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1                   A bill to be entitled  
2     An act relating to elections; creating s. 97.029,  
3     F.S.; prohibiting certain persons from settling  
4     certain actions, consenting to conditions, or agreeing  
5     to certain orders in certain circumstances; requiring  
6     certain persons to make certain legal challenges and  
7     move to dismiss or otherwise terminate a court's  
8     jurisdiction in certain circumstances; creating s.  
9     97.0291, F.S.; prohibiting certain agencies and state  
10    and local officials from soliciting, accepting, or  
11    otherwise using private funds for election-related  
12    expenses; providing for construction; amending s.  
13    97.052, F.S.; revising requirements for the uniform  
14    statewide voter registration application; amending s.  
15    97.0525, F.S.; requiring the Division of Elections to  
16    maintain a website for the online voter registration  
17    system; providing additional requirements for a  
18    biennial comprehensive risk assessment of the online  
19    voter registration system; amending s. 97.053, F.S.;  
20    revising requirements governing the acceptance of  
21    voter registration applications; amending s. 97.057,  
22    F.S.; requiring the Department of Highway Safety and  
23    Motor Vehicles to assist the Department of State in  
24    identifying certain residence address changes;  
25    requiring the Department of State to report such  
26    changes to supervisors of elections; amending s.  
27    97.0575, F.S.; revising requirements governing third-  
28    party voter registration organizations; providing  
29    applicability; revising circumstances under which a

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30 third-party voter registration organization is subject  
31 to fines for violations regarding the delivery of  
32 voter registration applications; revising requirements  
33 for division rules governing third-party voter  
34 registration organizations; amending s. 97.0585, F.S.;  
35 deleting an exemption from public records requirements  
36 for information related to a voter registration  
37 applicant's or voter's prior felony conviction and his  
38 or her restoration of voting rights to conform to  
39 changes made by the act; amending s. 97.1031, F.S.;  
40 revising information that an elector must provide to a  
41 supervisor of elections when the elector changes his  
42 or her residence address, party affiliation, or name;  
43 amending s. 98.0981, F.S.; providing that certain  
44 ballot types or precinct subtotals may not be reported  
45 in precinct-level election results; requiring  
46 supervisors of elections to make certain data  
47 available on their websites and transmit such data to  
48 the division; requiring the division to create and  
49 maintain a certain dashboard; amending s. 99.012,  
50 F.S.; removing provisions relating to the method of  
51 filling a vacancy created by an officer's resignation  
52 to qualify as a candidate for another public office;  
53 amending s. 99.021, F.S.; revising the oath for  
54 candidates seeking to qualify for nomination as a  
55 candidate of a political party; requiring a person  
56 seeking to qualify for office as a candidate with no  
57 party affiliation to subscribe to an oath or  
58 affirmation that he or she is registered without party

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59 affiliation and has not been a registered member of a  
60 political party for a specified timeframe; amending  
61 ss. 99.061 and 99.063, F.S.; conforming provisions to  
62 changes made by the act; amending s. 100.111, F.S.;  
63 revising the method of filling a vacancy in nomination  
64 for a political party; amending s. 101.051, F.S.;  
65 prohibiting certain solicitation of voters at drop box  
66 locations; increasing the no-solicitation zone  
67 surrounding a drop box location or the entrance of a  
68 polling place or an early voting site wherein certain  
69 activities are prohibited; conforming a provision;  
70 amending s. 101.131, F.S.; revising requirements for  
71 poll watcher identification badges; amending s.  
72 101.545, F.S.; requiring ballots, forms, and election  
73 materials to be retained for a specified minimum  
74 timeframe following an election; amending s. 101.5605,  
75 F.S.; revising the timeframe within which the  
76 Department of State must approve or disapprove a  
77 voting system submitted for certification; amending s.  
78 101.5614, F.S.; revising requirements for making true  
79 duplicate copies of vote-by-mail ballots under certain  
80 circumstances; requiring that an observer of the  
81 duplication of ballots be provided certain allowances;  
82 requiring that the duplication process take place in  
83 the presence of a canvassing board member; requiring a  
84 canvassing board to make certain determinations;  
85 amending s. 101.572, F.S.; requiring that voter  
86 certificates be open for public inspection; providing  
87 certain persons with reasonable access to ballot

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88 materials; requiring a supervisor to publish notice of  
89 such access; amending s. 101.591, F.S.; revising the  
90 timeframe and requirements for the voting systems  
91 audit report submitted to the department; amending s.  
92 101.595, F.S.; requiring a specified report regarding  
93 overvotes and undervotes to be submitted with the  
94 voting systems audit report; revising the date by  
95 which the department must submit the report to the  
96 Governor and Legislature; amending s. 101.62, F.S.;  
97 limiting the duration of requests for vote-by-mail  
98 ballots to all elections through the end of the  
99 calendar year of the next regularly scheduled general  
100 election; requiring certain vote-by-mail ballot  
101 requests to include additional identifying information  
102 regarding the requesting elector; requiring  
103 supervisors of elections to record whether a voter's  
104 certificate on a vote-by-mail ballot has a mismatched  
105 signature; revising the definition of the term  
106 "immediate family" to conform to changes made by the  
107 act; prohibiting counties, municipalities, and state  
108 agencies from sending vote-by-mail ballots to voters  
109 absent a request; specifying applicability of the act  
110 to outstanding vote-by-mail ballot requests; amending  
111 s. 101.64, F.S.; revising requirements for vote-by-  
112 mail ballot mailing envelopes and secrecy envelopes;  
113 amending s. 101.68, F.S.; specifying that the  
114 supervisor may not use any knowledge of a voter's  
115 party affiliation during the signature comparison  
116 process; authorizing the canvassing of vote-by-mail

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117 ballots upon the completion of the public preelection  
118 testing of automatic tabulating equipment; revising  
119 duties of the canvassing board with respect to  
120 protests; amending s. 101.69, F.S.; revising  
121 requirements governing the placement and supervision  
122 of secure drop boxes for the return of vote-by-mail  
123 ballots; requiring the supervisor to designate drop  
124 box locations in advance of an election; prohibiting  
125 changes in drop box locations for an election after  
126 their initial designation; specifying requirements  
127 regarding the retrieval of vote-by-mail ballots  
128 returned in a drop box; providing that the supervisor  
129 is subject to a civil penalty for certain violations  
130 regarding drop boxes; amending s. 102.031, F.S.;  
131 prohibiting certain solicitation activities within a  
132 specified area surrounding a drop box; expanding the  
133 definition of "solicit" and "solicitation"; providing  
134 for construction; restricting certain persons from  
135 prohibiting the solicitation of voters by a candidate  
136 or a candidate's designee outside of the no-  
137 solicitation zone; creating s. 102.072, F.S.;  
138 requiring the supervisor of elections to post and  
139 update on his or her website vote-by-mail ballot data  
140 at specified intervals; amending s. 102.141, F.S.;  
141 requiring the names of canvassing board members be  
142 published on the supervisor's website before the  
143 tabulation of any vote-by-mail ballots in an election;  
144 authorizing each political party and candidate to have  
145 one watcher at canvassing board meetings within a

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146 distance that allows him or her to directly observe  
147 proceedings; requiring additional information be  
148 included in public notices of canvassing board  
149 meetings; amending s. 104.0616, F.S.; revising the  
150 definition of "immediate family"; prohibiting any  
151 person from distributing, ordering, requesting,  
152 collecting, delivering, or otherwise physically  
153 possessing more than two vote-by-mail ballots of other  
154 electors per election, not including immediate family  
155 members; providing exceptions; providing a penalty;  
156 providing an effective date.

157  
158 Be It Enacted by the Legislature of the State of Florida:

159  
160 Section 1. Section 97.029, Florida Statutes, is created to  
161 read:

162 97.029 Civil actions challenging the validity of election  
163 laws.—

164 (1) In a civil action challenging the validity of a  
165 provision of the Florida Election Code in which a state or  
166 county agency or officer is a party in state or federal court,  
167 the officer, agent, official, or attorney who represents or is  
168 acting on behalf of such agency or officer may not settle such  
169 action, consent to any condition, or agree to any order in  
170 connection therewith if the settlement, condition, or order  
171 nullifies, suspends, or is in conflict with any provision of the  
172 Florida Election Code, unless:

173 (a) At the time settlement negotiations have begun in  
174 earnest, written notification is given to the President of the

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175 Senate, the Speaker of the House of Representatives, and the  
176 Attorney General.

177 (b) Any proposed settlement, consent decree, or order that  
178 is proposed or received and would nullify, suspend, or conflict  
179 with any provision of the Florida Election Code is promptly  
180 reported in writing to the President of the Senate, the Speaker  
181 of the House of Representatives, and the Attorney General.

182 (c) At least 10 days before the date a settlement or  
183 presettlement agreement or order is to be made final, written  
184 notification is given to the President of the Senate, the  
185 Speaker of the House of Representatives, and the Attorney  
186 General.

187 (2) If any notification required by this section is  
188 precluded by federal law, federal regulation, court order, or  
189 court rule, the officer, agent, official, or attorney  
190 representing such agency or officer, or the Attorney General,  
191 shall challenge the constitutionality of such preclusion in the  
192 civil suit affected and give prompt notice thereof to the  
193 President of the Senate, the Speaker of the House of  
194 Representatives, and the Attorney General.

195 (3) If, after a court has entered an order or judgment that  
196 nullifies or suspends, or orders or justifies official action  
197 that is in conflict with, a provision of the Florida Election  
198 Code, the Legislature amends the general law to remove the  
199 invalidity or unenforceability, the officer, agent, official, or  
200 attorney who represents or is acting on behalf of the agency or  
201 officer bound by such order or judgment must promptly after such  
202 amendment of the general law move to dismiss or otherwise  
203 terminate any ongoing jurisdiction of such case.

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204 Section 2. Section 97.0291, Florida Statutes, is created to  
205 read:

206 97.0291 Prohibition on use of private funds for election-  
207 related expenses.—No agency or state or local official  
208 responsible for conducting elections, including, but not limited  
209 to, a supervisor of elections, may solicit, accept, use, or  
210 dispose of any donation in the form of money, grants, property,  
211 or personal services from an individual or a nongovernmental  
212 entity for the purpose of funding election-related expenses or  
213 voter education, voter outreach, or registration programs. This  
214 section does not prohibit the donation and acceptance of space  
215 to be used for a polling room or an early voting site.

216 Section 3. Paragraph (t) of subsection (2) of section  
217 97.052, Florida Statutes, is amended to read:

218 97.052 Uniform statewide voter registration application.—

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

222 (t)~~1.~~ Whether the applicant has ~~never~~ been convicted of a  
223 felony and, if convicted, has had his or her voting rights  
224 restored by including the statement "I affirm that I am not a  
225 convicted felon or, if I am, my right to vote has been restored  
226 ~~I have never been convicted of a felony.~~" and providing a box  
227 for the applicant to check to affirm the statement.

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



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233 ~~a box for the applicant to check to affirm the statement.~~

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

242 Section 4. Subsections (1) and (2) and paragraph (b) of  
243 subsection (3) of section 97.0525, Florida Statutes, are amended  
244 to read:

245 97.0525 Online voter registration.—

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

249 (2) The division shall establish and maintain a secure  
250 Internet website that safeguards an applicant's information to  
251 ensure data integrity and permits an applicant to:

252 (a) Submit a voter registration application, including  
253 first-time voter registration applications and updates to  
254 current voter registration records.

255 (b) Submit information necessary to establish an  
256 applicant's eligibility to vote, pursuant to s. 97.041, which  
257 includes the information required for the uniform statewide  
258 voter registration application pursuant to s. 97.052(2).

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

260 (3)

261 (b) The division shall conduct a comprehensive risk

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262 assessment of the online voter registration system ~~before making~~  
263 ~~the system publicly available and every 2 years thereafter.~~ The  
264 comprehensive risk assessment must comply with the risk  
265 assessment methodology developed by the Department of Management  
266 Services for identifying security risks, determining the  
267 magnitude of such risks, and identifying areas that require  
268 safeguards. In addition, the comprehensive risk assessment must  
269 incorporate all of the following:

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

275 2. Screening of computers and networks used to support the  
276 online voter registration system for malware and other  
277 vulnerabilities.

278 3. Evaluation of database infrastructure, including  
279 software and operating systems, in order to fortify defenses  
280 against cyberattacks.

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

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

286 97.053 Acceptance of voter registration applications.—

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

290 1. The applicant's name.

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291           2. The applicant's address of legal residence, including a  
292 distinguishing apartment, suite, lot, room, or dormitory room  
293 number or other identifier, if appropriate. Failure to include a  
294 distinguishing apartment, suite, lot, room, or dormitory room or  
295 other identifier on a voter registration application does not  
296 impact a voter's eligibility to register to vote or cast a  
297 ballot, and such an omission may not serve as the basis for a  
298 challenge to a voter's eligibility or reason to not count a  
299 ballot.

300           3. The applicant's date of birth.

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

303           5.a. The applicant's current and valid Florida driver  
304 license number or the identification number from a Florida  
305 identification card issued under s. 322.051, or

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

309  
310 In case an applicant has not been issued a current and valid  
311 Florida driver license, Florida identification card, or social  
312 security number, the applicant shall affirm this fact in the  
313 manner prescribed in the uniform statewide voter registration  
314 application.

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

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320 7. A mark in the checkbox affirming that the applicant has  
321 not been adjudicated mentally incapacitated with respect to  
322 voting or that, if so adjudicated, has had his or her right to  
323 vote restored.

324 8. The original signature or a digital signature  
325 transmitted by the Department of Highway Safety and Motor  
326 Vehicles of the applicant swearing or affirming under the  
327 penalty for false swearing pursuant to s. 104.011 that the  
328 information contained in the registration application is true  
329 and subscribing to the oath required by s. 3, Art. VI of the  
330 State Constitution and s. 97.051.

331 (6) A voter registration application, including an  
332 application with a change in name, address, or party  
333 affiliation, may be accepted as valid only after the department  
334 has verified the authenticity or nonexistence of the driver  
335 license number, the Florida identification card number, or the  
336 last four digits of the social security number provided by the  
337 applicant. If a completed voter registration application has  
338 been received by the book-closing deadline but the driver  
339 license number, the Florida identification card number, or the  
340 last four digits of the social security number provided by the  
341 applicant cannot be verified, the applicant shall be notified  
342 that the number cannot be verified and that the applicant must  
343 provide evidence to the supervisor sufficient to verify the  
344 authenticity of the applicant's driver license number, Florida  
345 identification card number, or last four digits of the social  
346 security number. If the applicant provides the necessary  
347 evidence, the supervisor shall place the applicant's name on the  
348 registration rolls as an active voter. If the applicant has not

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349 provided the necessary evidence or the number has not otherwise  
350 been verified prior to the applicant presenting himself or  
351 herself to vote, the applicant shall be provided a provisional  
352 ballot. The provisional ballot shall be counted only if the  
353 number is verified by the end of the canvassing period or if the  
354 applicant presents evidence to the supervisor of elections  
355 sufficient to verify the authenticity of the applicant's driver  
356 license number, Florida identification card number, or last four  
357 digits of the social security number no later than 5 p.m. of the  
358 second day following the election.

359 Section 6. Subsection (13) is added to section 97.057,  
360 Florida Statutes, to read:

361 97.057 Voter registration by the Department of Highway  
362 Safety and Motor Vehicles.—

363 (13) The Department of Highway Safety and Motor Vehicles  
364 must assist the Department of State in regularly identifying  
365 changes in residence address on the driver license or  
366 identification card of a voter. The Department of State must  
367 report each such change to the appropriate supervisor of  
368 elections who must change the voter's registration records in  
369 accordance with s. 98.065(4).

370 Section 7. Paragraphs (c) and (d) of subsection (1),  
371 paragraph (a) of subsection (3), and subsection (5) of section  
372 97.0575, Florida Statutes, are amended to read:

373 97.0575 Third-party voter registrations.—

374 (1) Before engaging in any voter registration activities, a  
375 third-party voter registration organization must register and  
376 provide to the division, in an electronic format, the following  
377 information:

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378 (c) The names, permanent addresses, and temporary  
379 addresses, if any, of each registration agent registering  
380 persons to vote in this state on behalf of the organization.  
381 This paragraph does not apply to persons who only solicit  
382 applications and do not collect or handle voter registration  
383 applications.

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

389 (3) (a) A third-party voter registration organization that  
390 collects voter registration applications serves as a fiduciary  
391 to the applicant, ensuring that any voter registration  
392 application entrusted to the organization, irrespective of party  
393 affiliation, race, ethnicity, or gender, must shall be promptly  
394 delivered to the division or the supervisor of elections in the  
395 county in which the applicant resides within 14 days after  
396 completed by the applicant, but not after registration closes  
397 for the next ensuing election. A third-party voter registration  
398 organization must notify the applicant at the time the  
399 application is collected that the organization might not deliver  
400 the application to the division or the supervisor of elections  
401 in the county in which the applicant resides in less than 14  
402 days or before registration closes for the next ensuing election  
403 and must advise the applicant that he or she may deliver the  
404 application in person or by mail. The third-party voter  
405 registration organization must also inform the applicant how to  
406 register online with the division and how to determine whether

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407 ~~the application has been delivered 48 hours after the applicant~~  
408 ~~completes it or the next business day if the appropriate office~~  
409 ~~is closed for that 48-hour period.~~ If a voter registration  
410 application collected by any third-party voter registration  
411 organization is not promptly delivered to the division or  
412 supervisor of elections in the county in which the applicant  
413 resides, the third-party voter registration organization is  
414 liable for the following fines:

415 1. A fine in the amount of \$50 for each application  
416 received by the division or the supervisor of elections in the  
417 county in which the applicant resides more than 14 days ~~48 hours~~  
418 after the applicant delivered the completed voter registration  
419 application to the third-party voter registration organization  
420 or any person, entity, or agent acting on its behalf ~~or the next~~  
421 ~~business day, if the office is closed.~~ A fine in the amount of  
422 \$250 for each application received if the third-party voter  
423 registration organization or person, entity, or agency acting on  
424 its behalf acted willfully.

425 2. A fine in the amount of \$100 for each application  
426 collected by a third-party voter registration organization or  
427 any person, entity, or agent acting on its behalf, before book  
428 closing for any given election for federal or state office and  
429 received by the division or the supervisor of elections in the  
430 county in which the applicant resides after the book-closing  
431 deadline for such election. A fine in the amount of \$500 for  
432 each application received if the third-party registration  
433 organization or person, entity, or agency acting on its behalf  
434 acted willfully.

435 3. A fine in the amount of \$500 for each application

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436 collected by a third-party voter registration organization or  
437 any person, entity, or agent acting on its behalf, which is not  
438 submitted to the division or supervisor of elections in the  
439 county in which the applicant resides. A fine in the amount of  
440 \$1,000 for any application not submitted if the third-party  
441 voter registration organization or person, entity, or agency  
442 acting on its behalf acted willfully.

443

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

448 (5) The division shall adopt by rule a form to elicit  
449 specific information concerning the facts and circumstances from  
450 a person who claims to have been registered to vote by a third-  
451 party voter registration organization but who does not appear as  
452 an active voter on the voter registration rolls. The division  
453 shall also adopt rules to ensure the integrity of the  
454 registration process, including controls to ensure that all  
455 completed forms are promptly delivered to the division or a  
456 supervisor in the county in which the applicant resides ~~rules~~  
457 ~~requiring third-party voter registration organizations to~~  
458 ~~account for all state and federal registration forms used by~~  
459 ~~their registration agents. Such rules may require an~~  
460 ~~organization to provide organization and form specific~~  
461 ~~identification information on each form as determined by the~~  
462 ~~department as needed to assist in the accounting of state and~~  
463 ~~federal registration forms.~~

464 Section 8. Paragraphs (d), (e), and (f) of subsection (1)



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465 of section 97.0585, Florida Statutes, are amended to read:

466 97.0585 Public records exemption; information regarding  
467 voters and voter registration; confidentiality.—

468 (1) The following information held by an agency, as defined  
469 in s. 119.011, and obtained for the purpose of voter  
470 registration is confidential and exempt from s. 119.07(1) and s.  
471 24(a), Art. I of the State Constitution and may be used only for  
472 purposes of voter registration:

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

477 ~~(e) All information concerning preregistered voter~~  
478 ~~registration applicants who are 16 or 17 years of age. This~~  
479 ~~paragraph is~~

480 ~~(f) Paragraphs (d) and (e) are subject to the Open~~  
481 ~~Government Sunset Review Act in accordance with s. 119.15 and~~  
482 ~~shall stand repealed on October 2, 2024, unless reviewed and~~  
483 ~~saved from repeal through reenactment by the Legislature.~~

484 Section 9. Section 97.1031, Florida Statutes, is amended to  
485 read:

486 97.1031 Notice of change of residence, change of name, or  
487 change of party affiliation.—

488 (1) (a) When an elector changes his or her residence  
489 address, the elector must notify the supervisor of elections.  
490 Except as provided in paragraph (b), an address change must be  
491 submitted using a voter registration application.

492 (b) If the address change is within the state and notice is  
493 provided to the supervisor of elections of the county where the

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494 elector has moved, the elector may do so by:

495 1. Contacting the supervisor of elections via telephone or  
496 electronic means, in which case the elector must provide his or  
497 her date of birth and the last four digits of his or her social  
498 security number, his or her Florida driver license number, or  
499 his or her Florida identification card number, whichever may be  
500 verified in the supervisor's records; or

501 2. Submitting the change on a voter registration  
502 application or other signed written notice.

503 (2) When an elector seeks to change party affiliation, the  
504 elector shall notify his or her supervisor of elections or other  
505 voter registration official by submitting a voter registration  
506 application ~~using a signed written notice that contains the~~  
507 ~~elector's date of birth or voter registration number.~~ When an  
508 elector changes his or her name by marriage or other legal  
509 process, the elector shall notify his or her supervisor of  
510 elections or other voter registration official by submitting a  
511 voter registration application ~~using a signed written notice~~  
512 ~~that contains the elector's date of birth or voter's~~  
513 ~~registration number.~~

514 (3) The voter registration official shall make the  
515 necessary changes in the elector's records as soon as practical  
516 upon receipt of such notice of a change of address of legal  
517 residence, name, or party affiliation. The supervisor of  
518 elections shall issue the new voter information card.

519 Section 10. Present subsections (4) and (5) of section  
520 98.0981, Florida Statutes, are redesignated as subsections (5)  
521 and (6), respectively, a new subsection (4) is added to that  
522 section, and paragraph (a) of subsection (2) of that section is

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523 amended, to read:

524 98.0981 Reports; voting history; statewide voter  
525 registration system information; precinct-level election  
526 results; book closing statistics; live turnout data.-

527 (2) PRECINCT-LEVEL ELECTION RESULTS.-

528 (a) Within 30 days after certification by the Elections  
529 Canvassing Commission of a presidential preference primary  
530 election, special election, primary election, or general  
531 election, the supervisors of elections shall collect and submit  
532 to the department precinct-level election results for the  
533 election in a uniform electronic format specified by paragraph  
534 (c). The precinct-level election results shall be compiled  
535 separately for the primary or special primary election that  
536 preceded the general or special general election, respectively.  
537 The results shall specifically include for each precinct the  
538 total of all ballots cast for each candidate or nominee to fill  
539 a national, state, county, or district office or proposed  
540 constitutional amendment, with subtotals for each candidate and  
541 ballot type. However, ballot type or precinct subtotals in a  
542 race or question having fewer than 30 voters voting on the  
543 ballot type or in the precinct may not be reported in precinct  
544 results, unless fewer than 30 voters voted a ballot type. "All  
545 ballots cast" means ballots cast by voters who cast a ballot  
546 whether at a precinct location, by vote-by-mail ballot including  
547 overseas vote-by-mail ballots, during the early voting period,  
548 or by provisional ballot.

549 (4) LIVE TURNOUT DATA.-On election day, each supervisor of  
550 elections shall make live voter turnout data, updated at least  
551 once per hour, available on his or her website. Each supervisor

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552 shall transmit the live voter turnout data to the division,  
553 which must create and maintain a real-time statewide turnout  
554 dashboard that is available for viewing by the public on the  
555 division's website as the data becomes available.

556 Section 11. Paragraph (f) of subsection (3) and paragraph  
557 (g) of subsection (4) of section 99.012, Florida Statutes, are  
558 amended to read:

559 99.012 Restrictions on individuals qualifying for public  
560 office.—

561 (3)

562 ~~(f) 1. With regard to an elective office, the resignation~~  
563 ~~creates a vacancy in office to be filled by election. Persons~~  
564 ~~may qualify as candidates for nomination and election as if the~~  
565 ~~public officer's term were otherwise scheduled to expire.~~

566 ~~2. With regard to an elective charter county office or~~  
567 ~~elective municipal office, the vacancy created by the officer's~~  
568 ~~resignation may be filled for that portion of the officer's~~  
569 ~~unexpired term in a manner provided by the respective charter.~~  
570 The office is deemed vacant upon the effective date of the  
571 resignation submitted by the official in his or her letter of  
572 resignation.

573 (4)

574 ~~(g) Notwithstanding the provisions of any special act to~~  
575 ~~the contrary, with regard to an elective office, the resignation~~  
576 ~~creates a vacancy in office to be filled by election, thereby~~  
577 ~~authorizing persons to qualify as candidates for nomination and~~  
578 ~~election as if the officer's term were otherwise scheduled to~~  
579 ~~expire. With regard to an elective charter county office or~~  
580 ~~elective municipal office, the vacancy created by the officer's~~

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581 ~~resignation may be filled for that portion of the officer's~~  
582 ~~unexpired term in a manner provided by the respective charter.~~  
583 The office is deemed vacant upon the effective date of the  
584 resignation submitted by the official in his or her letter of  
585 resignation.

586 Section 12. Present paragraph (c) of subsection (1) of  
587 section 99.021, Florida Statutes, is redesignated as paragraph  
588 (d), a new paragraph (c) is added to that subsection, and  
589 paragraph (b) of that subsection is amended, to read:

590 99.021 Form of candidate oath.—

591 (1)

592 (b) In addition, any person seeking to qualify for  
593 nomination as a candidate of any political party shall, at the  
594 time of subscribing to the oath or affirmation, state in  
595 writing:

596 1. The party of which the person is a member.

597 2. That the person has ~~not~~ been a registered member of the  
598 any other political party for which he or she is seeking  
599 nomination as a candidate for 365 days before the beginning of  
600 qualifying preceding the general election for which the person  
601 seeks to qualify.

602 3. That the person has paid the assessment levied against  
603 him or her, if any, as a candidate for said office by the  
604 executive committee of the party of which he or she is a member.

605 (c) In addition, any person seeking to qualify for office  
606 as a candidate with no party affiliation shall, at the time of  
607 subscribing to the oath or affirmation, state in writing that he  
608 or she is registered without any party affiliation and that he  
609 or she has not been a registered member of any political party

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610 for 365 days before the beginning of qualifying preceding the  
611 general election for which the person seeks to qualify.

612 Section 13. Paragraph (a) of subsection (7) of section  
613 99.061, Florida Statutes, is amended to read:

614 99.061 Method of qualifying for nomination or election to  
615 federal, state, county, or district office.—

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

619 1. A properly executed check drawn upon the candidate's  
620 campaign account payable to the person or entity as prescribed  
621 by the filing officer in an amount not less than the fee  
622 required by s. 99.092, unless the candidate obtained the  
623 required number of signatures on petitions pursuant to s.  
624 99.095. The filing fee for a special district candidate is not  
625 required to be drawn upon the candidate's campaign account. If a  
626 candidate's check is returned by the bank for any reason, the  
627 filing officer shall immediately notify the candidate and the  
628 candidate shall have until the end of qualifying to pay the fee  
629 with a cashier's check purchased from funds of the campaign  
630 account. Failure to pay the fee as provided in this subparagraph  
631 shall disqualify the candidate.

632 2. The candidate's oath required by s. 99.021, which must  
633 contain the name of the candidate as it is to appear on the  
634 ballot; the office sought, including the district or group  
635 number if applicable; and the signature of the candidate, which  
636 must be verified under oath or affirmation pursuant to s.  
637 92.525(1) (a).

638 3. If the office sought is partisan, the written statement

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639 of political party affiliation required by s. 99.021(1)(b); or  
640 if the candidate is running without party affiliation for a  
641 partisan office, the written statement required by s.  
642 99.021(1)(c).

643 4. The completed form for the appointment of campaign  
644 treasurer and designation of campaign depository, as required by  
645 s. 106.021.

646 5. The full and public disclosure or statement of financial  
647 interests required by subsection (5). A public officer who has  
648 filed the full and public disclosure or statement of financial  
649 interests with the Commission on Ethics or the supervisor of  
650 elections prior to qualifying for office may file a copy of that  
651 disclosure at the time of qualifying.

652 Section 14. Paragraph (b) of subsection (2) of section  
653 99.063, Florida Statutes, is amended to read:

654 99.063 Candidates for Governor and Lieutenant Governor.—

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

658 (b) If the office sought is partisan, the written statement  
659 of political party affiliation required by s. 99.021(1)(b); or  
660 if the office sought is without party affiliation, the written  
661 statement required by s. 99.021(1)(c).

662 Section 15. Paragraph (a) of subsection (3) of section  
663 100.111, Florida Statutes, is amended to read:

664 100.111 Filling vacancy.—

665 (3)(a) In the event that death, resignation, withdrawal, or  
666 removal should cause a party to have a vacancy in nomination  
667 which leaves no candidate for an office from such party, the

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668 filing officer before whom the candidate qualified shall notify  
669 the chair of the state and county political party executive  
670 committee of such party and:

671 1. If the vacancy in nomination is for a statewide office,  
672 the state party chair shall, within 5 days, call a meeting of  
673 his or her executive board to consider designation of a nominee  
674 to fill the vacancy.

675 2. If the vacancy in nomination is for the office of United  
676 States Representative, state senator, state representative,  
677 state attorney, or public defender, the state party chair shall  
678 ~~notify the appropriate county chair or chairs and,~~ within 5  
679 days, ~~the appropriate county chair or chairs shall~~ call a  
680 meeting of the state executive committee members residing  
681 ~~members of the executive committee~~ in the affected county or  
682 counties to consider designation of a nominee to fill the  
683 vacancy.

684 3. If the vacancy in nomination is for a county office, the  
685 state party chair shall notify the appropriate county chair and,  
686 within 5 days, the appropriate county chair shall call a meeting  
687 of his or her executive committee to consider designation of a  
688 nominee to fill the vacancy.

689

690 The name of any person so designated shall be submitted to the  
691 filing officer before whom the candidate qualified within 7 days  
692 after notice to the chair in order that the person designated  
693 may have his or her name on the ballot of the ensuing general  
694 election. If the name of the new nominee is submitted after the  
695 certification of results of the preceding primary election,  
696 however, the ballots shall not be changed and the former party



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697 nominee's name will appear on the ballot. Any ballots cast for  
698 the former party nominee will be counted for the person  
699 designated by the political party to replace the former party  
700 nominee. If there is no opposition to the party nominee, the  
701 person designated by the political party to replace the former  
702 party nominee will be elected to office at the general election.

703 Section 16. Subsections (2) and (5) of section 101.051,  
704 Florida Statutes, are amended to read:

705 101.051 Electors seeking assistance in casting ballots;  
706 oath to be executed; forms to be furnished.—

707 (2) It is unlawful for any person to be in the voting booth  
708 with any elector except as provided in subsection (1). A person  
709 at a polling place, a drop box location, or an early voting  
710 site, or within 150 ~~100~~ feet of a drop box location or the  
711 entrance of a polling place or an early voting site, may not  
712 solicit any elector in an effort to provide assistance to vote  
713 pursuant to subsection (1). Any person who violates this  
714 subsection commits a misdemeanor of the first degree, punishable  
715 as provided in s. 775.082 or s. 775.083.

716 (5) If an elector needing assistance requests that a person  
717 other than an election official provide him or her with  
718 assistance in voting, the clerk or one of the inspectors shall  
719 require the person providing assistance to take the following  
720 oath:

721  
722 DECLARATION TO PROVIDE ASSISTANCE

723  
724 State of Florida  
725 County of ....

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726 Date ....

727 Precinct ....

728

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

737

738 ... (Signature of assistor) ...

739

740 Sworn and subscribed to before me this .... day of .....,

741 ... (year) ....

742

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

744 Section 17. Subsection (5) of section 101.131, Florida  
745 Statutes, is amended to read:

746 101.131 Watchers at polls.-

747 (5) The supervisor of elections shall provide to each  
748 designated poll watcher ~~an, no later than 7 days before early~~  
749 ~~voting begins, a poll watcher~~ identification badge which ~~that~~  
750 identifies the poll watcher by name. Each poll watcher must wear  
751 his or her identification badge while performing his or her  
752 duties ~~in the polling room or early voting area.~~

753 Section 18. Section 101.545, Florida Statutes, is amended  
754 to read:

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755           101.545 Retention and destruction of certain election  
756 materials.—All ballots, forms, and other election materials  
757 shall be retained in the custody of the supervisor of elections  
758 for a minimum of 22 months after an election and in accordance  
759 with the schedule approved by the Division of Library and  
760 Information Services of the Department of State. All unused  
761 ballots, forms, and other election materials may, with the  
762 approval of the Department of State, be destroyed by the  
763 supervisor after the election for which such ballots, forms, or  
764 other election materials were to be used.

765           Section 19. Paragraph (d) of subsection (2) of section  
766 101.5605, Florida Statutes, is amended to read:

767           101.5605 Examination and approval of equipment.—

768           (2)

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

772           Section 20. Paragraph (a) of subsection (4) of section  
773 101.5614, Florida Statutes, is amended to read:

774           101.5614 Canvass of returns.—

775           (4) (a) If any vote-by-mail ballot is physically damaged so  
776 that it cannot properly be counted by the voting system's  
777 automatic tabulating equipment, a true duplicate copy shall be  
778 made of the damaged ballot in an open and accessible room in the  
779 presence of witnesses and substituted for the damaged ballot.  
780 Likewise, a duplicate ballot shall be made of a vote-by-mail  
781 ballot containing an overvoted race if there is a clear  
782 indication on the ballot that the voter has made a definite  
783 choice in the overvoted race or ballot measure. A duplicate ~~or a~~

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784 ~~marked vote by mail ballot in which every race is undervoted~~  
785 ~~which~~ shall include all valid votes as determined by the  
786 canvassing board based on rules adopted by the division pursuant  
787 to s. 102.166(4). A duplicate may be made of a ballot containing  
788 an undervoted race or ballot measure if there is a clear  
789 indication on the ballot that the voter has made a definite  
790 choice in the undervoted race or ballot measure. A duplicate may  
791 not include a vote if the voter's intent in such race or on such  
792 measure is not clear. Upon request, a physically present  
793 candidate, a political party official, a political committee  
794 official, or an authorized designee thereof, must be allowed to  
795 observe the duplication of ballots. The observer must be allowed  
796 to observe the duplication of ballots in such a way that the  
797 observer is able to see the markings on each ballot and the  
798 duplication taking place. All duplicate ballots must ~~shall~~ be  
799 clearly labeled "duplicate," bear a serial number which shall be  
800 recorded on the defective ballot, and be counted in lieu of the  
801 defective ballot. The duplication of ballots must happen in the  
802 presence of at least one canvassing board member. After a ballot  
803 has been duplicated, the defective ballot shall be placed in an  
804 envelope provided for that purpose, and the duplicate ballot  
805 shall be tallied with the other ballots for that precinct. If  
806 any observer makes a reasonable objection to a duplicate of a  
807 ballot, the ballot must be presented to the canvassing board for  
808 a determination of the validity of the duplicate. The canvassing  
809 board must document the serial number of the ballot in the  
810 canvassing board's minutes. The canvassing board must decide  
811 whether the duplication is valid. If the duplicate ballot is  
812 determined to be valid, the duplicate ballot must be counted. If

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813 the duplicate ballot is determined to be invalid, the duplicate  
814 ballot must be rejected and a proper duplicate ballot must be  
815 made and counted in lieu of the original.

816 Section 21. Section 101.572, Florida Statutes, is amended  
817 to read:

818 101.572 Public inspection of ballots.—

819 (1) The official ballots and ballot cards received from  
820 election boards and removed from vote-by-mail ballot mailing  
821 envelopes and voter certificates on such mailing envelopes shall  
822 be open for public inspection or examination while in the  
823 custody of the supervisor of elections or the county canvassing  
824 board at any reasonable time, under reasonable conditions;  
825 however, no persons other than the supervisor of elections or  
826 his or her employees or the county canvassing board shall handle  
827 any official ballot or ballot card. If the ballots are being  
828 examined prior to the end of the contest period in s. 102.168,  
829 the supervisor of elections shall make a reasonable effort to  
830 notify all candidates whose names appear on such ballots or  
831 ballot cards by telephone or otherwise of the time and place of  
832 the inspection or examination. All such candidates, or their  
833 representatives, shall be allowed to be present during the  
834 inspection or examination.

835 (2) A candidate, a political party official, or a political  
836 committee official, or an authorized designee thereof, shall be  
837 granted reasonable access upon request to review or inspect  
838 ballot materials before canvassing or tabulation, including  
839 voter certificates on vote-by-mail envelopes, cure affidavits,  
840 corresponding comparison signatures, duplicate ballots, and  
841 corresponding originals. Before the supervisor begins comparing

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842 signatures on vote-by-mail voter certificates, the supervisor  
843 must publish notice of the access to be provided under this  
844 section, which may be access to the documents or images thereof,  
845 and the method of requesting such access. During such review, no  
846 person granted access for review may make any copy of a  
847 signature.

848 Section 22. Subsection (5) of section 101.591, Florida  
849 Statutes, is amended to read:

850 101.591 Voting system audit.—

851 (5) By December 15 of each general election year ~~Within 15~~  
852 ~~days after completion of the audit,~~ the county canvassing board  
853 or the board responsible for certifying the election shall  
854 provide a report with the results of the audit to the Department  
855 of State in a standard format as prescribed by the department.  
856 The report must be consolidated into one report with the  
857 overvote and undervote report required under s. 101.595(1). The  
858 report shall contain, but is not limited to, the following  
859 items:

860 (a) The overall accuracy of audit.

861 (b) A description of any problems or discrepancies  
862 encountered.

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

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

866 Section 23. Subsections (1) and (3) of section 101.595,  
867 Florida Statutes, are amended to read:

868 101.595 Analysis and reports of voting problems.—

869 (1) No later than December 15 of each general election  
870 year, the supervisor of elections in each county shall report to

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871 the Department of State the total number of overvotes and  
872 undervotes in the "President and Vice President" or "Governor  
873 and Lieutenant Governor" race that appears first on the ballot  
874 or, if neither appears, the first race appearing on the ballot  
875 pursuant to s. 101.151(2), along with the likely reasons for  
876 such overvotes and undervotes and other information as may be  
877 useful in evaluating the performance of the voting system and  
878 identifying problems with ballot design and instructions which  
879 may have contributed to voter confusion. This report must be  
880 consolidated into one report with the audit report required  
881 under s. 101.591(5).

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

886 Section 24. Paragraphs (a) and (b) of subsection (1),  
887 subsection (3), and paragraph (c) of subsection (4) of section  
888 101.62, Florida Statutes, are amended, and subsection (7) is  
889 added to that section, to read:

890 101.62 Request for vote-by-mail ballots.—

891 (1) (a) The supervisor shall accept a request for a vote-by-  
892 mail ballot from an elector in person or in writing. One request  
893 ~~is shall be~~ is deemed sufficient to receive a vote-by-mail ballot  
894 for all elections through the end of the calendar year of the  
895 next ~~second-ensuing~~ regularly scheduled general election, unless  
896 the elector or the elector's designee indicates at the time the  
897 request is made the elections within such period for which the  
898 elector desires to receive a vote-by-mail ballot. Such request  
899 may be considered canceled when any first-class mail sent by the

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900 supervisor to the elector is returned as undeliverable.

901 (b) The supervisor may accept a written, an in-person, or a  
902 telephonic request for a vote-by-mail ballot to be mailed to an  
903 elector's address on file in the Florida Voter Registration  
904 System from the elector, or, if directly instructed by the  
905 elector, a member of the elector's immediate family, or the  
906 elector's legal guardian. If an in-person or a telephonic  
907 request is made, the elector must provide the elector's Florida  
908 driver license number, the elector's Florida identification card  
909 number, or the last four digits of the elector's social security  
910 number, whichever may be verified in the supervisor's records.~~†~~

911 If the ballot is requested to be mailed to an address other than  
912 the elector's address on file in the Florida Voter Registration  
913 System, the request must be made in writing. A written request  
914 must be ~~and~~ signed by the elector and include the elector's  
915 Florida driver license number, the elector's Florida  
916 identification card number, or the last four digits of the  
917 elector's social security number. However, an absent uniformed  
918 service voter or an overseas voter seeking a vote-by-mail ballot  
919 is not required to submit a signed, written request for a vote-  
920 by-mail ballot that is being mailed to an address other than the  
921 elector's address on file in the Florida Voter Registration  
922 System. For purposes of this section, the term "immediate  
923 family" has the same meaning as specified in paragraph (4) (c).

924 The person making the request must disclose:

- 925 1. The name of the elector for whom the ballot is  
926 requested.
- 927 2. The elector's address.
- 928 3. The elector's date of birth.



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929           4. The elector's Florida driver license number, the  
930 elector's Florida identification card number, or the last four  
931 digits of the elector's social security number, whichever may be  
932 verified in the supervisor's records.

933           5. The requester's name.

934           ~~6.5.~~ The requester's address.

935           ~~7.6.~~ The requester's driver license number, the requester's  
936 identification card number, or the last four digits of the  
937 requester's social security number, if available.

938           ~~8.7.~~ The requester's relationship to the elector.

939           ~~9.8.~~ The requester's signature (written requests only).

940           (3) For each request for a vote-by-mail ballot received,  
941 the supervisor shall record: the date the request was made; the  
942 identity of the voter's designee making the request, if any; the  
943 Florida driver license number, Florida identification card  
944 number, or last four digits of the social security number of the  
945 elector provided with a written request;~~7~~ the date the vote-by-  
946 mail ballot was delivered to the voter or the voter's designee  
947 or the date the vote-by-mail ballot was delivered to the post  
948 office or other carrier; the address to which the ballot was  
949 mailed or the identity of the voter's designee to whom the  
950 ballot was delivered;~~7~~ the date the ballot was received by the  
951 supervisor;~~7~~ the absence of the voter's signature on the voter's  
952 certificate, if applicable; whether the voter's certificate  
953 contains a signature that does not match the elector's signature  
954 in the registration books or precinct register;~~7~~ and such other  
955 information he or she may deem necessary. This information shall  
956 be provided in electronic format as provided by division rule  
957 ~~adopted by the division~~. The information shall be updated and

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958 made available no later than 8 a.m. of each day, including  
959 weekends, beginning 60 days before the primary until 15 days  
960 after the general election and shall be contemporaneously  
961 provided to the division. This information shall be confidential  
962 and exempt from s. 119.07(1) and shall be made available to or  
963 reproduced only for the voter requesting the ballot, a  
964 canvassing board, an election official, a political party or  
965 official thereof, a candidate who has filed qualification papers  
966 and is opposed in an upcoming election, and registered political  
967 committees for political purposes only.

968 (4)

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

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

975 2. By forwardable mail, e-mail, or facsimile machine  
976 transmission to absent uniformed services voters and overseas  
977 voters. The absent uniformed services voter or overseas voter  
978 may designate in the vote-by-mail ballot request the preferred  
979 method of transmission. If the voter does not designate the  
980 method of transmission, the vote-by-mail ballot shall be mailed.

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

984 4. By delivery to a designee on election day or up to 9  
985 days before ~~prior to~~ the day of an election. Any elector may  
986 designate in writing a person to pick up the ballot for the

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987 elector; however, the person designated may not pick up more  
988 than two vote-by-mail ballots per election, other than the  
989 designee's own ballot, except that additional ballots may be  
990 picked up for members of the designee's immediate family. For  
991 purposes of this section, "immediate family" means the  
992 designee's spouse or the parent, child, grandparent, grandchild,  
993 or sibling of the designee or of the designee's spouse. The  
994 designee shall provide to the supervisor the written  
995 authorization by the elector and a picture identification of the  
996 designee and must complete an affidavit. The designee shall  
997 state in the affidavit that the designee is authorized by the  
998 elector to pick up that ballot and shall indicate if the elector  
999 is a member of the designee's immediate family and, if so, the  
1000 relationship. The department shall prescribe the form of the  
1001 affidavit. If the supervisor is satisfied that the designee is  
1002 authorized to pick up the ballot and that the signature of the  
1003 elector on the written authorization matches the signature of  
1004 the elector on file, the supervisor shall give the ballot to  
1005 that designee for delivery to the elector.

1006 5. Except as provided in s. 101.655, the supervisor may not  
1007 deliver a vote-by-mail ballot to an elector or an elector's  
1008 immediate family member on the day of the election unless there  
1009 is an emergency, to the extent that the elector will be unable  
1010 to go to his or her assigned polling place. If a vote-by-mail  
1011 ballot is delivered, the elector or his or her designee shall  
1012 execute an affidavit affirming to the facts which allow for  
1013 delivery of the vote-by-mail ballot. The department shall adopt  
1014 a rule providing for the form of the affidavit.

1015 (7) Except as expressly authorized for voters having a

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1016 disability under s. 101.662, for overseas voters under s.  
1017 101.697, or for local referenda under ss. 101.6102 and 101.6103,  
1018 a county, municipality, or state agency may not send a vote-by-  
1019 mail ballot to a voter unless the voter has requested a vote-by-  
1020 mail ballot in the manner authorized under this section.

1021 Section 25. Notwithstanding the amendments made to s.  
1022 101.62(1)(a), Florida Statutes, by this act, an existing vote-  
1023 by-mail ballot request submitted before the effective date of  
1024 this act is deemed sufficient for elections held through the end  
1025 of the 2022 calendar year.

1026 Section 26. Subsection (1) of section 101.64, Florida  
1027 Statutes, is amended to read:

1028 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

1029 (1) (a) The supervisor shall enclose with each vote-by-mail  
1030 ballot two envelopes: a secrecy envelope, into which the absent  
1031 elector shall enclose his or her marked ballot; and a mailing  
1032 envelope, into which the absent elector shall then place the  
1033 secrecy envelope, which shall be addressed to the supervisor and  
1034 also bear on the back side a certificate in substantially the  
1035 following form:

1036  
1037 Note: Please Read Instructions Carefully Before  
1038 Marking Ballot and Completing Voter's Certificate.

1039  
1040 VOTER'S CERTIFICATE

1041 I, ....., do solemnly swear or affirm that I am a qualified  
1042 and registered voter of .... County, Florida, and that I have  
1043 not and will not vote more than one ballot in this election. I  
1044 understand that if I commit or attempt to commit any fraud in

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1045 connection with voting, vote a fraudulent ballot, or vote more  
1046 than once in an election, I can be convicted of a felony of the  
1047 third degree and fined up to \$5,000 and/or imprisoned for up to  
1048 5 years. I also understand that failure to sign this certificate  
1049 will invalidate my ballot.

1050 ... (Date) ... (Voter's Signature) ...  
1051 ... (E-Mail Address) ... (Home Telephone Number) ...  
1052 ... (Mobile Telephone Number) ...

1053 (b) Each return mailing envelope must bear the absent  
1054 elector's name and any encoded mark used by the supervisor's  
1055 office.

1056 (c) A mailing envelope or secrecy envelope may not bear any  
1057 indication of the political affiliation of an absent elector.

1058 Section 27. Subsections (1) and (2) of section 101.68,  
1059 Florida Statutes, are amended to read:

1060 101.68 Canvassing of vote-by-mail ballot.—

1061 (1) The supervisor of the county where the absent elector  
1062 resides shall receive the voted ballot, at which time the  
1063 supervisor shall compare the signature of the elector on the  
1064 voter's certificate with the signature of the elector in the  
1065 registration books or the precinct register to determine whether  
1066 the elector is duly registered in the county and must ~~may~~ record  
1067 on the elector's registration record ~~certificate~~ that the  
1068 elector has voted. During the signature comparison process, the  
1069 supervisor may not use any knowledge of the political  
1070 affiliation of the voter whose signature is subject to  
1071 verification. An elector who dies after casting a vote-by-mail  
1072 ballot but on or before election day shall remain listed in the  
1073 registration books until the results have been certified for the

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1074 election in which the ballot was cast. The supervisor shall  
1075 safely keep the ballot unopened in his or her office until the  
1076 county canvassing board canvasses the vote. Except as provided  
1077 in subsection (4), after a vote-by-mail ballot is received by  
1078 the supervisor, the ballot is deemed to have been cast, and  
1079 changes or additions may not be made to the voter's certificate.

1080 (2) (a) The county canvassing board may begin the canvassing  
1081 of vote-by-mail ballots upon the completion of the public  
1082 testing of automatic tabulating equipment pursuant to s.  
1083 101.5612(2) at 7 a.m. on the 22nd day before the election, but  
1084 must begin such canvassing by no ~~not~~ later than noon on the day  
1085 following the election. ~~In addition, for any county using~~  
1086 ~~electronic tabulating equipment, the processing of vote-by-mail~~  
1087 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~  
1088 ~~the 22nd day before the election.~~ However, notwithstanding any  
1089 such authorization to begin canvassing or otherwise processing  
1090 vote-by-mail ballots early, no result shall be released until  
1091 after the closing of the polls in that county on election day.  
1092 Any supervisor, deputy supervisor, canvassing board member,  
1093 election board member, or election employee who releases the  
1094 results of a canvassing or processing of vote-by-mail ballots  
1095 prior to the closing of the polls in that county on election day  
1096 commits a felony of the third degree, punishable as provided in  
1097 s. 775.082, s. 775.083, or s. 775.084.

1098 (b) To ensure that all vote-by-mail ballots to be counted  
1099 by the canvassing board are accounted for, the canvassing board  
1100 shall compare the number of ballots in its possession with the  
1101 number of requests for ballots received to be counted according  
1102 to the supervisor's file or list.

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1103 (c)1. The canvassing board must, if the supervisor has not  
1104 already done so, compare the signature of the elector on the  
1105 voter's certificate or on the vote-by-mail ballot cure affidavit  
1106 as provided in subsection (4) with the signature of the elector  
1107 in the registration books or the precinct register to see that  
1108 the elector is duly registered in the county and to determine  
1109 the legality of that vote-by-mail ballot. A vote-by-mail ballot  
1110 may only be counted if:

1111 a. The signature on the voter's certificate or the cure  
1112 affidavit matches the elector's signature in the registration  
1113 books or precinct register; however, in the case of a cure  
1114 affidavit, the supporting identification listed in subsection  
1115 (4) must also confirm the identity of the elector; or

1116 b. The cure affidavit contains a signature that does not  
1117 match the elector's signature in the registration books or  
1118 precinct register, but the elector has submitted a current and  
1119 valid Tier 1 identification pursuant to subsection (4) which  
1120 confirms the identity of the elector.

1121  
1122 For purposes of this subparagraph, any canvassing board finding  
1123 that an elector's signatures do not match must be by majority  
1124 vote and beyond a reasonable doubt.

1125 2. The ballot of an elector who casts a vote-by-mail ballot  
1126 shall be counted even if the elector dies on or before election  
1127 day, as long as, before the death of the voter, the ballot was  
1128 postmarked by the United States Postal Service, date-stamped  
1129 with a verifiable tracking number by a common carrier, or  
1130 already in the possession of the supervisor.

1131 3. A vote-by-mail ballot is not considered illegal if the

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1132 signature of the elector does not cross the seal of the mailing  
1133 envelope.

1134 4. If any elector or candidate present believes that a  
1135 vote-by-mail ballot is illegal due to a defect apparent on the  
1136 voter's certificate or the cure affidavit, he or she may, at any  
1137 time before the ballot is removed from the envelope, file with  
1138 the canvassing board a protest against the canvass of that  
1139 ballot, specifying the precinct, the voter's certificate or the  
1140 cure affidavit ~~the ballot~~, and the reason he or she believes the  
1141 ballot to be illegal. A challenge based upon a defect in the  
1142 voter's certificate or cure affidavit may not be accepted after  
1143 the ballot has been removed from the mailing envelope.

1144 5. If the canvassing board determines that a ballot is  
1145 illegal, a member of the board must, without opening the  
1146 envelope, mark across the face of the envelope: "rejected as  
1147 illegal." The cure affidavit, if applicable, the envelope, and  
1148 the ballot therein shall be preserved in the manner that  
1149 official ballots are preserved.

1150 (d) The canvassing board shall record the ballot upon the  
1151 proper record, unless the ballot has been previously recorded by  
1152 the supervisor. The mailing envelopes shall be opened and the  
1153 secrecy envelopes shall be mixed so as to make it impossible to  
1154 determine which secrecy envelope came out of which signed  
1155 mailing envelope; however, in any county in which an electronic  
1156 or electromechanical voting system is used, the ballots may be  
1157 sorted by ballot styles and the mailing envelopes may be opened  
1158 and the secrecy envelopes mixed separately for each ballot  
1159 style. The votes on vote-by-mail ballots shall be included in  
1160 the total vote of the county.



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1161 Section 28. Subsection (2) of section 101.69, Florida  
1162 Statutes, is amended, and subsection (3) is added to that  
1163 section, to read:

1164 101.69 Voting in person; return of vote-by-mail ballot.—

1165 (2) (a) The supervisor shall allow an elector who has  
1166 received a vote-by-mail ballot to physically return a voted  
1167 vote-by-mail ballot to the supervisor by placing the return mail  
1168 envelope containing his or her marked ballot in a secure drop  
1169 box. Secure drop boxes shall be placed at the main office of the  
1170 supervisor, at each permanent branch office of the supervisor,  
1171 and at each early voting site. Secure drop boxes may also be  
1172 placed at any other site that would otherwise qualify as an  
1173 early voting site under s. 101.657(1). Drop boxes must be  
1174 geographically located so as to provide all voters in the county  
1175 with an equal opportunity to cast a ballot, insofar as is  
1176 practicable. Except for secure drop boxes at an office of the  
1177 supervisor, a secure drop box may only be used; provided,  
1178 ~~however, that any such site must be staffed~~ during the county's  
1179 early voting hours of operation and must be monitored in person  
1180 by an employee of the supervisor's office. A secure drop box at  
1181 an office of the supervisor must be continuously monitored in  
1182 person by an employee of the supervisor's office when the drop  
1183 box is accessible for deposit of ballots ~~or a sworn law~~  
1184 ~~enforcement officer.~~

1185 (b) A supervisor shall designate each drop box site at  
1186 least 30 days before an election. The supervisor shall provide  
1187 the address of each drop box location to the division at least  
1188 30 days before an election. After a drop box location has been  
1189 designated, it may not be moved or changed except as approved by

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1190 the division to correct a violation of this subsection.

1191 (c)1. On each day of early voting, all drop boxes must be  
1192 emptied at the end of early voting hours and all ballots  
1193 retrieved from the drop boxes must be returned to the  
1194 supervisor's office.

1195 2. For drop boxes located at an office of the supervisor,  
1196 all ballots must be retrieved before the drop box is no longer  
1197 monitored by an employee of the supervisor.

1198 3. Employees of the supervisor must comply with procedures  
1199 for the chain of custody of ballots as required by s.  
1200 101.015(4).

1201 (3) If any drop box is left accessible for ballot receipt  
1202 other than as authorized by this section, the supervisor is  
1203 subject to a civil penalty of \$25,000. The division is  
1204 authorized to enforce this provision.

1205 Section 29. Paragraphs (a), (b), and (e) of subsection (4)  
1206 of section 102.031, Florida Statutes, are amended to read:

1207 102.031 Maintenance of good order at polls; authorities;  
1208 persons allowed in polling rooms and early voting areas;  
1209 unlawful solicitation of voters.—

1210 (4) (a) No person, political committee, or other group or  
1211 organization may solicit voters inside the polling place or  
1212 within 150 feet of a drop box or the entrance to any polling  
1213 place, a polling room where the polling place is also a polling  
1214 room, an early voting site, or an office of the supervisor where  
1215 vote-by-mail ballots are requested and printed on demand for the  
1216 convenience of electors who appear in person to request them.  
1217 Before the opening of a drop box location, ~~the~~ polling place,  
1218 or an early voting site, the clerk or supervisor shall designate

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1219 the no-solicitation zone and mark the boundaries.

1220 (b) For the purpose of this subsection, the terms "solicit"  
1221 or "solicitation" shall include, but not be limited to, seeking  
1222 or attempting to seek any vote, fact, opinion, or contribution;  
1223 distributing or attempting to distribute any political or  
1224 campaign material, leaflet, or handout; conducting a poll except  
1225 as specified in this paragraph; seeking or attempting to seek a  
1226 signature on any petition; ~~and~~ selling or attempting to sell any  
1227 item; and engaging in any activity with the intent to influence  
1228 or effect of influencing a voter. The terms "solicit" or  
1229 "solicitation" may not be construed to prohibit an employee of,  
1230 or a volunteer with, the supervisor from providing nonpartisan  
1231 assistance to voters within the no-solicitation zone such as,  
1232 but not limited to, giving items to voters, or to prohibit exit  
1233 polling.

1234 (e) The owner, operator, or lessee of the property on which  
1235 a polling place or an early voting site is located, or an agent  
1236 or employee thereof, may not prohibit the solicitation of voters  
1237 by a candidate or a candidate's designee outside of the no-  
1238 solicitation zone during polling hours.

1239 Section 30. Section 102.072, Florida Statutes, is created  
1240 to read:

1241 102.072 Vote-by-mail count reporting.—Beginning at 7:00  
1242 p.m. election day, the supervisor must, at least once every hour  
1243 while actively counting, post on his or her website the number  
1244 of vote-by-mail ballots that have been received and the number  
1245 of vote-by-mail ballots that remain uncounted.

1246 Section 31. Subsection (1) and paragraphs (a) and (b) of  
1247 subsection (2) of section 102.141, Florida Statutes, are amended

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1248 to read:

1249 102.141 County canvassing board; duties.—

1250 (1) The county canvassing board shall be composed of the  
1251 supervisor of elections; a county court judge, who shall act as  
1252 chair; and the chair of the board of county commissioners. The  
1253 names of the canvassing board members must be published on the  
1254 supervisor's website upon completion of the logic and accuracy  
1255 test. Alternate canvassing board members must be appointed  
1256 pursuant to paragraph (e). In the event any member of the county  
1257 canvassing board is unable to serve, is a candidate who has  
1258 opposition in the election being canvassed, or is an active  
1259 participant in the campaign or candidacy of any candidate who  
1260 has opposition in the election being canvassed, such member  
1261 shall be replaced as follows:

1262 (a) If no county court judge is able to serve or if all are  
1263 disqualified, the chief judge of the judicial circuit in which  
1264 the county is located shall appoint as a substitute member a  
1265 qualified elector of the county who is not a candidate with  
1266 opposition in the election being canvassed and who is not an  
1267 active participant in the campaign or candidacy of any candidate  
1268 with opposition in the election being canvassed. In such event,  
1269 the members of the county canvassing board shall meet and elect  
1270 a chair.

1271 (b) If the supervisor of elections is unable to serve or is  
1272 disqualified, the chair of the board of county commissioners  
1273 shall appoint as a substitute member a member of the board of  
1274 county commissioners who is not a candidate with opposition in  
1275 the election being canvassed and who is not an active  
1276 participant in the campaign or candidacy of any candidate with

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1277 opposition in the election being canvassed. The supervisor,  
1278 however, shall act in an advisory capacity to the canvassing  
1279 board.

1280 (c) If the chair of the board of county commissioners is  
1281 unable to serve or is disqualified, the board of county  
1282 commissioners shall appoint as a substitute member one of its  
1283 members who is not a candidate with opposition in the election  
1284 being canvassed and who is not an active participant in the  
1285 campaign or candidacy of any candidate with opposition in the  
1286 election being canvassed.

1287 (d) If a substitute member or alternate member cannot be  
1288 appointed as provided elsewhere in this subsection, or in the  
1289 event of a vacancy in such office, the chief judge of the  
1290 judicial circuit in which the county is located shall appoint as  
1291 a substitute member or alternate member a qualified elector of  
1292 the county who is not a candidate with opposition in the  
1293 election being canvassed and who is not an active participant in  
1294 the campaign or candidacy of any candidate with opposition in  
1295 the election being canvassed.

1296 (e)1. The chief judge of the judicial circuit in which the  
1297 county is located shall appoint a county court judge as an  
1298 alternate member of the county canvassing board or, if each  
1299 county court judge is unable to serve or is disqualified, shall  
1300 appoint an alternate member who is qualified to serve as a  
1301 substitute member under paragraph (a).

1302 2. The chair of the board of county commissioners shall  
1303 appoint a member of the board of county commissioners as an  
1304 alternate member of the county canvassing board or, if each  
1305 member of the board of county commissioners is unable to serve

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1306 or is disqualified, shall appoint an alternate member who is  
1307 qualified to serve as a substitute member under paragraph (d).

1308 3. If a member of the county canvassing board is unable to  
1309 participate in a meeting of the board, the chair of the county  
1310 canvassing board or his or her designee shall designate which  
1311 alternate member will serve as a member of the board in the  
1312 place of the member who is unable to participate at that  
1313 meeting.

1314 4. If not serving as one of the three members of the county  
1315 canvassing board, an alternate member may be present, observe,  
1316 and communicate with the three members constituting the county  
1317 canvassing board, but may not vote in the board's decisions or  
1318 determinations.

1319 (2) (a) The county canvassing board shall meet in a building  
1320 accessible to the public in the county where the election  
1321 occurred at a time and place to be designated by the supervisor  
1322 to publicly canvass the absent electors' ballots as provided for  
1323 in s. 101.68 and provisional ballots as provided by ss. 101.048,  
1324 101.049, and 101.6925. During each meeting of the county  
1325 canvassing board, each political party and each candidate may  
1326 have one watcher able to view directly or on a display screen  
1327 ballots being examined for signature matching and other  
1328 processes. Provisional ballots cast pursuant to s. 101.049 shall  
1329 be canvassed in a manner that votes for candidates and issues on  
1330 those ballots can be segregated from other votes. As soon as the  
1331 absent electors' ballots and the provisional ballots are  
1332 canvassed, the board shall proceed to publicly canvass the vote  
1333 given each candidate, nominee, constitutional amendment, or  
1334 other measure submitted to the electorate of the county, as

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1335 shown by the returns then on file in the office of the  
1336 supervisor.

1337 (b) Public notice of the canvassing board members,  
1338 alternates, time, and place at which the county canvassing board  
1339 shall meet to canvass the absent electors' ballots and  
1340 provisional ballots must be given at least 48 hours prior  
1341 thereto by publication on the supervisor's website and published  
1342 in one or more newspapers of general circulation in the county  
1343 or, if there is no newspaper of general circulation in the  
1344 county, by posting such notice in at least four conspicuous  
1345 places in the county. The time given in the notice as to the  
1346 convening of the meeting of the county canvassing board must be  
1347 specific and may not be a time period during which the board may  
1348 meet.

1349 Section 32. Section 104.0616, Florida Statutes, is amended  
1350 to read:

1351 104.0616 Vote-by-mail ballots and voting; violations.-

1352 (1) For purposes of this section, the term "immediate  
1353 family" means a person's spouse or the parent, child,  
1354 grandparent, grandchild, or sibling of the person or the  
1355 person's spouse.

1356 (2) Any person who distributes, orders, requests, collects,  
1357 delivers ~~provides or offers to provide,~~ and any person who  
1358 ~~accepts, a pecuniary or other benefit in exchange for~~  
1359 ~~distributing, ordering, requesting, collecting, delivering, or~~  
1360 otherwise physically possesses ~~possessing~~ more than two vote-by-  
1361 mail ballots per election in addition to his or her own ballot  
1362 or a ballot belonging to an immediate family member, except as  
1363 provided in ss. 101.6105-101.694, including supervised voting at

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1364 assisted living facilities and nursing home facilities as  
1365 authorized under s. 101.655, commits a misdemeanor of the first  
1366 degree, punishable as provided in s. 775.082 or s. 775.083,~~or~~  
1367 ~~s. 775.084.~~

1368 Section 33. This act shall take effect upon becoming a law.