

By Senator Taddeo

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1 A bill to be entitled
2 An act relating to elections; amending s. 20.10, F.S.;
3 requiring the Secretary of State to be elected rather
4 than appointed; specifying when such election must
5 occur; amending s. 97.053, F.S.; requiring applicants
6 registering to vote to designate a party affiliation
7 or affirmatively select "No Party Affiliation";
8 requiring supervisors of elections to provide a
9 certain notification; requiring the voter registration
10 application to note such requirement; creating s.
11 97.0556, F.S.; providing that a person who meets
12 certain requirements may register to vote at an early
13 voting site or at his or her polling place and
14 immediately thereafter cast a ballot; amending s.
15 97.057, F.S.; requiring the Department of Highway
16 Safety and Motor Vehicles to provide the opportunity
17 to preregister to vote to certain individuals;
18 revising procedures governing voter registration by
19 the Department of Highway Safety and Motor Vehicles;
20 providing that driver license or identification card
21 applications, driver license or identification card
22 renewal applications, and applications for changes of
23 address for existing driver licenses or identification
24 cards submitted to the department serve as voter
25 registration applications; providing that an applicant
26 is deemed to have consented to the use of his or her
27 signature for voter registration purposes unless a
28 declination is made; requiring specified applications
29 to include a voter registration component, subject to

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30 approval by the Department of State; requiring such
31 applications to include certain information; requiring
32 the Department of Highway Safety and Motor Vehicles to
33 develop the voter registration component for
34 applications; requiring the Department of Highway
35 Safety and Motor Vehicles to electronically transmit
36 voter registration information to the Department of
37 State within a specified timeframe; requiring the
38 Department of State to provide such information to
39 supervisors of elections, as applicable; deleting
40 obsolete language; making technical changes; amending
41 s. 97.0575, F.S.; removing a requirement that a third-
42 party voter registration organization provide certain
43 notice to an applicant; revising certain penalties for
44 third-party voter registration organizations; removing
45 the aggregate limit of such penalties; amending s.
46 98.045, F.S.; conforming a cross-reference; amending
47 s. 98.065, F.S.; revising the conditions in which a
48 supervisor must designate a voter as inactive;
49 amending s. 99.061, F.S.; authorizing a candidate to
50 pay his or her qualification fee with a cashier's
51 check; amending s. 100.371, F.S.; providing a
52 requirement for the delivery of certain petition
53 forms; creating s. 100.51, F.S.; establishing General
54 Election Day as a paid holiday; providing that any
55 elector may absent himself or herself from service or
56 employment at a specific time on a General Election
57 Day and may not be penalized or have pay reduced for
58 such absence; creating s. 101.016, F.S.; requiring the

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59 Division of Elections to maintain a strategic
60 elections equipment reserve of voting systems and
61 other equipment for specified purposes; requiring such
62 reserve to include specified equipment; authorizing
63 the division to contract with specified entities
64 rather than physically maintain such reserve; amending
65 s. 101.048, F.S.; providing that a person may cast a
66 provisional vote at any precinct in the county in
67 which the voter claims to be registered; amending s.
68 101.151, F.S.; revising the order in which office
69 titles and names of candidates are placed on the
70 ballot; amending s. 101.5612, F.S.; requiring
71 supervisors of elections to annually file a specified
72 plan for operations to be implemented under certain
73 conditions; amending s. 101.62, F.S.; providing that a
74 request for a vote-by-mail ballot is valid until the
75 request is canceled by the elector making the request;
76 revising the deadline by which vote-by-mail ballots
77 must be received by supervisors; revising the period
78 during which supervisors of elections may deliver
79 certain ballots; providing for extension of deadlines
80 under certain conditions; amending s. 101.64, F.S.;

81 requiring supervisors of elections to enclose a
82 postage-paid mailing envelope with each vote-by-mail
83 ballot; providing that vote-by-mail ballot voter
84 certificates may be signed with the last four digits
85 of the voter's social security number; amending s.
86 101.65, F.S.; revising instructions that must be
87 provided with a vote-by-mail ballot; amending s.

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88 101.68, F.S.; requiring supervisors of elections to
89 compare the signature or last four digits of the
90 social security number on a voter's certificate with
91 the signature or last four digits of the social
92 security number in the registration books or precinct
93 register when canvassing a vote-by-mail ballot;
94 requiring canvassing boards to compare the signature
95 or last four digits of the social security number on a
96 voter's certificate or cure affidavit with the
97 signature or last four digits of the social security
98 number in the registration books or precinct register
99 when canvassing vote-by-mail ballots; amending s.
100 101.6952, F.S.; authorizing absent voters to submit a
101 federal write-in absentee ballot or vote-by-mail
102 ballot under certain circumstances; revising
103 requirements for the canvassing of specified ballots;
104 providing that a certain presumption applies to vote-
105 by-mail ballots received from absent voters; requiring
106 a vote-by-mail ballot from an absent voter which is
107 postmarked or dated by a certain date to be counted;
108 amending s. 101.71, F.S.; prohibiting polling places
109 from being located within gated communities unless
110 certain conditions are met; amending s. 102.031, F.S.;
111 providing that a person may provide food, water, and
112 other items to certain voters; prohibiting the use of
113 devices that amplify sound in certain locations during
114 certain hours; amending s. 102.111, F.S.; revising the
115 dates by which the Elections Canvassing Commission
116 shall meet to certify certain election returns;

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117 amending s. 102.112, F.S.; revising the deadlines for
118 submission of county returns to the Department of
119 State; creating s. 102.181, F.S.; authorizing certain
120 persons to file actions against a supervisor of
121 elections for noncompliance with the Florida Election
122 Code; providing that such persons are entitled to an
123 immediate hearing; providing for the waiver of fees
124 and costs and the awarding of attorney fees; providing
125 an effective date.

126
127 Be It Enacted by the Legislature of the State of Florida:

128
129 Section 1. Subsection (1) of section 20.10, Florida
130 Statutes, is amended to read:

131 20.10 Department of State.—There is created a Department of
132 State.

133 (1) The head of the Department of State is the Secretary of
134 State. The Secretary of State shall be elected at the statewide
135 general election at which the Governor, Lieutenant Governor, and
136 Cabinet officers are elected as provided in s. 5, Art. IV of the
137 State Constitution, for a term of 4 years beginning on the first
138 Tuesday after the first Monday in January of the year following
139 such election ~~appointed by the Governor, subject to confirmation~~
140 ~~by the Senate, and shall serve at the pleasure of the Governor.~~
141 The Secretary of State shall perform the functions conferred by
142 the State Constitution upon the custodian of state records.

143 Section 2. Paragraph (b) of subsection (5) of section
144 97.053, Florida Statutes, is amended to read:

145 97.053 Acceptance of voter registration applications.—

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146 (5)

147 (b) An applicant who fails to designate party affiliation
148 or affirmatively select "No Party Affiliation" may not ~~must~~ be
149 registered ~~without party affiliation~~. The supervisor must notify
150 the voter by mail that the voter has not been registered ~~without~~
151 ~~party affiliation~~ and that the voter must complete a new
152 registration application and designate a party affiliation or
153 affirmatively select "No Party Affiliation." The voter
154 registration application must clearly denote this requirement
155 ~~may change party affiliation as provided in s. 97.1031.~~

156 Section 3. Section 97.0556, Florida Statutes, is created to
157 read:

158 97.0556 Same-day voter registration.—A person who meets the
159 qualifications to register to vote in s. 97.041 and who provides
160 the information required for the statewide voter registration
161 application in s. 97.052 may register at an early voting site or
162 at his or her polling place and immediately thereafter cast a
163 ballot.

164 Section 4. Section 97.057, Florida Statutes, is amended to
165 read:

166 97.057 Voter registration by the Department of Highway
167 Safety and Motor Vehicles.—

168 (1) Each of the following serves as an application ~~The~~
169 ~~Department of Highway Safety and Motor Vehicles shall provide~~
170 ~~the opportunity to preregister to vote, register to vote, or to~~
171 update a voter registration record when submitted to the
172 Department of Highway Safety and Motor Vehicles to each
173 ~~individual who comes to an office of that department to:~~

174 (a) An application for or a renewal of ~~Apply for or renew a~~

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175 driver license;

176 (b) An application for or a renewal of ~~Apply for or renew~~
177 an identification card pursuant to chapter 322; or

178 (c) An application for a change of an address on an
179 existing driver license or identification card.

180
181 Unless the applicant declines to register or preregister to
182 vote, he or she is deemed to have consented to the use of the
183 signature from his or her driver license or identification card
184 application for voter registration purposes.

185 (2) An application for a driver license or an
186 identification card must include a voter registration component.
187 The voter registration component must be approved by the
188 Department of State. The voter registration component of a
189 driver license or identification card application must contain
190 all of the following:

191 (a) The minimum amount of information necessary to prevent
192 duplicate voter registrations and preserve the ability of the
193 department and supervisors of elections to assess the
194 eligibility of the applicant and administer voter registration
195 and other provisions of this code.

196 (b) A statement setting forth voting eligibility
197 requirements.

198 (c) An explanation that the applicant is consenting to the
199 use of his or her signature from the applicant's driver license
200 or identification card application for voter registration
201 purposes. By consenting to the use of his or her signature, the
202 applicant is deemed to have subscribed to the oath required by
203 s. 3, Art. VI of the State Constitution and s. 97.051 and to

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204 have sworn and affirmed that the voter registration information
205 contained in the application is true under penalty for false
206 swearing pursuant to s. 104.011.

207 (d) An option that allows the applicant to choose or update
208 a party affiliation; otherwise, an applicant who is initially
209 registering to vote and does not exercise such option shall be
210 sent a notice by the supervisor of elections in accordance with
211 s. 97.053(5) (b).

212 (e) An option that allows the applicant to decline to
213 register to vote or preregister to vote. The Department of
214 Highway Safety and Motor Vehicles shall note any such
215 declination in its records and forward the declination to the
216 Department of State. Any declination may be used only for voter
217 registration purposes and is confidential and exempt from public
218 records requirements as provided in s. 97.0585.

219 (3) The Department of Highway Safety and Motor Vehicles
220 shall:

221 (a) Develop a voter registration component for applications
222 which meets the requirements set forth in subsection (2).

223 (b) Electronically transmit the voter registration
224 component of an applicant's driver license or identification
225 card application to the Department of State within 24 hours
226 after receipt. Upon receipt of the voter registration component,
227 the Department of State shall provide the information to the
228 supervisor of the county in which the applicant is registering
229 or preregistering to vote or updating his or her voter
230 registration record.

231 ~~(2) The Department of Highway Safety and Motor Vehicles~~
232 ~~shall:~~

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- 233 ~~(a) Notify each individual, orally or in writing, that:~~
- 234 ~~1. Information gathered for the completion of a driver~~
- 235 ~~license or identification card application, renewal, or change~~
- 236 ~~of address can be automatically transferred to a voter~~
- 237 ~~registration application;~~
- 238 ~~2. If additional information and a signature are provided,~~
- 239 ~~the voter registration application will be completed and sent to~~
- 240 ~~the proper election authority;~~
- 241 ~~3. Information provided can also be used to update a voter~~
- 242 ~~registration record;~~
- 243 ~~4. All declinations will remain confidential and may be~~
- 244 ~~used only for voter registration purposes; and~~
- 245 ~~5. The particular driver license office in which the person~~
- 246 ~~applies to register to vote or updates a voter registration~~
- 247 ~~record will remain confidential and may be used only for voter~~
- 248 ~~registration purposes.~~
- 249 ~~(b) Require a driver license examiner to inquire orally or,~~
- 250 ~~if the applicant is hearing impaired, inquire in writing whether~~
- 251 ~~the applicant wishes to register to vote or update a voter~~
- 252 ~~registration record during the completion of a driver license or~~
- 253 ~~identification card application, renewal, or change of address.~~
- 254 ~~1. If the applicant chooses to register to vote or to~~
- 255 ~~update a voter registration record:~~
- 256 ~~a. All applicable information received by the Department of~~
- 257 ~~Highway Safety and Motor Vehicles in the course of filling out~~
- 258 ~~the forms necessary under subsection (1) must be transferred to~~
- 259 ~~a voter registration application.~~
- 260 ~~b. The additional necessary information must be obtained by~~
- 261 ~~the driver license examiner and must not duplicate any~~

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262 ~~information already obtained while completing the forms required~~
263 ~~under subsection (1).~~

264 ~~e. A voter registration application with all of the~~
265 ~~applicant's voter registration information required to establish~~
266 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
267 ~~presented to the applicant to review and verify the voter~~
268 ~~registration information received and provide an electronic~~
269 ~~signature affirming the accuracy of the information provided.~~

270 ~~2. If the applicant declines to register to vote, update~~
271 ~~the applicant's voter registration record, or change the~~
272 ~~applicant's address by either orally declining or by failing to~~
273 ~~sign the voter registration application, the Department of~~
274 ~~Highway Safety and Motor Vehicles must note such declination on~~
275 ~~its records and shall forward the declination to the statewide~~
276 ~~voter registration system.~~

277 ~~(3) For the purpose of this section, the Department of~~
278 ~~Highway Safety and Motor Vehicles, with the approval of the~~
279 ~~Department of State, shall prescribe:~~

280 ~~(a) A voter registration application that is the same in~~
281 ~~content, format, and size as the uniform statewide voter~~
282 ~~registration application prescribed under s. 97.052; and~~

283 ~~(b) A form that will inform applicants under subsection (1)~~
284 ~~of the information contained in paragraph (2) (a).~~

285 ~~(4) The Department of Highway Safety and Motor Vehicles~~
286 ~~must electronically transmit completed voter registration~~
287 ~~applications within 24 hours after receipt to the statewide~~
288 ~~voter registration system. Completed paper voter registration~~
289 ~~applications received by the Department of Highway Safety and~~
290 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~

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291 ~~the supervisor of the county where the office that processed or~~
292 ~~received that application is located.~~

293 ~~(5) The Department of Highway Safety and Motor Vehicles~~
294 ~~must send, with each driver license renewal extension~~
295 ~~application authorized pursuant to s. 322.18(8), a uniform~~
296 ~~statewide voter registration application, the voter registration~~
297 ~~application prescribed under paragraph (3)(a), or a voter~~
298 ~~registration application developed especially for the purposes~~
299 ~~of this subsection by the Department of Highway Safety and Motor~~
300 ~~Vehicles, with the approval of the Department of State, which~~
301 ~~must meet the requirements of s. 97.052.~~

302 ~~(4)~~(6) A person providing voter registration services for a
303 driver license office may not:

304 (a) Seek to influence an applicant's political preference
305 or party registration;

306 (b) Display any political preference or party allegiance;

307 (c) Make any statement to an applicant or take any action
308 the purpose or effect of which is to discourage the applicant
309 from registering to vote; or

310 (d) Disclose any applicant's voter registration information
311 except as needed for the administration of voter registration.

312 ~~(5)~~(7) The Department of Highway Safety and Motor Vehicles
313 shall collect data determined necessary by the Department of
314 State for program evaluation and reporting to the Election
315 Assistance Commission pursuant to federal law.

316 ~~(6)~~(8) The Department of Highway Safety and Motor Vehicles
317 shall ~~must~~ ensure that all voter registration services provided
318 by driver license offices are in compliance with the Voting
319 Rights Act of 1965.

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320 (7) ~~(9)~~ The Department of Highway Safety and Motor Vehicles
321 shall retain complete records of voter registration information
322 received, processed, and submitted to the Department of State
323 ~~statewide voter registration system~~ by the Department of Highway
324 Safety and Motor Vehicles. The retention of such ~~These~~ records
325 is shall be for the explicit purpose of supporting audit and
326 accounting controls established to ensure accurate and complete
327 electronic transmission of records between the Department of
328 State ~~statewide voter registration system~~ and the Department of
329 Highway Safety and Motor Vehicles.

330 (8) ~~(10)~~ The Department of State shall provide the
331 Department of Highway Safety and Motor Vehicles with an
332 electronic database of street addresses valid for use as the
333 address of legal residence as required in s. 97.053(5). The
334 Department of Highway Safety and Motor Vehicles shall compare
335 the address provided by the applicant against the database of
336 valid street addresses. If the address provided by the applicant
337 does not match a valid street address in the database, the
338 applicant will be asked to verify the address provided. The
339 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
340 reject any application for voter registration for which a valid
341 match cannot be made.

342 (9) ~~(11)~~ The Department of Highway Safety and Motor Vehicles
343 shall enter into an agreement with the department to match
344 information in the statewide voter registration system with
345 information in the database of the Department of Highway Safety
346 and Motor Vehicles to the extent required to verify the accuracy
347 of the driver license number, Florida identification number, or
348 last four digits of the social security number provided on

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349 applications for voter registration as required in s. 97.053.

350 (10)~~(12)~~ The Department of Highway Safety and Motor
351 Vehicles shall enter into an agreement with the Commissioner of
352 Social Security as required by the Help America Vote Act of 2002
353 to verify the last four digits of the social security number
354 provided in applications for voter registration as required in
355 s. 97.053.

356 (11)~~(13)~~ The Department of Highway Safety and Motor
357 Vehicles must assist the Department of State in regularly
358 identifying changes in residence address on the driver license
359 or identification card of a voter. The Department of State must
360 report each such change to the appropriate supervisor of
361 elections who must change the voter's registration records in
362 accordance with s. 98.065(4).

363 Section 5. Paragraph (a) of subsection (3) of section
364 97.0575, Florida Statutes, is amended to read:

365 97.0575 Third-party voter registrations.—

366 (3) (a) A third-party voter registration organization that
367 collects voter registration applications serves as a fiduciary
368 to the applicant, ensuring that any voter registration
369 application entrusted to the organization, irrespective of party
370 affiliation, race, ethnicity, or gender, must be promptly
371 delivered to the division or the supervisor of elections in the
372 county in which the applicant resides within 14 days after the
373 application was completed by the applicant, but not after
374 registration closes for the next ensuing election. ~~A third-party
375 voter registration organization must notify the applicant at the
376 time the application is collected that the organization might
377 not deliver the application to the division or the supervisor of~~

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378 ~~elections in the county in which the applicant resides in less~~
379 ~~than 14 days or before registration closes for the next ensuing~~
380 ~~election and must advise the applicant that he or she may~~
381 ~~deliver the application in person or by mail. The third-party~~
382 ~~voter registration organization must also inform the applicant~~
383 ~~how to register online with the division and how to determine~~
384 ~~whether the application has been delivered. If a voter~~
385 registration application collected by any third-party voter
386 registration organization is not promptly delivered to the
387 division or supervisor of elections in the county in which the
388 applicant resides, the third-party voter registration
389 organization is liable for the following fines:

390 1. A fine in the amount of \$50 for each application
391 received by the division or the supervisor of elections in the
392 county in which the applicant resides more than 14 days after
393 the applicant delivered the completed voter registration
394 application to the third-party voter registration organization
395 or any person, entity, or agent acting on its behalf. A fine in
396 the amount of \$250 for each application received if the third-
397 party voter registration organization or person, entity, or
398 agency acting on its behalf acted willfully.

399 2. A fine in the amount of \$100 for each application
400 collected by a third-party voter registration organization or
401 any person, entity, or agent acting on its behalf, before book
402 closing for any given election for federal or state office and
403 received by the division or the supervisor of elections in the
404 county in which the applicant resides after the book-closing
405 deadline for such election. A fine in the amount of \$500 for
406 each application received if the third-party registration

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407 organization or person, entity, or agency acting on its behalf
408 acted willfully.

409 ~~3. A fine in the amount of \$500 for each application~~
410 ~~collected by a third-party voter registration organization or~~
411 ~~any person, entity, or agent acting on its behalf, which is not~~
412 ~~submitted to the division or supervisor of elections in the~~
413 ~~county in which the applicant resides. A fine in the amount of~~
414 ~~\$1,000 for any application not submitted if the third-party~~
415 ~~voter registration organization or person, entity, or agency~~
416 ~~acting on its behalf acted willfully.~~

417
418 ~~The aggregate fine pursuant to this paragraph which may be~~
419 ~~assessed against a third-party voter registration organization,~~
420 ~~including affiliate organizations, for violations committed in a~~
421 ~~calendar year is \$1,000.~~

422 Section 6. Paragraph (b) of subsection (4) of section
423 98.045, Florida Statutes, is amended to read:

424 98.045 Administration of voter registration.—

425 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
426 STREET ADDRESSES.—

427 (b) The department shall make the statewide database of
428 valid street addresses available to the Department of Highway
429 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
430 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
431 shall use the database for purposes of validating the legal
432 residential addresses provided in voter registration
433 applications received by the Department of Highway Safety and
434 Motor Vehicles.

435 Section 7. Paragraph (c) of subsection (4) of section

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436 98.065, Florida Statutes, is amended to read:

437 98.065 Registration list maintenance programs.—

438 (4)

439 (c) The supervisor must designate as inactive all voters
440 who have not voted in at least one of the last two general
441 elections, been sent an address confirmation final notice, and
442 ~~who have~~ not returned the postage prepaid, preaddressed return
443 form within 30 days or for which the final notice has been
444 returned as undeliverable. Names on the inactive list may not be
445 used to calculate the number of signatures needed on any
446 petition. A voter on the inactive list may be restored to the
447 active list of voters upon the voter updating his or her
448 registration, requesting a vote-by-mail ballot, or appearing to
449 vote. However, if the voter does not update his or her voter
450 registration information, request a vote-by-mail ballot, or vote
451 by the second general election after being placed on the
452 inactive list, the voter's name must ~~shall~~ be removed from the
453 statewide voter registration system and the voter must ~~shall~~ be
454 required to reregister to have his or her name restored to the
455 statewide voter registration system.

456 Section 8. Paragraph (a) of subsection (7) of section
457 99.061, Florida Statutes, is amended to read:

458 99.061 Method of qualifying for nomination or election to
459 federal, state, county, or district office.—

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

463 1. A cashier's check purchased with campaign account funds
464 or a properly executed check drawn upon the candidate's campaign

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465 account payable to the person or entity as prescribed by the
466 filing officer in an amount not less than the fee required by s.
467 99.092, unless the candidate obtained the required number of
468 signatures on petitions pursuant to s. 99.095. The filing fee
469 for a special district candidate is not required to be drawn
470 upon the candidate's campaign account. If a candidate's check is
471 returned by the bank for any reason, the filing officer must
472 ~~shall~~ immediately notify the candidate and the candidate has
473 ~~shall have~~ until the end of qualifying to pay the fee with a
474 cashier's check purchased from funds of the campaign account.
475 Failure to pay the fee as provided in this subparagraph
476 disqualifies ~~shall disqualify~~ the candidate.

477 2. The candidate's oath required by s. 99.021, which must
478 contain the name of the candidate as it is to appear on the
479 ballot; the office sought, including the district or group
480 number if applicable; and the signature of the candidate, which
481 must be verified under oath or affirmation pursuant to s.
482 92.525(1)(a).

483 3. If the office sought is partisan, the written statement
484 of political party affiliation required by s. 99.021(1)(b); or
485 if the candidate is running without party affiliation for a
486 partisan office, the written statement required by s.
487 99.021(1)(c).

488 4. The completed form for the appointment of campaign
489 treasurer and designation of campaign depository, as required by
490 s. 106.021.

491 5. The full and public disclosure or statement of financial
492 interests required by subsection (5). A public officer who has
493 filed the full and public disclosure or statement of financial

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494 interests with the Commission on Ethics or the supervisor before
495 ~~of elections prior to~~ qualifying for office may file a copy of
496 that disclosure at the time of qualifying.

497 Section 9. Paragraph (a) of subsection (7) of section
498 100.371, Florida Statutes, is amended, and paragraph (c) is
499 added to that subsection, to read:

500 100.371 Initiatives; procedure for placement on ballot.—

501 (7) ~~(a)~~ A sponsor that collects petition forms or uses a
502 petition circulator to collect petition forms serves as a
503 fiduciary to the elector signing the petition form, ensuring
504 that any petition form entrusted to the petition circulator
505 shall be promptly delivered to the supervisor ~~of elections~~
506 within 30 days after the elector signs the form.

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

510 1. A fine in the amount of \$50 for each petition form
511 received by the supervisor of elections more than 30 days after
512 the elector signed the petition form or the next business day,
513 if the office is closed. A fine in the amount of \$250 for each
514 petition form received if the sponsor or petition circulator
515 acted willfully.

516 2. A fine in the amount of \$500 for each petition form
517 collected by a petition circulator which is not submitted to the
518 supervisor of elections. A fine in the amount of \$1,000 for any
519 petition form not submitted if the sponsor or petition
520 circulator acted willfully.

521 (c) A sponsor shall deliver petition forms to the
522 supervisor grouped in batches by the petition circulator who

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523 collected them.

524 Section 10. Section 100.51, Florida Statutes, is created to
525 read:

526 100.51 General Election Day paid holiday.—In order to
527 encourage civic participation, enable more individuals to serve
528 as poll workers, and provide additional time for the resolution
529 of any issues that arise while an elector casts his or her vote,
530 General Election Day is a paid holiday. An elector is entitled
531 to absent himself or herself from any service or employment in
532 which he or she is engaged or employed during the time the polls
533 are open on General Election Day. An elector who absents himself
534 or herself under this section may not be penalized in any way
535 and a deduction may not be made from his or her usual salary or
536 wages on account of his or her absence.

537 Section 11. Section 101.016, Florida Statutes, is created
538 to read:

539 101.016 Strategic elections equipment reserve.—The Division
540 of Elections shall maintain a strategic elections equipment
541 reserve of voting systems that may be deployed in the event of
542 an emergency as defined in s. 101.732 or upon the occurrence of
543 equipment capacity issues due to unexpected voter turnout. The
544 reserve must include tabulation equipment and any other
545 necessary equipment, including, but not limited to, printers, in
546 use by each supervisor of elections. In lieu of maintaining a
547 physical reserve of such equipment, the division may contract
548 with a voting equipment vendor that shall provide such equipment
549 on an as-needed basis.

550 Section 12. Subsections (1) and (2) of section 101.048,
551 Florida Statutes, are amended to read:

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552 101.048 Provisional ballots.—

553 (1) At all elections, a voter claiming to be properly
554 registered in this ~~the~~ state and eligible to vote ~~at the~~
555 ~~precinct~~ in the election but whose eligibility cannot be
556 determined, a person whom an election official asserts is not
557 eligible, and other persons specified in the code shall be
558 entitled to vote a provisional ballot at any precinct in the
559 county in which the voter claims to be registered. Once voted,
560 the provisional ballot must ~~shall~~ be placed in a secrecy
561 envelope and thereafter sealed in a provisional ballot envelope.
562 The provisional ballot must ~~shall~~ be deposited in a ballot box.
563 All provisional ballots must ~~shall~~ remain sealed in their
564 envelopes for return to the supervisor of elections. The
565 department shall prescribe the form of the provisional ballot
566 envelope. A person casting a provisional ballot shall have the
567 right to present written evidence supporting his or her
568 eligibility to vote to the supervisor of elections by not later
569 than 5 p.m. on the second day after ~~following~~ the election.

570 (2) (a) The county canvassing board shall examine each
571 Provisional Ballot Voter's Certificate and Affirmation to
572 determine if the person voting that ballot was entitled to vote
573 in the county in which ~~at the precinct where~~ the person cast a
574 vote in the election and that the person had not already cast a
575 ballot in the election. In determining whether a person casting
576 a provisional ballot is entitled to vote, the county canvassing
577 board shall review the information provided in the Voter's
578 Certificate and Affirmation, written evidence provided by the
579 person pursuant to subsection (1), information provided in any
580 cure affidavit and accompanying supporting documentation

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581 pursuant to subsection (6), any other evidence presented by the
582 supervisor, and, in the case of a challenge, any evidence
583 presented by the challenger. A ballot of a person casting a
584 provisional ballot must ~~shall~~ be canvassed pursuant to paragraph
585 (b) unless the canvassing board determines by a preponderance of
586 the evidence that the person was not entitled to vote.

587 (b) If it is determined that the person was registered and
588 entitled to vote in the county in which ~~at the precinct where~~
589 the person cast a vote in the election, the canvassing board
590 must compare the signature on the Provisional Ballot Voter's
591 Certificate and Affirmation or the provisional ballot cure
592 affidavit with the signature on the voter's registration or
593 precinct register. A provisional ballot may be counted only if:

594 1. The signature on the voter's certificate or the cure
595 affidavit matches the elector's signature in the registration
596 books or the precinct register; however, in the case of a cure
597 affidavit, the supporting identification listed in subsection
598 (6) must also confirm the identity of the elector; or

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

604

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

608 (c) Any provisional ballot not counted must remain in the
609 envelope containing the Provisional Ballot Voter's Certificate

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610 and Affirmation and the envelope must ~~shall~~ be marked "Rejected
611 as Illegal."

612 (d) If a provisional ballot is validated following the
613 submission of a cure affidavit, the supervisor must make a copy
614 of the affidavit, affix it to a voter registration application,
615 and immediately process it as a valid request for a signature
616 update pursuant to s. 98.077.

617 Section 13. Paragraph (a) of subsection (2) and paragraph
618 (a) of subsection (3) of section 101.151, Florida Statutes, are
619 amended to read:

620 101.151 Specifications for ballots.—

621 (2) (a) The ballot must include the following office titles
622 above the names of the candidates for the respective offices in
623 the following order:

624 1. The office titles of President and Vice President above
625 the names of the candidates for President and Vice President of
626 the United States nominated by the political party that received
627 the highest vote for Governor in the last general election of
628 the Governor in this state, followed by the names of other
629 candidates for President and Vice President of the United States
630 who have been properly nominated.

631 2. The office titles of United States Senator and
632 Representative in Congress.

633 3. The office titles of Governor and Lieutenant Governor;
634 Attorney General; Chief Financial Officer; Commissioner of
635 Agriculture; Secretary of State; State Attorney, with the
636 applicable judicial circuit; and Public Defender, with the
637 applicable judicial circuit.

638 4. The office titles of State Senator and State

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639 Representative, with the applicable district for the office
640 printed beneath.

641 5. The office titles of Clerk of the Circuit Court or, when
642 the Clerk of the Circuit Court also serves as the County
643 Comptroller, Clerk of the Circuit Court and Comptroller, when
644 authorized by law; Clerk of the County Court, when authorized by
645 law; Sheriff; Property Appraiser; Tax Collector; District
646 Superintendent of Schools; and Supervisor of Elections.

647 6. The office titles of Board of County Commissioners, with
648 the applicable district printed beneath each office, and such
649 other county and district offices as are involved in the
650 election, in the order fixed by the Department of State,
651 followed, in the year of their election, by "Party Offices," and
652 thereunder the offices of state and county party executive
653 committee members.

654 (3) (a) The names of the candidates of each ~~the~~ party must
655 ~~that received the highest number of votes for Governor in the~~
656 ~~last election in which a Governor was elected shall be~~ ordered
657 randomly placed first for each office on the general election
658 ballot, together with an appropriate abbreviation of the party
659 name; ~~the names of the candidates of the party that received the~~
660 ~~second highest vote for Governor shall be placed second for each~~
661 ~~office, together with an appropriate abbreviation of the party~~
662 ~~name.~~

663 Section 14. Subsection (6) is added to section 101.5612,
664 Florida Statutes, to read:

665 101.5612 Testing of tabulating equipment.—

666 (6) The supervisor of elections shall annually file with
667 the Secretary of State a detailed plan for operations in the

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668 event that maximum voter turnout occurs on election day and a
669 recount is required in each race on a ballot.

670 Section 15. Paragraph (a) of subsection (1), subsection
671 (2), and paragraph (c) of subsection (4) of section 101.62,
672 Florida Statutes, are amended, and subsection (8) is added to
673 that section, to read:

674 101.62 Request for vote-by-mail ballots.—

675 (1) (a) The supervisor shall accept a request for a vote-by-
676 mail ballot from an elector in person or in writing. One request
677 is deemed sufficient to receive a vote-by-mail ballot for all
678 elections until the elector or the elector's designee notifies
679 the supervisor that the elector cancels such request ~~through the~~
680 ~~end of the calendar year of the next regularly scheduled general~~
681 ~~election~~, unless the elector or the elector's designee indicates
682 at the time the request is made the elections ~~within such period~~
683 for which the elector desires to receive a vote-by-mail ballot.
684 Such request may be considered canceled when any first-class
685 mail sent by the supervisor to the elector is returned as
686 undeliverable.

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

692 (4)

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

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

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

699 2. By forwardable mail, e-mail, or facsimile machine
700 transmission to absent uniformed services voters and overseas
701 voters. The absent uniformed services voter or overseas voter
702 may designate in the vote-by-mail ballot request the preferred
703 method of transmission. If the voter does not designate the
704 method of transmission, the vote-by-mail ballot must ~~shall~~ be
705 mailed.

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

709 4. By delivery to a designee on election day or up to 11 ~~9~~
710 days before the day of an election. Any elector may designate in
711 writing a person to pick up the ballot for the elector; however,
712 the person designated may not pick up more than two vote-by-mail
713 ballots per election, other than the designee's own ballot,
714 except that additional ballots may be picked up for members of
715 the designee's immediate family. For purposes of this section,
716 "immediate family" means the designee's spouse or the parent,
717 child, grandparent, grandchild, or sibling of the designee or of
718 the designee's spouse. The designee shall provide to the
719 supervisor the written authorization by the elector and a
720 picture identification of the designee and must complete an
721 affidavit. The designee shall state in the affidavit that the
722 designee is authorized by the elector to pick up that ballot and
723 shall indicate if the elector is a member of the designee's
724 immediate family and, if so, the relationship. The department
725 shall prescribe the form of the affidavit. If the supervisor is

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726 satisfied that the designee is authorized to pick up the ballot
727 and that the signature of the elector on the written
728 authorization matches the signature of the elector on file, the
729 supervisor must ~~shall~~ give the ballot to that designee for
730 delivery to the elector.

731 5. Except as provided in s. 101.655, the supervisor may not
732 deliver a vote-by-mail ballot to an elector or an elector's
733 immediate family member on the day of the election unless there
734 is an emergency, to the extent that the elector will be unable
735 to go to his or her assigned polling place. If a vote-by-mail
736 ballot is delivered, the elector or his or her designee must
737 ~~shall~~ execute an affidavit affirming to the facts which allow
738 for delivery of the vote-by-mail ballot. The department shall
739 adopt a rule providing for the form of the affidavit.

740 (8) If a deadline under this section falls on a day when
741 the office of the supervisor is usually closed, the deadline
742 must be extended until the next business day.

743 Section 16. Paragraph (a) of subsection (1) and subsection
744 (2) of section 101.64, Florida Statutes, are amended to read:

745 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

746 (1) (a) The supervisor shall enclose with each vote-by-mail
747 ballot two envelopes: a secrecy envelope, into which the absent
748 elector shall enclose his or her marked ballot; and a postage-
749 paid mailing envelope, into which the absent elector shall then
750 place the secrecy envelope, which shall be addressed to the
751 supervisor and also bear on the back side a certificate in
752 substantially the following form:

753

754 Note: Please Read Instructions Carefully Before

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755 Marking Ballot and Completing Voter's Certificate.

756

757 VOTER'S CERTIFICATE

758 I, , do solemnly swear or affirm that I am a qualified
 759 and registered voter of County, Florida, and that I have
 760 not and will not vote more than one ballot in this election. I
 761 understand that if I commit or attempt to commit any fraud in
 762 connection with voting, vote a fraudulent ballot, or vote more
 763 than once in an election, I can be convicted of a felony of the
 764 third degree and fined up to \$5,000 and/or imprisoned for up to
 765 5 years. I also understand that failure to sign this certificate
 766 will invalidate my ballot.

767 . . . (Date) . . .

768 . . . (Voter's Signature or Last Four Digits of Social Security
 769 Number) . . .

770 . . . (E-Mail Address) (Home Telephone Number) . . .

771 . . . (Mobile Telephone Number) . . .

772 (2) The certificate must ~~shall~~ be arranged on the back of
 773 the mailing envelope so that the line for the signature or last
 774 four digits of the social security number of the absent elector
 775 is across the seal of the envelope; however, a ~~no~~ statement may
 776 not ~~shall~~ appear on the envelope which indicates that a
 777 signature or the last four digits of the social security number
 778 of the voter must cross the seal of the envelope. The absent
 779 elector shall execute the certificate on the envelope.

780 Section 17. Section 101.65, Florida Statutes, is amended to
 781 read:

782 101.65 Instructions to absent electors.—The supervisor
 783 shall enclose with each vote-by-mail ballot separate printed

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784 instructions in substantially the following form; however, where
785 the instructions appear in capitalized text, the text of the
786 printed instructions must be in bold font:

787

788 READ THESE INSTRUCTIONS CAREFULLY

789 BEFORE MARKING BALLOT.

790

791 1. VERY IMPORTANT. In order to ensure that your vote-by-
792 mail ballot will be counted, it should be completed and returned
793 as soon as possible so that it can reach the supervisor of
794 elections of the county in which your precinct is located no
795 later than 7 p.m. on the day of the election. However, if you
796 are an overseas voter casting a ballot in a presidential
797 preference primary or general election, your vote-by-mail ballot
798 must be postmarked or dated no later than the date of the
799 election and received by the supervisor of elections of the
800 county in which you are registered to vote no later than 10 days
801 after the date of the election. Note that the later you return
802 your ballot, the less time you will have to cure any signature
803 deficiencies, which may cause your ballot to not be counted ~~is~~
804 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

812 4. Place your marked ballot in the enclosed secrecy

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813 envelope.

814 5. Insert the secrecy envelope into the enclosed mailing
815 envelope which is addressed to the supervisor.

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

818 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
819 be counted, you must sign your name or print the last four
820 digits of your social security number on the line above (Voter's
821 Signature or Last Four Digits of Social Security Number). A
822 vote-by-mail ballot will be considered illegal and not be
823 counted if the signature or the last four digits of the social
824 security number on the voter's certificate do ~~does~~ not match the
825 signature or social security number on record. The signature on
826 file at the time the supervisor of elections in the county in
827 which your precinct is located receives your vote-by-mail ballot
828 is the signature that will be used to verify your signature on
829 the voter's certificate. If you need to update your signature
830 for this election, send your signature update on a voter
831 registration application to your supervisor of elections ~~so that~~
832 ~~it is received before your vote by mail ballot is received.~~

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

837 9. Mail, deliver, or have delivered the completed mailing
838 envelope. Be sure there is sufficient postage if mailed. THE
839 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
840 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
841 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE DROP BOX,

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842 AVAILABLE AT EACH EARLY VOTING LOCATION.

843 10. FELONY NOTICE. It is a felony under Florida law to
844 accept any gift, payment, or gratuity in exchange for your vote
845 for a candidate. It is also a felony under Florida law to vote
846 in an election using a false identity or false address, or under
847 any other circumstances making your ballot false or fraudulent.

848 Section 18. Subsection (1), paragraph (c) of subsection
849 (2), and paragraphs (a) through (d) of subsection (4) of section
850 101.68, Florida Statutes, are amended to read:

851 101.68 Canvassing of vote-by-mail ballot.—

852 (1) The supervisor of the county where the absent elector
853 resides shall receive the voted ballot, at which time the
854 supervisor shall compare the signature or last four digits of
855 the social security number of the elector on the voter's
856 certificate with the signature or last four digits of the social
857 security number of the elector in the registration books or the
858 precinct register to determine whether the elector is duly
859 registered in the county and must record on the elector's
860 registration record that the elector has voted. During the
861 signature comparison process, the supervisor may not use any
862 knowledge of the political affiliation of the voter whose
863 signature is subject to verification. An elector who dies after
864 casting a vote-by-mail ballot but on or before election day
865 shall remain listed in the registration books until the results
866 have been certified for the election in which the ballot was
867 cast. The supervisor shall safely keep the ballot unopened in
868 his or her office until the county canvassing board canvasses
869 the vote. Except as provided in subsection (4), after a vote-by-
870 mail ballot is received by the supervisor, the ballot is deemed

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871 to have been cast, and changes or additions may not be made to
872 the voter's certificate.

873 (2)

874 (c)1. The canvassing board must, if the supervisor has not
875 already done so, compare the signature or last four digits of
876 the social security number of the elector on the voter's
877 certificate or on the vote-by-mail ballot cure affidavit as
878 provided in subsection (4) with the signature or last four
879 digits of the social security number of the elector in the
880 registration books or the precinct register to see that the
881 elector is duly registered in the county and to determine the
882 legality of that vote-by-mail ballot. A vote-by-mail ballot may
883 only be counted if:

884 a. The signature or last four digits of the social security
885 number on the voter's certificate or the cure affidavit match
886 ~~matches~~ the elector's signature or last four digits of his or
887 her social security number in the registration books or precinct
888 register; however, in the case of a cure affidavit, the
889 supporting identification listed in subsection (4) must also
890 confirm the identity of the elector; or

891 b. The cure affidavit contains a signature or the last four
892 digits of a social security number that do ~~does~~ not match the
893 elector's signature or last four digits of his or her social
894 security number in the registration books or precinct register,
895 but the elector has submitted a current and valid Tier 1
896 identification pursuant to subsection (4) which confirms the
897 identity of the elector.

898

899 For purposes of this subparagraph, any canvassing board finding

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900 that an elector's signatures or last four digits of his or her
901 social security numbers do not match must be by majority vote
902 and beyond a reasonable doubt.

903 2. The ballot of an elector who casts a vote-by-mail ballot
904 must ~~shall~~ be counted even if the elector dies on or before
905 election day, as long as, before the death of the voter, the
906 ballot was postmarked by the United States Postal Service, date-
907 stamped with a verifiable tracking number by a common carrier,
908 or already in the possession of the supervisor.

909 3. A vote-by-mail ballot is not considered illegal if the
910 signature or last four digits of the social security number of
911 the elector do ~~does~~ not cross the seal of the mailing envelope.

912 4. If any elector or candidate present believes that a
913 vote-by-mail ballot is illegal due to a defect apparent on the
914 voter's certificate or the cure affidavit, he or she may, at any
915 time before the ballot is removed from the envelope, file with
916 the canvassing board a protest against the canvass of that
917 ballot, specifying the precinct, the voter's certificate or the
918 cure affidavit, and the reason he or she believes the ballot to
919 be illegal. A challenge based upon a defect in the voter's
920 certificate or cure affidavit may not be accepted after the
921 ballot has been removed from the mailing envelope.

922 5. If the canvassing board determines that a ballot is
923 illegal, a member of the board must, without opening the
924 envelope, mark across the face of the envelope: "rejected as
925 illegal." The cure affidavit, if applicable, the envelope, and
926 the ballot therein must ~~shall~~ be preserved in the manner that
927 official ballots are preserved.

928 (4) (a) As soon as practicable, the supervisor shall, on

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929 behalf of the county canvassing board, attempt to notify an
930 elector who has returned a vote-by-mail ballot that does not
931 include the elector's signature or last four digits of his or
932 her social security number or contains a signature or the last
933 four digits of his or her social security number that ~~do~~ ~~does~~
934 not match the elector's signature or last four digits of his or
935 her social security number in the registration books or precinct
936 register by:

937 1. Notifying the elector of the signature or last four
938 digits of the social security number deficiency by e-mail and
939 directing the elector to the cure affidavit and instructions on
940 the supervisor's website;

941 2. Notifying the elector of the signature or last four
942 digits of the social security number deficiency by text message
943 and directing the elector to the cure affidavit and instructions
944 on the supervisor's website; or

945 3. Notifying the elector of the signature or last four
946 digits of the social security number deficiency by telephone and
947 directing the elector to the cure affidavit and instructions on
948 the supervisor's website.

949
950 In addition to the notification required under subparagraph 1.,
951 subparagraph 2., or subparagraph 3., the supervisor must notify
952 the elector of the signature or last four digits of the social
953 security number deficiency by first-class mail and direct the
954 elector to the cure affidavit and instructions on the
955 supervisor's website. Beginning the day before the election, the
956 supervisor is not required to provide notice of the signature
957 deficiency by first-class mail, but shall continue to provide

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958 notice as required under subparagraph 1., subparagraph 2., or
959 subparagraph 3.

960 (b) The supervisor shall allow such an elector to complete
961 and submit an affidavit in order to cure the vote-by-mail ballot
962 until 5 p.m. on the 2nd day after the election.

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

965

966 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

967

968 I,, am a qualified voter in this election and
969 registered voter of County, Florida. I do solemnly swear or
970 affirm that I requested and returned the vote-by-mail ballot and
971 that I have not and will not vote more than one ballot in this
972 election. I understand that if I commit or attempt any fraud in
973 connection with voting, vote a fraudulent ballot, or vote more
974 than once in an election, I may be convicted of a felony of the
975 third degree and fined up to \$5,000 and imprisoned for up to 5
976 years. I understand that my failure to sign this affidavit means
977 that my vote-by-mail ballot will be invalidated.

978

979 ... (Voter's Signature or Last Four Digits of Social Security
980 Number) ...

981 ... (Address) ...

982 (d) Instructions must accompany the cure affidavit in
983 substantially the following form:

984 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
985 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
986 BALLOT NOT TO COUNT.

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987 1. In order to ensure that your vote-by-mail ballot will be
988 counted, your affidavit should be completed and returned as soon
989 as possible so that it can reach the supervisor of elections of
990 the county in which your precinct is located no later than 5
991 p.m. on the 2nd day after the election.

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

995 3. You must make a copy of one of the following forms of
996 identification:

997 a. Tier 1 identification.—Current and valid identification
998 that includes your name and photograph: Florida driver license;
999 Florida identification card issued by the Department of Highway
1000 Safety and Motor Vehicles; United States passport; debit or
1001 credit card; military identification; student identification;
1002 retirement center identification; neighborhood association
1003 identification; public assistance identification; veteran health
1004 identification card issued by the United States Department of
1005 Veterans Affairs; a Florida license to carry a concealed weapon
1006 or firearm; or an employee identification card issued by any
1007 branch, department, agency, or entity of the Federal Government,
1008 the state, a county, or a municipality; or

1009 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
1010 FORM OF IDENTIFICATION, identification that shows your name and
1011 current residence address: current utility bill, bank statement,
1012 government check, paycheck, or government document (excluding
1013 voter information card).

1014 4. Place the envelope bearing the affidavit into a mailing
1015 envelope addressed to the supervisor. Insert a copy of your

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1016 identification in the mailing envelope. Mail (if time permits),
1017 deliver, or have delivered the completed affidavit along with
1018 the copy of your identification to your county supervisor of
1019 elections. Be sure there is sufficient postage if mailed and
1020 that the supervisor's address is correct. Remember, your
1021 information MUST reach your county supervisor of elections no
1022 later than 5 p.m. on the 2nd day after the election, or your
1023 ballot will not count.

1024 5. Alternatively, you may fax or e-mail your completed
1025 affidavit and a copy of your identification to the supervisor of
1026 elections. If e-mailing, please provide these documents as
1027 attachments.

1028 Section 19. Section 101.6952, Florida Statutes, is amended
1029 to read:

1030 101.6952 Vote-by-mail ballots for absent ~~uniformed services~~
1031 ~~and overseas~~ voters.—

1032 (1) If an absent ~~uniformed services voter's or an overseas~~
1033 voter's request for an official vote-by-mail ballot pursuant to
1034 s. 101.62 includes an e-mail address, the supervisor of
1035 elections must ~~shall~~:

1036 (a) Record the voter's e-mail address in the vote-by-mail
1037 ballot record;

1038 (b) Confirm by e-mail that the vote-by-mail ballot request
1039 was received and include in that e-mail the estimated date the
1040 vote-by-mail ballot will be sent to the voter; and

1041 (c) Notify the voter by e-mail when the voted vote-by-mail
1042 ballot is received by the supervisor of elections.

1043 (2) (a) An absent ~~uniformed services voter or an overseas~~
1044 voter who makes timely application for but does not receive an

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1045 official vote-by-mail ballot may use the federal write-in
1046 absentee ballot to vote in any federal, state, or local
1047 election.

1048 (b)1. In an election for federal office, an elector may
1049 designate a candidate by writing the name of a candidate on the
1050 ballot. Except for a primary or special primary election, the
1051 elector may alternatively designate a candidate by writing the
1052 name of a political party on the ballot. A written designation
1053 of the political party must ~~shall~~ be counted as a vote for the
1054 candidate of that party if there is such a party candidate in
1055 the race.

1056 2. In a state or local election, an elector may vote in the
1057 section of the federal write-in absentee ballot designated for
1058 nonfederal races by writing on the ballot the title of each
1059 office and by writing on the ballot the name of the candidate
1060 for whom the elector is voting. Except for a primary, special
1061 primary, or nonpartisan election, the elector may alternatively
1062 designate a candidate by writing the name of a political party
1063 on the ballot. A written designation of the political party must
1064 ~~shall~~ be counted as a vote for the candidate of that party if
1065 there is such a party candidate in the race. In addition, the
1066 elector may vote on any ballot measure presented in such
1067 election by identifying the ballot measure on which he or she
1068 desires to vote and specifying his or her vote on the measure.
1069 For purposes of this section, a vote cast in a judicial merit
1070 retention election must ~~shall~~ be treated in the same manner as a
1071 ballot measure in which the only allowable responses are "Yes"
1072 or "No."

1073 (c) In the case of a joint candidacy, such as for the

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1074 offices of President/Vice President or Governor/Lieutenant
1075 Governor, a valid vote for one or both qualified candidates on
1076 the same ticket constitutes ~~shall constitute~~ a vote for the
1077 joint candidacy.

1078 (d) For purposes of this subsection and except when the
1079 context clearly indicates otherwise, such as when a candidate in
1080 the election is affiliated with a political party whose name
1081 includes the word "Independent," "Independence," or a similar
1082 term, a voter designation of "No Party Affiliation" or
1083 "Independent," or any minor variation, misspelling, or
1084 abbreviation thereof, is ~~shall be~~ considered a designation for
1085 the candidate, other than a write-in candidate, who qualified to
1086 run in the race with no party affiliation. If more than one
1087 candidate qualifies to run as a candidate with no party
1088 affiliation, the designation may not count for any candidate
1089 unless there is a valid, additional designation of the
1090 candidate's name.

1091 (e) Any abbreviation, misspelling, or other minor variation
1092 in the form of the name of an office, the name of a candidate,
1093 the ballot measure, or the name of a political party must be
1094 disregarded in determining the validity of the ballot.

1095 (3) (a) An absent ~~uniformed services voter or an overseas~~
1096 voter who submits a federal write-in absentee ballot and later
1097 receives an official vote-by-mail ballot may submit the official
1098 vote-by-mail ballot. An elector who submits a federal write-in
1099 absentee ballot and later receives and submits an official vote-
1100 by-mail ballot should make every reasonable effort to inform the
1101 appropriate supervisor of elections that the elector has
1102 submitted more than one ballot.

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1103 (b) ~~A federal write-in absentee ballot may not be canvassed~~
1104 ~~until 7 p.m. on the day of the election.~~ A federal write-in
1105 absentee ballot from an absent ~~overseas~~ voter in a presidential
1106 preference primary or general election may not be canvassed
1107 until the conclusion of the 10-day period specified in
1108 subsection (5). Each federal write-in absentee ballot received
1109 by 7 p.m. on the day of the election must ~~shall~~ be canvassed
1110 pursuant to ss. 101.5614(4) and 101.68, unless the elector's
1111 official vote-by-mail ballot is received by 7 p.m. on election
1112 day. Each federal write-in absentee ballot from an absent
1113 ~~overseas~~ voter in a presidential preference primary or general
1114 election received by 10 days after the date of the election must
1115 ~~shall~~ be canvassed pursuant to ss. 101.5614(4) and 101.68,
1116 unless the absent ~~overseas~~ voter's official vote-by-mail ballot
1117 is received by 10 days after the date of the election. If the
1118 elector's official vote-by-mail ballot is received ~~by 7 p.m. on~~
1119 ~~election day, or, for an overseas voter in a presidential~~
1120 ~~preference primary or general election,~~ no later than 10 days
1121 after the date of the election, the federal write-in absentee
1122 ballot is invalid and the official vote-by-mail ballot must
1123 ~~shall~~ be canvassed. The time is ~~shall be~~ regulated by the
1124 customary time in standard use in the county seat of the
1125 locality.

1126 (4) For vote-by-mail ballots received from absent ~~uniformed~~
1127 ~~services voters or overseas~~ voters, there is a presumption that
1128 the envelope was mailed on the date stated on the outside of the
1129 return envelope, regardless of the absence of a postmark on the
1130 mailed envelope or the existence of a postmark date that is
1131 later than the date of the election.

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1132 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in
1133 any presidential preference primary or general election which is
1134 postmarked or dated no later than the date of the election and
1135 is received by the supervisor of elections of the county in
1136 which the ~~overseas~~ voter is registered no later than 10 days
1137 after the date of the election must ~~shall~~ be counted as long as
1138 the vote-by-mail ballot is otherwise proper.

1139 Section 20. Subsection (6) is added to section 101.71,
1140 Florida Statutes, to read:

1141 101.71 Polling place.—

1142 (6) A polling place may not be located within a gated
1143 community unless the legal residence of every elector in the
1144 precinct is within such gated community.

1145 Section 21. Paragraph (f) is added to subsection (4) of
1146 section 102.031, Florida Statutes, and subsection (6) is added
1147 to that section to read:

1148 102.031 Maintenance of good order at polls; authorities;
1149 persons allowed in polling rooms and early voting areas;
1150 unlawful solicitation of voters.—

1151 (4)

1152 (f) A person may provide food, water, and other items to
1153 voters standing in line to vote outside of the no-solicitation
1154 zone.

1155 (6) Bullhorns or other devices used to amplify sound are
1156 prohibited in close proximity to:

1157 (a) A polling place during voting hours.

1158 (b) An office of the supervisor during a recount.

1159 Section 22. Subsection (2) of section 102.111, Florida
1160 Statutes, is amended to read:

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1161 102.111 Elections Canvassing Commission.—

1162 (2) The Elections Canvassing Commission shall meet at 9
1163 a.m. on the 9th day after a primary election to certify the
1164 returns for each federal, state, and multicounty office. The
1165 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a
1166 general election to certify the returns of the election for each
1167 ~~federal, state, and multicounty office. The commission shall~~
1168 meet at 9 a.m. on the 21st day after a general election to
1169 certify the returns for each federal and state office. If a
1170 member of a county canvassing board that was constituted
1171 pursuant to s. 102.141 determines, within 5 days after the
1172 certification by the Elections Canvassing Commission, that a
1173 typographical error occurred in the official returns of the
1174 county, the correction of which could result in a change in the
1175 outcome of an election, the county canvassing board must certify
1176 corrected returns to the Department of State within 24 hours,
1177 and the Elections Canvassing Commission must correct and
1178 recertify the election returns as soon as practicable.

1179 Section 23. Subsection (2) of section 102.112, Florida
1180 Statutes, is amended to read:

1181 102.112 Deadline for submission of county returns to the
1182 Department of State.—

1183 (2) Returns must be filed by 5 p.m. on the 7th day after
1184 ~~following~~ a primary election, ~~and~~ by noon on the 12th day after
1185 ~~following~~ the general election for multicounty offices, and by
1186 noon on the 19th day after the general election for federal and
1187 statewide offices. However, the Department of State may correct
1188 typographical errors, including the transposition of numbers, in
1189 any returns submitted to the Department of State pursuant to s.

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1190 102.111(2).

1191 Section 24. Section 102.181, Florida Statutes, is created
1192 to read:

1193 102.181 Action against supervisor of elections.-

1194 (1) Any elector qualified to vote in, or any candidate for
1195 office in, an election may file an action against the supervisor
1196 of elections administering such election for noncompliance with
1197 any provision of this code.

1198 (2) Any elector or candidate who files such an action is
1199 entitled to an immediate hearing.

1200 (3) In any such action, any filing fees or costs must be
1201 waived and attorney fees must be awarded to the prevailing party
1202 or parties.

1203 Section 25. This act shall take effect July 1, 2022.