not vote in the board's decisions or
1092 determinations.

1093 (2) (a) The county canvassing board shall meet in a building
1094 accessible to the public in the county where the election
1095 occurred at a time and place to be designated by the supervisor
1096 to publicly canvass the absent electors' ballots as provided for
1097 in s. 101.68 and provisional ballots as provided by ss. 101.048,
1098 101.049, and 101.6925. During each meeting of the county
1099 canvassing board, each political party and each candidate may
1100 have one watcher within a distance that allows him or her to
1101 directly observe ballots being examined for signature matching
1102 and other processes. Provisional ballots cast pursuant to s.

202190e1

1103 101.049 shall be canvassed in a manner that votes for candidates
1104 and issues on those ballots can be segregated from other votes.
1105 As soon as the absent electors' ballots and the provisional
1106 ballots are canvassed, the board shall proceed to publicly
1107 canvass the vote given each candidate, nominee, constitutional
1108 amendment, or other measure submitted to the electorate of the
1109 county, as shown by the returns then on file in the office of
1110 the supervisor.

1111 (b) Public notice of the canvassing board members,
1112 alternates, time, and place at which the county canvassing board
1113 shall meet to canvass the absent electors' ballots and
1114 provisional ballots must be given at least 48 hours prior
1115 thereto by publication on the supervisor's website and published
1116 in one or more newspapers of general circulation in the county
1117 or, if there is no newspaper of general circulation in the
1118 county, by posting such notice in at least four conspicuous
1119 places in the county. The time given in the notice as to the
1120 convening of the meeting of the county canvassing board must be
1121 specific and may not be a time period during which the board may
1122 meet.

1123 Section 25. Section 104.0616, Florida Statutes, is amended
1124 to read:

1125 104.0616 Vote-by-mail ballots and voting; violations.—

1126 (1) For purposes of this section, the term "immediate
1127 family" means a person's spouse or the parent, child,
1128 grandparent, grandchild, or sibling of the person or the
1129 person's spouse.

1130 (2) Any person who distributes, orders, requests, collects,
1131 delivers ~~provides or offers to provide, and any person who~~

202190e1

1132 ~~accepts, a pecuniary or other benefit in exchange for~~
1133 ~~distributing, ordering, requesting, collecting, delivering, or~~
1134 otherwise physically possesses ~~possessing~~ more than two vote-by-
1135 mail ballots per election in addition to his or her own ballot
1136 or a ballot belonging to an immediate family member, except as
1137 provided in ss. 101.6105-101.694, including supervised voting at
1138 assisted living facilities and nursing home facilities as
1139 authorized under s. 101.655, commits a misdemeanor of the first
1140 degree, punishable as provided in s. 775.082 or s. 775.083, ~~or~~
1141 ~~s. 775.084.~~

1142 Section 26. Except as otherwise expressly provided in this
1143 act, this act shall take effect July 1, 2021.