

By Senator Thompson

15-00365A-23

20231206__

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 an
6 applicant to designate a party affiliation or select
7 "no party affiliation" to be registered to vote;
8 requiring a supervisor of elections to provide a
9 certain notification; requiring the voter registration
10 application to include certain information; creating
11 s. 97.0556, F.S.; authorizing a person who meets
12 certain requirements to register to vote at an early
13 voting site or at his or her polling place and to
14 immediately thereafter cast a ballot; amending s.
15 97.057, F.S.; authorizing the Department of Highway
16 Safety and Motor Vehicles to preregister certain
17 individuals to vote; providing that driver license or
18 identification card applications, driver license or
19 identification card renewal applications, and
20 applications for changes of address for existing
21 driver licenses or identification cards submitted to
22 the department serve as voter registration
23 applications; providing that an applicant is deemed to
24 have consented to the use of his or her signature for
25 voter registration purposes unless a declination is
26 made; requiring specified applications to include a
27 voter registration component, subject to approval by
28 the Department of State; providing requirements for
29 the voter registration component; requiring the

15-00365A-23

20231206__

30 Department of Highway Safety and Motor Vehicles to
31 electronically transmit voter registration information
32 to the Department of State within a specified
33 timeframe; requiring the Department of State to
34 provide such information to supervisors of elections,
35 as applicable; deleting obsolete language; making
36 technical changes; amending s. 97.0575, F.S.; revising
37 certain penalties for third-party voter registration
38 organizations; deleting the aggregate limit of such
39 penalties; amending s. 98.045, F.S.; conforming a
40 cross-reference; amending s. 98.065, F.S.; revising
41 requirements for registration list maintenance
42 programs; requiring supervisors to designate voters as
43 inactive if certain conditions are met; prohibiting
44 the number of voters on the inactive list from being
45 used to calculate the number of signatures necessary
46 for a petition; providing conditions under which a
47 voter on the inactive list may be restored to the
48 active list; requiring an inactive voter's name to be
49 removed from the statewide voter registration system
50 if certain conditions are met; providing requirements
51 for such inactive voter to have his or her name
52 restored to the system; amending s. 99.061, F.S.;
53 authorizing a candidate to pay his or her
54 qualification fee with a cashier's check; amending
55 100.111, F.S.; requiring the Governor to consult with
56 affected supervisors of elections in fixing the dates
57 for special elections; requiring the Governor, in the
58 event of a vacancy in a state legislative office, to

15-00365A-23

20231206__

59 limit the period of such vacancy during a regular
60 legislative session to the greatest extent possible in
61 fixing a special election date; requiring the Governor
62 to fix the date for a special election to be held
63 within a certain timeframe; revising the minimum time
64 between a special primary election and a special
65 election; amending s. 100.141, F.S.; requiring the
66 Governor to issue an order calling for a special
67 election within a certain timeframe; conforming a
68 provision to changes made by the act; amending s.
69 100.371, F.S.; providing a requirement for the
70 delivery of certain petition forms; creating s.
71 100.51, F.S.; establishing General Election Day as a
72 paid holiday; providing that an elector may absent
73 himself or herself from service or employment at a
74 specific time on a General Election Day and may not be
75 penalized or have salary or wages reduced for such
76 absence; creating s. 101.016, F.S.; requiring the
77 Division of Elections to maintain a strategic
78 elections equipment reserve of voting systems and
79 other equipment for specified purposes; requiring such
80 reserve to include specified equipment; authorizing
81 the division to contract with specified entities
82 rather than physically maintain such reserve; amending
83 s. 101.048, F.S.; providing that a voter may cast a
84 provisional vote at any precinct in the county in
85 which the voter claims to be registered; amending s.
86 101.151, F.S.; revising the order in which office
87 titles and names of candidates are placed on the

15-00365A-23

20231206__

88 ballot; conforming provisions to changes made by the
89 act; amending s. 101.5612, F.S.; requiring supervisors
90 of elections to annually file a plan for operations
91 under certain conditions; amending s. 101.62, F.S.;
92 providing that a request for a vote-by-mail ballot is
93 valid until such request is canceled; revising the
94 deadline by which requests for vote-by-mail ballots
95 must be received by a supervisor of elections;
96 revising the period during which a supervisor of
97 elections may deliver certain ballots; deleting
98 requirements for a person designated by an elector to
99 pick up the elector's vote-by-mail ballot; providing
100 for extension of deadlines under certain conditions;
101 amending s. 101.64, F.S.; requiring supervisors of
102 elections to enclose a postage prepaid mailing
103 envelope with each vote-by-mail ballot; providing that
104 vote-by-mail ballot voter certificates may be signed
105 with the last four digits of the voter's social
106 security number; amending s. 101.65, F.S.; revising
107 instructions that must be provided with a vote-by-mail
108 ballot; amending s. 101.68, F.S.; requiring
109 supervisors of elections to compare the signature or
110 last four digits of the social security number on a
111 voter's certificate with the signature or last four
112 digits of the social security number in the
113 registration books or precinct register when
114 canvassing a vote-by-mail ballot; requiring a
115 canvassing board to compare the signature or last four
116 digits of the social security number on a voter's

15-00365A-23

20231206__

117 certificate or cure affidavit with the signature or
118 last four digits of the social security number in the
119 registration books or precinct register when
120 canvassing a vote-by-mail ballot; deleting the
121 authorization for certain persons to file a protest
122 against the canvass of a ballot; amending s. 101.6952,
123 F.S.; authorizing an absent voter to submit a federal
124 write-in absentee ballot or vote-by-mail ballot;
125 revising requirements for the canvassing of specified
126 ballots; providing that a certain presumption applies
127 to vote-by-mail ballots received from absent voters;
128 requiring a vote-by-mail ballot from an absent voter
129 which is postmarked or dated by a certain date to be
130 counted; amending s. 101.71, F.S.; prohibiting a
131 polling place from being located within a gated
132 community unless certain conditions are met; amending
133 s. 102.031, F.S.; authorizing a person to provide
134 food, water, or other items to certain voters;
135 prohibiting the use of devices that amplify sound in
136 certain locations during certain hours; amending s.
137 102.111, F.S.; revising the dates by which the
138 Elections Canvassing Commission must certify certain
139 election returns; amending s. 102.112, F.S.; revising
140 the deadlines for submission of county returns to the
141 Department of State; creating s. 102.181, F.S.;

142 authorizing certain persons to file actions against a
143 supervisor of elections for noncompliance with the
144 election code; providing that such persons are
145 entitled to an immediate hearing; providing for the

15-00365A-23

20231206__

146 waiver of fees and costs and the awarding of attorney
147 fees; providing an effective date.

148
149 Be It Enacted by the Legislature of the State of Florida:

150
151 Section 1. Subsection (1) of section 20.10, Florida
152 Statutes, is amended to read:

153 20.10 Department of State.—There is created a Department of
154 State.

155 (1) The head of the Department of State is the Secretary of
156 State. The Secretary of State shall be elected at the statewide
157 general election at which the Governor, Lieutenant Governor, and
158 Cabinet officers are elected as provided in s. 5, Art. IV of the
159 State Constitution, for a term of 4 years beginning on the first
160 Tuesday after the first Monday in January of the year following
161 such election ~~appointed by the Governor, subject to confirmation~~
162 ~~by the Senate, and shall serve at the pleasure of the Governor.~~

163 The Secretary of State shall perform the functions conferred by
164 the State Constitution upon the custodian of state records.

165 Section 2. Paragraph (b) of subsection (5) of section
166 97.053, Florida Statutes, is amended to read:

167 97.053 Acceptance of voter registration applications.—

168 (5)

169 (b) An applicant who fails to designate party affiliation
170 or affirmatively select "no party affiliation" may not ~~must~~ be
171 registered ~~without party affiliation~~. The supervisor must notify
172 the voter by mail that the voter has not been registered ~~without~~
173 ~~party affiliation~~ and that the voter must complete a new
174 registration application and designate a party affiliation or

15-00365A-23

20231206__

175 affirmatively select "no party affiliation." The voter
 176 registration application must clearly denote this requirement
 177 ~~may change party affiliation as provided in s. 97.1031.~~

178 Section 3. Section 97.0556, Florida Statutes, is created to
 179 read:

180 97.0556 Same-day voter registration.—A person who meets the
 181 qualifications to register to vote in s. 97.041 and who provides
 182 the information required for the statewide voter registration
 183 application in s. 97.052 may register at an early voting site or
 184 at his or her polling place and immediately thereafter cast a
 185 ballot.

186 Section 4. Section 97.057, Florida Statutes, is amended to
 187 read:

188 97.057 Voter registration by the Department of Highway
 189 Safety and Motor Vehicles.—

190 (1) Each of the following serves as an application ~~The~~
 191 ~~Department of Highway Safety and Motor Vehicles shall provide~~
 192 ~~the opportunity to preregister to vote, register to vote, or to~~
 193 update a voter registration record when submitted to the
 194 Department of Highway Safety and Motor Vehicles to each
 195 ~~individual who comes to an office of that department to:~~

196 (a) An application for or a renewal of ~~Apply for or renew a~~
 197 driver license;

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

200 (c) An application for a change of ~~an~~ address on an
 201 existing driver license or identification card.

202
 203 Unless the applicant declines to register or preregister to

15-00365A-23

20231206__

204 vote, he or she is deemed to have consented to the use of the
205 signature from his or her driver license or identification card
206 application for voter registration purposes.

207 (2) An application for a driver license or an
208 identification card must include a voter registration component.
209 The voter registration component must be approved by the
210 Department of State and must contain all of the following:

211 (a) The minimum amount of information necessary to prevent
212 duplicate voter registrations and to preserve the ability of the
213 department and supervisors of elections to assess the
214 eligibility of the applicant and administer voter registration
215 and other provisions of this code.

216 (b) A statement setting forth voting eligibility
217 requirements.

218 (c) An explanation that the applicant is consenting to the
219 use of his or her signature from the applicant's driver license
220 or identification card application for voter registration
221 purposes. By consenting to the use of his or her signature, the
222 applicant is deemed to have subscribed to the oath required by
223 s. 3, Art. VI of the State Constitution and s. 97.051 and to
224 have sworn and affirmed that the voter registration information
225 contained in the application is true under penalty for false
226 swearing pursuant to s. 104.011.

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

232 (e) An option that allows the applicant to decline to

15-00365A-23

20231206__

233 register to vote or preregister to vote. The Department of
234 Highway Safety and Motor Vehicles shall note any such
235 declination in its records and forward the declination to the
236 Department of State. Any declination may be used only for voter
237 registration purposes and is confidential and exempt from public
238 records requirements as provided in s. 97.0585.

239 (3) The Department of Highway Safety and Motor Vehicles
240 shall:

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

243 (b) Electronically transmit the voter registration
244 component of an applicant's driver license or identification
245 card application to the Department of State within 24 hours
246 after receipt. Upon receipt of the voter registration component,
247 the Department of State shall provide the information to the
248 supervisor of the county in which the applicant is registering
249 or preregistering to vote or updating his or her voter
250 registration record.

251 ~~(2) The Department of Highway Safety and Motor Vehicles~~
252 ~~shall:~~

253 ~~(a) Notify each individual, orally or in writing, that:~~

254 ~~1. Information gathered for the completion of a driver~~
255 ~~license or identification card application, renewal, or change~~
256 ~~of address can be automatically transferred to a voter~~
257 ~~registration application;~~

258 ~~2. If additional information and a signature are provided,~~
259 ~~the voter registration application will be completed and sent to~~
260 ~~the proper election authority;~~

261 ~~3. Information provided can also be used to update a voter~~

15-00365A-23

20231206__

262 ~~registration record;~~

263 ~~4. All declinations will remain confidential and may be~~
264 ~~used only for voter registration purposes; and~~

265 ~~5. The particular driver license office in which the person~~
266 ~~applies to register to vote or updates a voter registration~~
267 ~~record will remain confidential and may be used only for voter~~
268 ~~registration purposes.~~

269 ~~(b) Require a driver license examiner to inquire orally or,~~
270 ~~if the applicant is hearing impaired, inquire in writing whether~~
271 ~~the applicant wishes to register to vote or update a voter~~
272 ~~registration record during the completion of a driver license or~~
273 ~~identification card application, renewal, or change of address.~~

274 ~~1. If the applicant chooses to register to vote or to~~
275 ~~update a voter registration record:~~

276 ~~a. All applicable information received by the Department of~~
277 ~~Highway Safety and Motor Vehicles in the course of filling out~~
278 ~~the forms necessary under subsection (1) must be transferred to~~
279 ~~a voter registration application.~~

280 ~~b. The additional necessary information must be obtained by~~
281 ~~the driver license examiner and must not duplicate any~~
282 ~~information already obtained while completing the forms required~~
283 ~~under subsection (1).~~

284 ~~e. A voter registration application with all of the~~
285 ~~applicant's voter registration information required to establish~~
286 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
287 ~~presented to the applicant to review and verify the voter~~
288 ~~registration information received and provide an electronic~~
289 ~~signature affirming the accuracy of the information provided.~~

290 ~~2. If the applicant declines to register to vote, update~~

15-00365A-23

20231206__

291 ~~the applicant's voter registration record, or change the~~
292 ~~applicant's address by either orally declining or by failing to~~
293 ~~sign the voter registration application, the Department of~~
294 ~~Highway Safety and Motor Vehicles must note such declination on~~
295 ~~its records and shall forward the declination to the statewide~~
296 ~~voter registration system.~~

297 ~~(3) For the purpose of this section, the Department of~~
298 ~~Highway Safety and Motor Vehicles, with the approval of the~~
299 ~~Department of State, shall prescribe:~~

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

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

305 ~~(4) The Department of Highway Safety and Motor Vehicles~~
306 ~~must electronically transmit completed voter registration~~
307 ~~applications within 24 hours after receipt to the statewide~~
308 ~~voter registration system. Completed paper voter registration~~
309 ~~applications received by the Department of Highway Safety and~~
310 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
311 ~~the supervisor of the county where the office that processed or~~
312 ~~received that application is located.~~

313 ~~(5) The Department of Highway Safety and Motor Vehicles~~
314 ~~must send, with each driver license renewal extension~~
315 ~~application authorized pursuant to s. 322.18(8), a uniform~~
316 ~~statewide voter registration application, the voter registration~~
317 ~~application prescribed under paragraph (3) (a), or a voter~~
318 ~~registration application developed especially for the purposes~~
319 ~~of this subsection by the Department of Highway Safety and Motor~~

15-00365A-23

20231206__

320 ~~Vehicles, with the approval of the Department of State, which~~
321 ~~must meet the requirements of s. 97.052.~~

322 ~~(4)(6)~~ A person providing voter registration services for a
323 driver license office may not:

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

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

327 (c) Make any statement to an applicant or take any action
328 the purpose or effect of which is to discourage the applicant
329 from registering to vote; or

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

332 ~~(5)(7)~~ The Department of Highway Safety and Motor Vehicles
333 shall collect data determined necessary by the Department of
334 State for program evaluation and reporting to the Election
335 Assistance Commission pursuant to federal law.

336 ~~(6)(8)~~ The Department of Highway Safety and Motor Vehicles
337 shall ~~must~~ ensure that all voter registration services provided
338 by driver license offices are in compliance with the Voting
339 Rights Act of 1965.

340 ~~(7)(9)~~ The Department of Highway Safety and Motor Vehicles
341 shall retain complete records of voter registration information
342 received, processed, and submitted to the Department of State
343 ~~statewide voter registration system~~ by the Department of Highway
344 Safety and Motor Vehicles. The retention of such ~~These~~ records
345 is ~~shall be~~ for the explicit purpose of supporting audit and
346 accounting controls established to ensure accurate and complete
347 electronic transmission of records between the Department of
348 State ~~statewide voter registration system~~ and the Department of

15-00365A-23

20231206__

349 Highway Safety and Motor Vehicles.

350 (8)~~(10)~~ The Department of State shall provide the
351 Department of Highway Safety and Motor Vehicles with an
352 electronic database of street addresses valid for use as the
353 address of legal residence as required in s. 97.053(5). The
354 Department of Highway Safety and Motor Vehicles shall compare
355 the address provided by the applicant against the database of
356 valid street addresses. If the address provided by the applicant
357 does not match a valid street address in the database, the
358 applicant will be asked to verify the address provided. The
359 Department of Highway Safety and Motor Vehicles may ~~shall~~ not
360 reject any application for voter registration for which a valid
361 match cannot be made.

362 (9)~~(11)~~ The Department of Highway Safety and Motor Vehicles
363 shall enter into an agreement with the Department of State to
364 match information in the statewide voter registration system
365 with information in the database of the Department of Highway
366 Safety and Motor Vehicles to the extent required to verify the
367 accuracy of the driver license number, Florida identification
368 number, or last four digits of the social security number
369 provided on applications for voter registration as required in
370 s. 97.053.

371 (10)~~(12)~~ The Department of Highway Safety and Motor
372 Vehicles shall enter into an agreement with the Commissioner of
373 Social Security as required by the Help America Vote Act of 2002
374 to verify the last four digits of the social security number
375 provided in applications for voter registration as required in
376 s. 97.053.

377 (11)~~(13)~~ The Department of Highway Safety and Motor

15-00365A-23

20231206__

378 Vehicles shall ~~must~~ assist the Department of State in regularly
379 identifying changes in residence address on the driver license
380 or identification card of a voter. The Department of State shall
381 ~~must~~ report each such change to the appropriate supervisor of
382 elections who must change the voter's registration records in
383 accordance with s. 98.065(5).

384 Section 5. Paragraph (a) of subsection (3) of section
385 97.0575, Florida Statutes, is amended to read:

386 97.0575 Third-party voter registrations.—

387 (3) (a) A third-party voter registration organization that
388 collects voter registration applications serves as a fiduciary
389 to the applicant, ensuring that any voter registration
390 application entrusted to the organization, irrespective of party
391 affiliation, race, ethnicity, or gender, must be promptly
392 delivered to the division or the supervisor of elections in the
393 county in which the applicant resides within 14 days after the
394 application was completed by the applicant, but not after
395 registration closes for the next ensuing election. If a voter
396 registration application collected by any third-party voter
397 registration organization is not promptly delivered to the
398 division or supervisor of elections in the county in which the
399 applicant resides, the third-party voter registration
400 organization is liable for the following fines:

401 1. A fine in the amount of \$50 for each application
402 received by the division or the supervisor of elections in the
403 county in which the applicant resides more than 14 days after
404 the applicant delivered the completed voter registration
405 application to the third-party voter registration organization
406 or any person, entity, or agent acting on its behalf. A fine in

15-00365A-23

20231206__

407 the amount of \$250 for each application received if the third-
408 party voter registration organization or person, entity, or
409 agency acting on its behalf acted willfully.

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

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

428
429 ~~The aggregate fine pursuant to this paragraph which may be~~
430 ~~assessed against a third-party voter registration organization,~~
431 ~~including affiliate organizations, for violations committed in a~~
432 ~~calendar year is \$50,000.~~

433 Section 6. Paragraph (b) of subsection (4) of section
434 98.045, Florida Statutes, is amended to read:

435 98.045 Administration of voter registration.—

15-00365A-23

20231206__

436 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
437 STREET ADDRESSES.—

438 (b) The department shall make the statewide database of
439 valid street addresses available to the Department of Highway
440 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
441 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
442 shall use the database for purposes of validating the legal
443 residential addresses provided in voter registration
444 applications received by the Department of Highway Safety and
445 Motor Vehicles.

446 Section 7. Subsection (4) of section 98.065, Florida
447 Statutes, is amended to read:

448 98.065 Registration list maintenance programs.—

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

15-00365A-23

20231206__

465 ~~list maintenance program must be conducted by each supervisor,~~
466 ~~at a minimum, once each year and must be completed not later~~
467 ~~than 90 days before the date of any federal election. All list~~
468 ~~maintenance actions associated with each voter must be entered,~~
469 ~~tracked, and maintained in the statewide voter registration~~
470 system.

471 Section 8. Paragraph (a) of subsection (7) of section
472 99.061, Florida Statutes, is amended to read:

473 99.061 Method of qualifying for nomination or election to
474 federal, state, county, or district office.—

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

478 1. A cashier's check purchased with campaign account funds
479 or a properly executed check drawn upon the candidate's campaign
480 account payable to the person or entity as prescribed by the
481 filing officer in an amount not less than the fee required by s.
482 99.092, unless the candidate obtained the required number of
483 signatures on petitions pursuant to s. 99.095. The filing fee
484 for a special district candidate is not required to be drawn
485 upon the candidate's campaign account. If a candidate's check is
486 returned by the bank for any reason, the filing officer must
487 ~~shall~~ immediately notify the candidate, and the candidate has
488 ~~shall have~~ until the end of qualifying to pay the fee with a
489 cashier's check purchased from funds of the campaign account.
490 Failure to pay the fee as provided in this subparagraph
491 disqualifies ~~shall disqualify~~ the candidate.

492 2. The candidate's oath required by s. 99.021, which must
493 contain the name of the candidate as it is to appear on the

15-00365A-23

20231206__

494 ballot; the office sought, including the district or group
495 number if applicable; and the signature of the candidate, which
496 must be verified under oath or affirmation pursuant to s.
497 92.525(1) (a).

498 3. If the office sought is partisan, the written statement
499 of political party affiliation required by s. 99.021(1) (b); or
500 if the candidate is running without party affiliation for a
501 partisan office, the written statement required by s.
502 99.021(1) (c).

503 4. The completed form for the appointment of campaign
504 treasurer and designation of campaign depository, as required by
505 s. 106.021.

506 5. The full and public disclosure or statement of financial
507 interests required by subsection (5). A public officer who has
508 filed the full and public disclosure or statement of financial
509 interests with the Commission on Ethics or the supervisor before
510 ~~of elections prior to~~ qualifying for office may file a copy of
511 that disclosure at the time of qualifying.

512 Section 9. Subsection (2) of section 100.111, Florida
513 Statutes, is amended to read:

514 100.111 Filling vacancy.—

515 (2) Whenever there is a vacancy for which a special
516 election is required pursuant to s. 100.101, the Governor, after
517 consultation with the Secretary of State and the supervisor of
518 elections of any affected county, shall fix the dates of a
519 special primary election and a special election. Nominees of
520 political parties shall be chosen under the primary laws of this
521 state in the special primary election to become candidates in
522 the special election. Before ~~Prior to~~ setting the special

15-00365A-23

20231206__

523 election dates, the Governor shall consider any upcoming
524 elections in the jurisdiction where the special election will be
525 held and, in the event of a vacancy in a state legislative
526 office, shall limit the period of any such vacancy during a
527 regular legislative session to the greatest extent possible in
528 fixing such dates. Notwithstanding the foregoing, a special
529 election may not be held later than 180 days after a vacancy has
530 occurred. The dates fixed by the Governor must ~~shall~~ be specific
531 days certain and may ~~shall~~ not be established by the happening
532 of a condition or stated in the alternative. The dates fixed
533 must ~~shall~~ provide a minimum of 10 ~~2~~ weeks between each
534 election. In the event a vacancy occurs in the office of state
535 senator or member of the House of Representatives when the
536 Legislature is in regular legislative session, the minimum times
537 prescribed by this subsection may be waived upon concurrence of
538 the Governor, the Speaker of the House of Representatives, and
539 the President of the Senate. If a vacancy occurs in the office
540 of state senator and no session of the Legislature is scheduled
541 to be held before ~~prior to~~ the next general election, the
542 Governor may fix the dates for the special primary election and
543 for the special election to coincide with the dates of the
544 primary election and general election. If a vacancy in office
545 occurs in any district in the state Senate or House of
546 Representatives or in any congressional district, and no session
547 of the Legislature, or session of Congress if the vacancy is in
548 a congressional district, is scheduled to be held during the
549 unexpired portion of the term, the Governor is not required to
550 call a special election to fill such vacancy.

551 (a) The dates for candidates to qualify in such special

15-00365A-23

20231206__

552 election or special primary election must ~~shall~~ be fixed by the
553 Department of State, and candidates must ~~shall~~ qualify no ~~not~~
554 later than noon of the last day so fixed. The dates fixed for
555 qualifying must ~~shall~~ allow a minimum of 14 days between the
556 last day of qualifying and the special primary election.

557 (b) The filing of campaign expense statements by candidates
558 in such special elections or special primaries and by committees
559 making contributions or expenditures to influence the results of
560 such special primaries or special elections must ~~shall~~ be no ~~not~~
561 later than such dates as ~~shall be~~ fixed by the Department of
562 State, and in fixing such dates the Department of State shall
563 take into consideration and be governed by the practical time
564 limitations.

565 (c) The dates for a candidate to qualify by the petition
566 process pursuant to s. 99.095 in such special primary or special
567 election must ~~shall~~ be fixed by the Department of State. In
568 fixing such dates the Department of State shall take into
569 consideration and be governed by the practical time limitations.
570 Any candidate seeking to qualify by the petition process in a
571 special primary election must ~~shall~~ obtain 25 percent of the
572 signatures required by s. 99.095.

573 (d) The qualifying fees and party assessments of such
574 candidates as may qualify must ~~shall~~ be the same as collected
575 for the same office at the last previous primary for that
576 office. The party assessment must ~~shall~~ be paid to the
577 appropriate executive committee of the political party to which
578 the candidate belongs.

579 (e) Each county canvassing board shall make as speedy a
580 return of the result of such special primary elections and

15-00365A-23

20231206__

581 special elections as time will permit, and the Elections
582 Canvassing Commission likewise shall make as speedy a canvass
583 and declaration of the nominees as time will permit.

584 Section 10. Subsection (1) of section 100.141, Florida
585 Statutes, is amended to read:

586 100.141 Notice of special election to fill any vacancy in
587 office.—

588 (1) Whenever a special election is required to fill any
589 vacancy in office, the Governor, after consultation with the
590 Secretary of State and the supervisor of elections of any
591 affected county, shall issue an order declaring on what day the
592 election shall be held and deliver the order to the Department
593 of State. The Governor shall issue the order within 14 calendar
594 days after the occurrence of the vacancy or, for vacancies
595 arising due to a resignation under s. 99.012, within 14 calendar
596 days after submittal of the written resignation to the Governor,
597 whichever is sooner.

598 Section 11. Paragraph (a) of subsection (7) of section
599 100.371, Florida Statutes, is amended, and paragraph (c) is
600 added to that subsection, to read:

601 100.371 Initiatives; procedure for placement on ballot.—

602 (7) ~~(a)~~ A sponsor that collects petition forms or uses a
603 petition circulator to collect petition forms serves as a
604 fiduciary to the elector signing the petition form, ensuring
605 that any petition form entrusted to the petition circulator
606 shall be promptly delivered to the supervisor ~~of elections~~
607 within 30 days after the elector signs the form.

608 (a) If a petition form collected by any petition circulator
609 is not promptly delivered to the supervisor of elections, the

15-00365A-23

20231206__

610 sponsor is liable for the following fines:

611 1. A fine in the amount of \$50 for each petition form
612 received by the supervisor of elections more than 30 days after
613 the elector signed the petition form or the next business day,
614 if the office is closed. A fine in the amount of \$250 for each
615 petition form received if the sponsor or petition circulator
616 acted willfully.

617 2. A fine in the amount of \$500 for each petition form
618 collected by a petition circulator which is not submitted to the
619 supervisor of elections. A fine in the amount of \$1,000 for any
620 petition form not submitted if the sponsor or petition
621 circulator acted willfully.

622 (c) A sponsor shall deliver petition forms to the
623 supervisor grouped in batches by the petition circulator who
624 collected them.

625 Section 12. Section 100.51, Florida Statutes, is created to
626 read:

627 100.51 General Election Day paid holiday.—In order to
628 encourage civic participation, enable more individuals to serve
629 as poll workers, and provide additional time for the resolution
630 of any issues that arise while an elector is casting his or her
631 vote, General Election Day shall be a paid holiday. An elector
632 is entitled to absent himself or herself from any service or
633 employment in which he or she is engaged or employed during the
634 time the polls are open on General Election Day. An elector who
635 absents himself or herself under this section may not be
636 penalized in any way, and a deduction may not be made from his
637 or her usual salary or wages on account of his or her absence.

638 Section 13. Section 101.016, Florida Statutes, is created

15-00365A-23

20231206__

639 to read:

640 101.016 Strategic elections equipment reserve.—The Division
641 of Elections shall maintain a strategic elections equipment
642 reserve of voting systems that may be deployed in the event of
643 an emergency as defined in s. 101.732 or upon the occurrence of
644 equipment capacity issues due to unexpected voter turnout. The
645 reserve must include tabulation equipment and any other
646 necessary equipment, including, but not limited to, printers,
647 which are in use by each supervisor of elections. In lieu of
648 maintaining a physical reserve of such equipment, the division
649 may contract with a vendor of voting equipment to provide such
650 equipment on an as-needed basis.

651 Section 14. Subsections (1) and (2) of section 101.048,
652 Florida Statutes, are amended to read:

653 101.048 Provisional ballots.—

654 (1) At all elections, a voter claiming to be properly
655 registered in this ~~the~~ state and eligible to vote ~~at the~~
656 ~~precinct~~ in the election but whose eligibility cannot be
657 determined, a person whom an election official asserts is not
658 eligible, and other persons specified in the code shall be
659 entitled to vote a provisional ballot at any precinct in the
660 county in which the voter claims to be registered. Once voted,
661 the provisional ballot must ~~shall~~ be placed in a secrecy
662 envelope and thereafter sealed in a provisional ballot envelope.
663 The provisional ballot must ~~shall~~ be deposited in a ballot box.
664 All provisional ballots must ~~shall~~ remain sealed in their
665 envelopes for return to the supervisor of elections. The
666 department shall prescribe the form of the provisional ballot
667 envelope. A person casting a provisional ballot shall have the

15-00365A-23

20231206__

668 right to present written evidence supporting his or her
669 eligibility to vote to the supervisor of elections by not later
670 than 5 p.m. on the second day following the election.

671 (2) (a) The county canvassing board shall examine each
672 Provisional Ballot Voter's Certificate and Affirmation to
673 determine if the person voting that ballot was entitled to vote
674 in the county in which ~~at the precinct where~~ the person cast a
675 vote in the election and that the person had not already cast a
676 ballot in the election. In determining whether a person casting
677 a provisional ballot is entitled to vote, the county canvassing
678 board shall review the information provided in the Voter's
679 Certificate and Affirmation, written evidence provided by the
680 person pursuant to subsection (1), information provided in any
681 cure affidavit and accompanying supporting documentation
682 pursuant to subsection (6), any other evidence presented by the
683 supervisor, and, in the case of a challenge, any evidence
684 presented by the challenger. A ballot of a person casting a
685 provisional ballot must ~~shall~~ be canvassed pursuant to paragraph
686 (b) unless the canvassing board determines by a preponderance of
687 the evidence that the person was not entitled to vote.

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

695 1. The signature on the voter's certificate or the cure
696 affidavit matches the elector's signature in the registration

15-00365A-23

20231206__

697 books or the precinct register; however, in the case of a cure
698 affidavit, the supporting identification listed in subsection
699 (6) must also confirm the identity of the elector; or

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

705

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

709 (c) Any provisional ballot not counted must remain in the
710 envelope containing the Provisional Ballot Voter's Certificate
711 and Affirmation, and the envelope must ~~shall~~ be marked "Rejected
712 as Illegal."

713 (d) If a provisional ballot is validated following the
714 submission of a cure affidavit, the supervisor must make a copy
715 of the affidavit, affix it to a voter registration application,
716 and immediately process it as a valid request for a signature
717 update pursuant to s. 98.077.

718 Section 15. Paragraph (a) of subsection (2) and paragraph
719 (a) of subsection (3) of section 101.151, Florida Statutes, are
720 amended to read:

721 101.151 Specifications for ballots.—

722 (2) (a) The ballot must include the following office titles
723 above the names of the candidates for the respective offices in
724 the following order:

725 1. The office titles of President and Vice President above

15-00365A-23

20231206__

726 the randomly ordered names of the candidates for President and
727 Vice President of the United States ~~nominated by the political~~
728 ~~party that received the highest vote for Governor in the last~~
729 ~~general election of the Governor in this state, followed by the~~
730 ~~names of other candidates for President and Vice President of~~
731 ~~the United States~~ who have been properly nominated.

732 2. The office titles of United States Senator and
733 Representative in Congress.

734 3. The office titles of Governor and Lieutenant Governor;
735 Attorney General; Chief Financial Officer; Commissioner of
736 Agriculture; Secretary of State; State Attorney, with the
737 applicable judicial circuit; and Public Defender, with the
738 applicable judicial circuit.

739 4. The office titles of State Senator and State
740 Representative, with the applicable district for the office
741 printed beneath.

742 5. The office titles of Clerk of the Circuit Court or, when
743 the Clerk of the Circuit Court also serves as the County
744 Comptroller, Clerk of the Circuit Court and Comptroller, when
745 authorized by law; Clerk of the County Court, when authorized by
746 law; Sheriff; Property Appraiser; Tax Collector; District
747 Superintendent of Schools; and Supervisor of Elections.

748 6. The office titles of Board of County Commissioners, with
749 the applicable district printed beneath each office, and such
750 other county and district offices as are involved in the
751 election, in the order fixed by the Department of State,
752 followed, in the year of their election, by "Party Offices," and
753 thereunder the offices of state and county party executive
754 committee members.

15-00365A-23

20231206__

755 (3) (a) The names of the candidates ~~of the party that~~
756 ~~received the highest number of votes for Governor in the last~~
757 ~~election in which a Governor was elected shall be ordered~~
758 randomly placed first for each office on the general election
759 ballot, together with an appropriate abbreviation of the party
760 name; ~~the names of the candidates of the party that received the~~
761 ~~second highest vote for Governor shall be placed second for each~~
762 ~~office, together with an appropriate abbreviation of the party~~
763 ~~name.~~

764 Section 16. Subsection (6) is added to section 101.5612,
765 Florida Statutes, to read:

766 101.5612 Testing of tabulating equipment.—

767 (6) The supervisor of elections shall annually file with
768 the Secretary of State a detailed plan for operations in the
769 event that maximum voter turnout occurs on election day and that
770 a recount is required in each race on a ballot.

771 Section 17. Paragraph (a) of subsection (1), subsection
772 (2), and paragraph (c) of subsection (4) of section 101.62,
773 Florida Statutes, are amended, and subsection (8) is added to
774 that section, to read:

775 101.62 Request for vote-by-mail ballots.—

776 (1) (a) The supervisor shall accept a request for a vote-by-
777 mail ballot from an elector in person or in writing. One request
778 is deemed sufficient to receive a vote-by-mail ballot for all
779 elections until the elector or the elector's designee notifies
780 the supervisor that the elector cancels such request ~~through the~~
781 ~~end of the calendar year of the next regularly scheduled general~~
782 ~~election~~, unless the elector or the elector's designee indicates
783 at the time the request is made the elections ~~within such period~~

15-00365A-23

20231206__

784 for which the elector desires to receive a vote-by-mail ballot.
785 Such request may be considered canceled when any first-class
786 mail sent by the supervisor to the elector is returned as
787 undeliverable.

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

793 (4)

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

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

800 2. By forwardable mail, e-mail, or facsimile machine
801 transmission to absent uniformed services voters and overseas
802 voters. The absent uniformed services voter or overseas voter
803 may designate in the vote-by-mail ballot request the preferred
804 method of transmission. If the voter does not designate the
805 method of transmission, the vote-by-mail ballot must ~~shall~~ be
806 mailed.

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

810 4. By delivery to a designee on election day or up to 11 ~~9~~
811 days before the day of an election. Any elector may designate,
812 in writing, a person to pick up the ballot for the elector.

15-00365A-23

20231206__

813 ~~however, the person designated may not pick up more than two~~
814 ~~vote-by-mail ballots per election, other than the designee's own~~
815 ~~ballot, except that additional ballots may be picked up for~~
816 ~~members of the designee's immediate family. For purposes of this~~
817 ~~section, "immediate family" means the designee's spouse or the~~
818 ~~parent, child, grandparent, grandchild, or sibling of the~~
819 ~~designee or of the designee's spouse. The designee shall provide~~
820 ~~to the supervisor the written authorization by the elector and a~~
821 ~~picture identification of the designee and must complete an~~
822 ~~affidavit. The designee shall state in the affidavit that the~~
823 ~~designee is authorized by the elector to pick up that ballot and~~
824 ~~shall indicate if the elector is a member of the designee's~~
825 ~~immediate family and, if so, the relationship. The department~~
826 ~~shall prescribe the form of the affidavit. If the supervisor is~~
827 ~~satisfied that the designee is authorized to pick up the ballot~~
828 ~~and that the signature of the elector on the written~~
829 ~~authorization matches the signature of the elector on file, the~~
830 ~~supervisor shall give the ballot to that designee for delivery~~
831 ~~to the elector.~~

832 5. Except as provided in s. 101.655, the supervisor may not
833 deliver a vote-by-mail ballot to an elector or an elector's
834 immediate family member on the day of the election unless there
835 is an emergency, to the extent that the elector will be unable
836 to go to his or her assigned polling place. If a vote-by-mail
837 ballot is delivered, the elector or his or her designee must
838 ~~shall~~ execute an affidavit affirming to the facts which allow
839 for delivery of the vote-by-mail ballot. The department shall
840 adopt a rule providing for the form of the affidavit.

841 (8) If a deadline under this section falls on a day when

15-00365A-23

20231206__

842 the office of the supervisor is usually closed, the deadline
 843 must be extended until the next business day.

844 Section 18. Paragraph (a) of subsection (1) and subsection
 845 (2) of section 101.64, Florida Statutes, are amended to read:

846 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

847 (1) (a) The supervisor shall enclose with each vote-by-mail
 848 ballot two envelopes: a secrecy envelope, into which the absent
 849 elector shall enclose his or her marked ballot; and a postage
 850 prepaid mailing envelope, into which the absent elector must
 851 ~~shall~~ then place the secrecy envelope, which must ~~shall~~ be
 852 addressed to the supervisor and also bear on the back side a
 853 certificate in substantially the following form:

854 Note: Please Read Instructions Carefully Before
 855 Marking Ballot and Completing Voter's Certificate.

856 VOTER'S CERTIFICATE

857 I, , do solemnly swear or affirm that I am a qualified
 858 and registered voter of County, Florida, and that I have
 859 not and will not vote more than one ballot in this election. I
 860 understand that if I commit or attempt to commit any fraud in
 861 connection with voting, vote a fraudulent ballot, or vote more
 862 than once in an election, I can be convicted of a felony of the
 863 third degree and fined up to \$5,000 and/or imprisoned for up to
 864 5 years. I also understand that failure to sign this certificate
 865 will invalidate my ballot.

866 . . . (Date) . . .

867 . . . (Voter's Signature or Last Four Digits of Social Security
 868 Number) . . .

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

870 . . . (Mobile Telephone Number) . . .

15-00365A-23

20231206__

871 (2) The certificate must ~~shall~~ be arranged on the back of
872 the mailing envelope so that the line for the signature or last
873 four digits of the social security number of the absent elector
874 is across the seal of the envelope; however, a ~~no~~ statement may
875 not ~~shall~~ appear on the envelope which indicates that a
876 signature or the last four digits of the social security number
877 of the voter must cross the seal of the envelope. The absent
878 elector must ~~shall~~ execute the certificate on the envelope.

879 Section 19. Section 101.65, Florida Statutes, is amended to
880 read:

881 101.65 Instructions to absent electors.—The supervisor
882 shall enclose with each vote-by-mail ballot separate printed
883 instructions in substantially the following form; however, where
884 the instructions appear in capitalized text, the text of the
885 printed instructions must be in bold font:

886 READ THESE INSTRUCTIONS CAREFULLY
887 BEFORE MARKING BALLOT.

888 1. VERY IMPORTANT. In order to ensure that your vote-by-
889 mail ballot will be counted, it should be completed and returned
890 as soon as possible so that it can reach the supervisor of
891 elections of the county in which your precinct is located no
892 later than 7 p.m. on the day of the election. However, if you
893 are an overseas voter casting a ballot in a presidential
894 preference primary or general election, your vote-by-mail ballot
895 must be postmarked or dated no later than the date of the
896 election and received by the supervisor of elections of the
897 county in which you are registered to vote no later than 10 days
898 after the date of the election. Note that the later you return
899 your ballot, the less time you will have to cure any signature

15-00365A-23

20231206__

900 deficiencies, which may cause your ballot not to be counted ~~is~~
901 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

909 4. Place your marked ballot in the enclosed secrecy
910 envelope.

911 5. Insert the secrecy envelope into the enclosed mailing
912 envelope which is addressed to the supervisor.

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

915 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
916 be counted, you must sign your name or print the last four
917 digits of your social security number on the line above (Voter's
918 Signature or Last Four Digits of Social Security Number). A
919 vote-by-mail ballot will be considered illegal and not be
920 counted if the signature or the last four digits of the social
921 security number on the voter's certificate do ~~does~~ not match the
922 signature or social security number on record. The signature on
923 file at the time the supervisor of elections in the county in
924 which your precinct is located receives your vote-by-mail ballot
925 is the signature that will be used to verify your signature on
926 the voter's certificate. If you need to update your signature
927 for this election, send your signature update on a voter
928 registration application to your supervisor of elections ~~so that~~

15-00365A-23

20231206__

929 ~~it is received before your vote by mail ballot is received.~~

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

934 9. Mail, deliver, or have delivered the completed mailing
935 envelope. Be sure there is sufficient postage if mailed. THE
936 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
937 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
938 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE
939 STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

940 10. FELONY NOTICE. It is a felony under Florida law to
941 accept any gift, payment, or gratuity in exchange for your vote
942 for a candidate. It is also a felony under Florida law to vote
943 in an election using a false identity or false address, or under
944 any other circumstances making your ballot false or fraudulent.

945 Section 20. Subsection (1), paragraph (c) of subsection
946 (2), and paragraphs (a), (c), and (d) of subsection (4) of
947 section 101.68, Florida Statutes, are amended to read:

948 101.68 Canvassing of vote-by-mail ballot.—

949 (1) The supervisor of the county where the absent elector
950 resides shall receive the voted ballot, at which time the
951 supervisor shall compare the signature or last four digits of
952 the social security number of the elector on the voter's
953 certificate with the signature or last four digits of the social
954 security number of the elector in the registration books or the
955 precinct register to determine whether the elector is duly
956 registered in the county and must record on the elector's
957 registration record that the elector has voted. During the

15-00365A-23

20231206__

958 signature comparison process, the supervisor may not use any
959 knowledge of the political affiliation of the voter whose
960 signature is subject to verification. An elector who dies after
961 casting a vote-by-mail ballot but on or before election day must
962 ~~shall~~ remain listed in the registration books until the results
963 have been certified for the election in which the ballot was
964 cast. The supervisor shall safely keep the ballot unopened in
965 his or her office until the county canvassing board canvasses
966 the vote. Except as provided in subsection (4), after a vote-by-
967 mail ballot is received by the supervisor, the ballot is deemed
968 to have been cast, and changes or additions may not be made to
969 the voter's certificate.

970 (2)

971 (c)1. The canvassing board must, if the supervisor has not
972 already done so, compare the signature or last four digits of
973 the social security number of the elector on the voter's
974 certificate or on the vote-by-mail ballot cure affidavit as
975 provided in subsection (4) with the signature or last four
976 digits of the social security number of the elector in the
977 registration books or the precinct register to see that the
978 elector is duly registered in the county and to determine the
979 legality of that vote-by-mail ballot. A vote-by-mail ballot may
980 only be counted if:

981 a. The signature or last four digits of the social security
982 number on the voter's certificate or the cure affidavit match
983 ~~matches~~ the elector's signature or last four digits of the
984 social security number in the registration books or precinct
985 register; however, in the case of a cure affidavit, the
986 supporting identification listed in subsection (4) must also

15-00365A-23

20231206__

987 confirm the identity of the elector; or

988 b. The cure affidavit contains a signature or last four
989 digits of the social security number which do ~~that does~~ not
990 match the elector's signature or last four digits of the social
991 security number in the registration books or precinct register,
992 but the elector has submitted a current and valid Tier 1
993 identification pursuant to subsection (4) which confirms the
994 identity of the elector.

995

996 For purposes of this subparagraph, any canvassing board finding
997 that an elector's signatures or last four digits of the social
998 security numbers do not match must be by majority vote and
999 beyond a reasonable doubt.

1000 2. The ballot of an elector who casts a vote-by-mail ballot
1001 shall be counted even if the elector dies on or before election
1002 day, as long as, before the death of the voter, the ballot was
1003 postmarked by the United States Postal Service, date-stamped
1004 with a verifiable tracking number by a common carrier, or
1005 already in the possession of the supervisor.

1006 3. A vote-by-mail ballot is not considered illegal if the
1007 signature or last four digits of the social security number of
1008 the elector do ~~does~~ not cross the seal of the mailing envelope.

1009 4. ~~If any elector or candidate present believes that a~~
1010 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~
1011 ~~voter's certificate or the cure affidavit, he or she may, at any~~
1012 ~~time before the ballot is removed from the envelope, file with~~
1013 ~~the canvassing board a protest against the canvass of that~~
1014 ~~ballot, specifying the precinct, the voter's certificate or the~~
1015 ~~cure affidavit, and the reason he or she believes the ballot to~~

15-00365A-23

20231206__

1016 ~~be illegal. A challenge based upon a defect in the voter's~~
1017 ~~certificate or cure affidavit may not be accepted after the~~
1018 ~~ballot has been removed from the mailing envelope.~~

1019 ~~5.~~ If the canvassing board determines that a ballot is
1020 illegal, a member of the board must, without opening the
1021 envelope, mark across the face of the envelope: "rejected as
1022 illegal." The cure affidavit, if applicable, the envelope, and
1023 the ballot therein must ~~shall~~ be preserved in the manner that
1024 official ballots are preserved.

1025 (4) (a) As soon as practicable, the supervisor shall, on
1026 behalf of the county canvassing board, attempt to notify an
1027 elector who has returned a vote-by-mail ballot that does not
1028 include the elector's signature or last four digits of the
1029 social security number or contains a signature or last four
1030 digits of the social security number that do ~~does~~ not match the
1031 elector's signature or last four digits of the social security
1032 number in the registration books or precinct register by:

1033 1. Notifying the elector of the signature or last four
1034 digits of the social security number deficiency by e-mail and
1035 directing the elector to the cure affidavit and instructions on
1036 the supervisor's website;

1037 2. Notifying the elector of the signature or last four
1038 digits of the social security number deficiency by text message
1039 and directing the elector to the cure affidavit and instructions
1040 on the supervisor's website; or

1041 3. Notifying the elector of the signature or last four
1042 digits of the social security number deficiency by telephone and
1043 directing the elector to the cure affidavit and instructions on
1044 the supervisor's website.

15-00365A-23

20231206__

1045

1046 In addition to the notification required under subparagraph 1.,
1047 subparagraph 2., or subparagraph 3., the supervisor must notify
1048 the elector of the signature or last four digits of the social
1049 security number deficiency by first-class mail and direct the
1050 elector to the cure affidavit and instructions on the
1051 supervisor's website. Beginning the day before the election, the
1052 supervisor is not required to provide notice of the signature
1053 deficiency by first-class mail, but shall continue to provide
1054 notice as required under subparagraph 1., subparagraph 2., or
1055 subparagraph 3.

1056 (c) The elector must complete a cure affidavit in
1057 substantially the following form:

1058 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

1059 I,, am a qualified voter in this election and
1060 registered voter of County, Florida. I do solemnly swear or
1061 affirm that I requested and returned the vote-by-mail ballot and
1062 that I have not and will not vote more than one ballot in this
1063 election. I understand that if I commit or attempt any fraud in
1064 connection with voting, vote a fraudulent ballot, or vote more
1065 than once in an election, I may be convicted of a felony of the
1066 third degree and fined up to \$5,000 and imprisoned for up to 5
1067 years. I understand that my failure to sign this affidavit means
1068 that my vote-by-mail ballot will be invalidated.

1069 ... (Voter's Signature or Last Four Digits of Social Security
1070 Number) ...

1071 ... (Address) ...

1072 (d) Instructions must accompany the cure affidavit in
1073 substantially the following form:

15-00365A-23

20231206__

1074 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
1075 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
1076 BALLOT NOT TO COUNT.

1077 1. In order to ensure that your vote-by-mail ballot will be
1078 counted, your affidavit should be completed and returned as soon
1079 as possible so that it can reach the supervisor of elections of
1080 the county in which your precinct is located no later than 5
1081 p.m. on the 2nd day after the election.

1082 2. You must sign your name or print the last four digits of
1083 your social security number on the line above (Voter's Signature
1084 or Last Four Digits of Social Security Number).

1085 3. You must make a copy of one of the following forms of
1086 identification:

1087 a. Tier 1 identification.—Current and valid identification
1088 that includes your name and photograph: Florida driver license;
1089 Florida identification card issued by the Department of Highway
1090 Safety and Motor Vehicles; United States passport; debit or
1091 credit card; military identification; student identification;
1092 retirement center identification; neighborhood association
1093 identification; public assistance identification; veteran health
1094 identification card issued by the United States Department of
1095 Veterans Affairs; a Florida license to carry a concealed weapon
1096 or firearm; or an employee identification card issued by any
1097 branch, department, agency, or entity of the Federal Government,
1098 the state, a county, or a municipality; or

1099 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
1100 FORM OF IDENTIFICATION, identification that shows your name and
1101 current residence address: current utility bill, bank statement,
1102 government check, paycheck, or government document (excluding

15-00365A-23

20231206__

1103 voter information card).

1104 4. Place the envelope bearing the affidavit into a mailing
1105 envelope addressed to the supervisor. Insert a copy of your
1106 identification in the mailing envelope. Mail (if time permits),
1107 deliver, or have delivered the completed affidavit along with
1108 the copy of your identification to your county supervisor of
1109 elections. Be sure there is sufficient postage if mailed and
1110 that the supervisor's address is correct. Remember, your
1111 information MUST reach your county supervisor of elections no
1112 later than 5 p.m. on the 2nd day after the election, or your
1113 ballot will not count.

1114 5. Alternatively, you may fax or e-mail your completed
1115 affidavit and a copy of your identification to the supervisor of
1116 elections. If e-mailing, please provide these documents as
1117 attachments.

1118 Section 21. Section 101.6952, Florida Statutes, is amended
1119 to read:

1120 101.6952 Vote-by-mail ballots for absent ~~uniformed services~~
1121 ~~and overseas~~ voters.—

1122 (1) If an absent ~~uniformed services voter's or an overseas~~
1123 voter's request for an official vote-by-mail ballot pursuant to
1124 s. 101.62 includes an e-mail address, the supervisor of
1125 elections must ~~shall~~:

1126 (a) Record the voter's e-mail address in the vote-by-mail
1127 ballot record;

1128 (b) Confirm by e-mail that the vote-by-mail ballot request
1129 was received and include in that e-mail the estimated date the
1130 vote-by-mail ballot will be sent to the voter; and

1131 (c) Notify the voter by e-mail when the voted vote-by-mail

15-00365A-23

20231206__

1132 ballot is received by the supervisor of elections.

1133 (2) (a) An absent ~~uniformed services voter or an overseas~~
1134 voter who makes timely application for but does not receive an
1135 official vote-by-mail ballot may use the federal write-in
1136 absentee ballot to vote in any federal, state, or local
1137 election.

1138 (b)1. In an election for federal office, an elector may
1139 designate a candidate by writing the name of a candidate on the
1140 ballot. Except for a primary or special primary election, the
1141 elector may alternatively designate a candidate by writing the
1142 name of a political party on the ballot. A written designation
1143 of the political party must ~~shall~~ be counted as a vote for the
1144 candidate of that party if there is such a party candidate in
1145 the race.

1146 2. In a state or local election, an elector may vote in the
1147 section of the federal write-in absentee ballot designated for
1148 nonfederal races by writing on the ballot the title of each
1149 office and by writing on the ballot the name of the candidate
1150 for whom the elector is voting. Except for a primary, special
1151 primary, or nonpartisan election, the elector may alternatively
1152 designate a candidate by writing the name of a political party
1153 on the ballot. A written designation of the political party must
1154 ~~shall~~ be counted as a vote for the candidate of that party if
1155 there is such a party candidate in the race. In addition, the
1156 elector may vote on any ballot measure presented in such
1157 election by identifying the ballot measure on which he or she
1158 desires to vote and specifying his or her vote on the measure.
1159 For purposes of this section, a vote cast in a judicial merit
1160 retention election must ~~shall~~ be treated in the same manner as a

15-00365A-23

20231206__

1161 ballot measure in which the only allowable responses are "Yes"
1162 or "No."

1163 (c) In the case of a joint candidacy, such as for the
1164 offices of President/Vice President or Governor/Lieutenant
1165 Governor, a valid vote for one or both qualified candidates on
1166 the same ticket constitutes ~~shall constitute~~ a vote for the
1167 joint candidacy.

1168 (d) For purposes of this subsection and except when the
1169 context clearly indicates otherwise, such as when a candidate in
1170 the election is affiliated with a political party whose name
1171 includes the word "Independent," "Independence," or a similar
1172 term, a voter designation of "No Party Affiliation" or
1173 "Independent," or any minor variation, misspelling, or
1174 abbreviation thereof, shall be considered a designation for the
1175 candidate, other than a write-in candidate, who qualified to run
1176 in the race with no party affiliation. If more than one
1177 candidate qualifies to run as a candidate with no party
1178 affiliation, the designation may not count for any candidate
1179 unless there is a valid, additional designation of the
1180 candidate's name.

1181 (e) Any abbreviation, misspelling, or other minor variation
1182 in the form of the name of an office, the name of a candidate,
1183 the ballot measure, or the name of a political party must be
1184 disregarded in determining the validity of the ballot.

1185 (3) (a) An absent ~~uniformed services voter or an overseas~~
1186 voter who submits a federal write-in absentee ballot and later
1187 receives an official vote-by-mail ballot may submit the official
1188 vote-by-mail ballot. An elector who submits a federal write-in
1189 absentee ballot and later receives and submits an official vote-

15-00365A-23

20231206__

1190 by-mail ballot should make every reasonable effort to inform the
1191 appropriate supervisor of elections that the elector has
1192 submitted more than one ballot.

1193 ~~(b) A federal write-in absentee ballot may not be canvassed~~
1194 ~~until 7 p.m. on the day of the election.~~ A federal write-in
1195 absentee ballot from an absent ~~overseas~~ voter in a presidential
1196 preference primary or general election may not be canvassed
1197 until the conclusion of the 10-day period specified in
1198 subsection (5). Each federal write-in absentee ballot received
1199 by 7 p.m. on the day of the election must ~~shall~~ be canvassed
1200 pursuant to ss. 101.5614(4) and 101.68, unless the elector's
1201 official vote-by-mail ballot is received by 7 p.m. on election
1202 day. Each federal write-in absentee ballot from an absent
1203 ~~overseas~~ voter in a presidential preference primary or general
1204 election received by 10 days after the date of the election must
1205 ~~shall~~ be canvassed pursuant to ss. 101.5614(4) and 101.68,
1206 unless the absent ~~overseas~~ voter's official vote-by-mail ballot
1207 is received by 10 days after the date of the election. If the
1208 elector's official vote-by-mail ballot is received ~~by 7 p.m. on~~
1209 ~~election day, or, for an overseas voter in a presidential~~
1210 ~~preference primary or general election,~~ no later than 10 days
1211 after the date of the election, the federal write-in absentee
1212 ballot is invalid and the official vote-by-mail ballot must
1213 ~~shall~~ be canvassed. The time shall be regulated by the customary
1214 time in standard use in the county seat of the locality.

1215 (4) For vote-by-mail ballots received from absent ~~uniformed~~
1216 ~~services voters or overseas~~ voters, there is a presumption that
1217 the envelope was mailed on the date stated on the outside of the
1218 return envelope, regardless of the absence of a postmark on the

15-00365A-23

20231206__

1219 mailed envelope or the existence of a postmark date ~~that is~~
1220 later than the date of the election.

1221 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in
1222 any presidential preference primary or general election which is
1223 postmarked or dated no later than the date of the election and
1224 is received by the supervisor of elections of the county in
1225 which the absent ~~overseas~~ voter is registered no later than 10
1226 days after the date of the election must ~~shall~~ be counted as
1227 long as the vote-by-mail ballot is otherwise proper.

1228 Section 22. Subsection (6) is added to section 101.71,
1229 Florida Statutes, to read:

1230 101.71 Polling place.—

1231 (6) A polling place may not be located within a gated
1232 community unless the legal residence of every elector in the
1233 precinct is within such gated community.

1234 Section 23. Paragraph (f) is added to subsection (4) and
1235 subsection (6) is added to section 102.031, Florida Statutes, to
1236 read:

1237 102.031 Maintenance of good order at polls; authorities;
1238 persons allowed in polling rooms and early voting areas;
1239 unlawful solicitation of voters.—

1240 (4)

1241 (f) A person may provide food, water, or other items,
1242 including, but not limited to, over-the-counter medication,
1243 chairs, fans, and umbrellas or other rain gear, to voters
1244 standing in line to vote outside the no-solicitation zone.

1245 (6) Bullhorns or other devices used to amplify sound are
1246 prohibited in close proximity to:

1247 (a) A polling place during voting hours.

15-00365A-23

20231206__

1248 (b) An office of the supervisor during a recount.
1249 Section 24. Subsection (2) of section 102.111, Florida
1250 Statutes, is amended to read:
1251 102.111 Elections Canvassing Commission.—
1252 (2) The Elections Canvassing Commission shall meet at 9
1253 a.m. on the 9th day after a primary election to certify the
1254 returns for each federal, state, and multicounty office. The
1255 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a
1256 general election to certify the returns of the election for each
1257 ~~federal, state, and~~ multicounty office. The commission shall
1258 meet at 9 a.m. on the 21st day after a general election to
1259 certify the returns for each federal and state office. If a
1260 member of a county canvassing board that was constituted
1261 pursuant to s. 102.141 determines, within 5 days after the
1262 certification by the Elections Canvassing Commission, that a
1263 typographical error occurred in the official returns of the
1264 county, the correction of which could result in a change in the
1265 outcome of an election, the county canvassing board must certify
1266 corrected returns to the Department of State within 24 hours,
1267 and the Elections Canvassing Commission must correct and
1268 recertify the election returns as soon as practicable.
1269 Section 25. Subsection (2) of section 102.112, Florida
1270 Statutes, is amended to read:
1271 102.112 Deadline for submission of county returns to the
1272 Department of State.—
1273 (2) Returns must be filed by 5 p.m. on the 7th day
1274 following a primary election, ~~and~~ by noon on the 12th day
1275 following the general election for multicounty offices, and by
1276 noon on the 19th day following the general election for federal

15-00365A-23

20231206__

1277 and statewide offices. However, the Department of State may
1278 correct typographical errors, including the transposition of
1279 numbers, in any returns submitted to the Department of State
1280 pursuant to s. 102.111(2).

1281 Section 26. Section 102.181, Florida Statutes, is created
1282 to read:

1283 102.181 Action against supervisor of elections.-

1284 (1) Any elector qualified to vote in or any candidate for
1285 office in an election may file an action against the supervisor
1286 of elections administering such election for noncompliance with
1287 any provision of this code.

1288 (2) Any elector or candidate who files such an action is
1289 entitled to an immediate hearing.

1290 (3) In any such action, any filing fees or costs must be
1291 waived, and attorney fees must be awarded to the prevailing
1292 party or parties.

1293 Section 27. This act shall take effect July 1, 2023.