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LEGISLATIVE ACTION

Senate	.	House
Comm: WD	.	
02/25/2022	.	
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The Committee on Appropriations (Hutson) recommended the following:

1 **Senate Amendment to Amendment (824268) (with title**
2 **amendment)**

3
4 Between lines 594 and 595
5 insert:

6 Section 15. Subsections (2) and (5) of section 101.051,
7 Florida Statutes, are amended to read:

8 101.051 Electors seeking assistance in casting ballots;
9 oath to be executed; forms to be furnished.—

10 (2) It is unlawful for any person to be in the voting booth



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11 with any elector except as provided in subsection (1). A person
12 at a polling place, a secure ballot intake station ~~drop box~~
13 location, or an early voting site, or within 150 feet of a
14 secure ballot intake station ~~drop box~~ location or the entrance
15 of a polling place or an early voting site, may not solicit any
16 elector in an effort to provide assistance to vote pursuant to
17 subsection (1). Any person who violates this subsection commits
18 a misdemeanor of the first degree, punishable as provided in s.
19 775.082 or s. 775.083.

20 (5) If an elector needing assistance requests that a person
21 other than an election official provide him or her with
22 assistance in voting, the clerk or one of the inspectors shall
23 require the person providing assistance to take the following
24 oath:

25
26 DECLARATION TO PROVIDE ASSISTANCE

27
28 State of Florida
29 County of
30 Date
31 Precinct

32
33 I, ...(Print name)..., have been requested by ...(print
34 name of elector needing assistance)... to provide him or her
35 with assistance to vote. I swear or affirm that I am not the
36 employer, an agent of the employer, or an officer or agent of
37 the union of the voter and that I have not solicited this voter
38 at the polling place, secure ballot intake station ~~drop box~~
39 location, or early voting site or within 150 feet of such



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40 locations in an effort to provide assistance.

41
42 ... (Signature of assistor) ...

43
44 Sworn and subscribed to before me this day of,
45 ... (year)

46
47 ... (Signature of Official Administering Oath) ...

48
49 Section 16. Section 101.65, Florida Statutes, is amended to
50 read:

51 101.65 Instructions to absent electors.—The supervisor
52 shall enclose with each vote-by-mail ballot separate printed
53 instructions in substantially the following form; however, where
54 the instructions appear in capitalized text, the text of the
55 printed instructions must be in bold font:

56
57 READ THESE INSTRUCTIONS CAREFULLY
58 BEFORE MARKING BALLOT.

59
60 1. VERY IMPORTANT. In order to ensure that your vote-by-
61 mail ballot will be counted, it should be completed and returned
62 as soon as possible so that it can reach the supervisor of
63 elections of the county in which your precinct is located no
64 later than 7 p.m. on the day of the election. However, if you
65 are an overseas voter casting a ballot in a presidential
66 preference primary or general election, your vote-by-mail ballot
67 must be postmarked or dated no later than the date of the
68 election and received by the supervisor of elections of the



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69 county in which you are registered to vote no later than 10 days
70 after the date of the election. Note that the later you return
71 your ballot, the less time you will have to cure any signature
72 deficiencies, which is authorized until 5 p.m. on the 2nd day
73 after the election.

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

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

81 4. Place your marked ballot in the enclosed secrecy
82 envelope.

83 5. Insert the secrecy envelope into the enclosed mailing
84 envelope which is addressed to the supervisor.

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

87 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
88 be counted, you must sign your name on the line above (Voter's
89 Signature). A vote-by-mail ballot will be considered illegal and
90 not be counted if the signature on the voter's certificate does
91 not match the signature on record. The signature on file at the
92 time the supervisor of elections in the county in which your
93 precinct is located receives your vote-by-mail ballot is the
94 signature that will be used to verify your signature on the
95 voter's certificate. If you need to update your signature for
96 this election, send your signature update on a voter
97 registration application to your supervisor of elections so that



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98 it is received before your vote-by-mail ballot is received.

99 8. VERY IMPORTANT. If you are an overseas voter, you must
100 include the date you signed the Voter's Certificate on the line
101 above (Date) or your ballot may not be counted.

102 9. Mail, deliver, or have delivered the completed mailing
103 envelope. Be sure there is sufficient postage if mailed. THE
104 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
105 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
106 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE
107 STATION ~~DROP BOX~~, AVAILABLE AT EACH EARLY VOTING LOCATION.

108 10. FELONY NOTICE. It is a felony under Florida law to
109 accept any gift, payment, or gratuity in exchange for your vote
110 for a candidate. It is also a felony under Florida law to vote
111 in an election using a false identity or false address, or under
112 any other circumstances making your ballot false or fraudulent.

113 Section 17. Subsections (2) and (3) of section 101.69,
114 Florida Statutes, are amended to read:

115 101.69 Voting in person; return of vote-by-mail ballot.—

116 (2) (a) The supervisor shall allow an elector who has
117 received a vote-by-mail ballot to physically return a voted
118 vote-by-mail ballot to the supervisor by placing the return mail
119 envelope containing his or her marked ballot in a secure ballot
120 intake station ~~drop box~~. Secure ballot intake stations ~~drop~~
121 ~~boxes~~ shall be placed at the main office of the supervisor, at
122 each permanent branch office of the supervisor, and at each
123 early voting site. Secure ballot intake stations ~~drop boxes~~ may
124 also be placed at any other site that would otherwise qualify as
125 an early voting site under s. 101.657(1). Secure ballot intake
126 stations ~~Drop boxes~~ must be geographically located so as to



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127 provide all voters in the county with an equal opportunity to
128 cast a ballot, insofar as is practicable. Except for secure
129 ballot intake stations ~~drop boxes~~ at an office of the
130 supervisor, a secure ballot intake station ~~drop box~~ may only be
131 used during the county's early voting hours of operation and
132 must be monitored in person by an employee of the supervisor's
133 office except as otherwise provided in paragraph (b). Except as
134 otherwise provided in paragraph (b), a secure ballot intake
135 station ~~drop box~~ at an office of the supervisor must be
136 continuously monitored in person by an employee of the
137 supervisor's office when the secure ballot intake station ~~drop~~
138 ~~box~~ is accessible for deposit of ballots.

139 (b) In lieu of the requirement that a secure ballot intake
140 station be continuously monitored in person by an employee of
141 the supervisor's office when the station is in operation as
142 provided in paragraph (a), a supervisor may install video
143 surveillance cameras at the location that must be operational
144 when the secure ballot intake station location is accessible for
145 the deposit of ballots. Any such cameras must be placed in a
146 location at each secure ballot intake station that shows each
147 secure ballot intake device and allows for the recording of each
148 person's face as he or she deposits any ballot into such device.
149 All video footage of secure ballot intake station locations
150 operated during an election must be collected and retained by
151 the supervisor pursuant to s. 101.545. In a clearly visible
152 location at each secure ballot intake station that is subject to
153 this paragraph, a notice in the following form must be posted:

154
155 This secure ballot intake station is being monitored



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156 by video surveillance. Under s. 104.0616, Florida
157 Statutes, any person who distributes, orders,
158 requests, collects, delivers, or otherwise physically
159 possesses more than two vote-by-mail ballots per
160 election in addition to his or her own ballot or a
161 ballot belonging to an immediate family member, except
162 for specific circumstances provided in state law,
163 commits a felony of the third degree, punishable by a
164 term of imprisonment of up to 5 years and a fine of up
165 to \$5,000.

166
167 (c) A supervisor shall designate each secure ballot intake
168 station ~~drop box~~ site at least 30 days before an election. The
169 supervisor shall provide the address of each secure ballot
170 intake station ~~drop box~~ location to the division at least 30
171 days before an election. After a secure ballot intake station
172 ~~drop box~~ location has been designated, it may not be moved or
173 changed except as approved by the division to correct a
174 violation of this subsection.

175 (d)1.~~(e)1.~~ On each day of early voting, all secure ballot
176 intake stations ~~drop boxes~~ must be emptied at the end of early
177 voting hours and all ballots retrieved from the secure ballot
178 intake stations ~~drop boxes~~ must be returned to the supervisor's
179 office.

180 2. For secure ballot intake stations ~~drop boxes~~ located at
181 an office of the supervisor, all ballots must be retrieved
182 before the secure ballot intake station ~~drop box~~ is no longer
183 monitored by an employee of the supervisor or by video
184 surveillance.



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185 3. Employees of the supervisor must comply with procedures
186 for the chain of custody of ballots as required by s.
187 101.015(4).

188 (3) If any secure ballot intake station ~~drop box~~ is left
189 accessible for ballot receipt other than as authorized by this
190 section, the supervisor is subject to a civil penalty of
191 \$25,000. The division is authorized to enforce this provision.

192 Section 18. Paragraph (a) of subsection (4) of section
193 102.031, Florida Statutes, is amended to read:

194 102.031 Maintenance of good order at polls; authorities;
195 persons allowed in polling rooms and early voting areas;
196 unlawful solicitation of voters.-

197 (4) (a) No person, political committee, or other group or
198 organization may solicit voters inside the polling place or
199 within 150 feet of a secure ballot intake station ~~drop box~~ or
200 the entrance to any polling place, a polling room where the
201 polling place is also a polling room, an early voting site, or
202 an office of the supervisor where vote-by-mail ballots are
203 requested and printed on demand for the convenience of electors
204 who appear in person to request them. Before the opening of a
205 secure ballot intake station ~~drop box~~ location, a polling place,
206 or an early voting site, the clerk or supervisor shall designate
207 the no-solicitation zone and mark the boundaries.

208
209 ===== T I T L E A M E N D M E N T =====

210 And the title is amended as follows:

211 Delete line 955

212 and insert:

213 residence; amending ss. 101.051, 101.65, 101.69, and



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214 102.031, F.S.; updating terminology for "secure drop
215 boxes" with "secure ballot intake stations";
216 authorizing supervisors to place video surveillance
217 monitoring at secure ballot intake station locations
218 in lieu of in-person monitoring; specifying
219 requirements; amending s. 101.5614, F.S.; requiring