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LEGISLATIVE ACTION

Senate

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House

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Floor: WD

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04/26/2023 10:09 AM

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Senator Thompson moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

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

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

(1) The head of the Department of State is the Secretary of  
State. The Secretary of State shall be elected at the statewide  
general election at which the Governor, Lieutenant Governor, and



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12 Cabinet officers are elected as provided in s. 5, Art. IV of the  
13 State Constitution, for a term of 4 years beginning on the first  
14 Tuesday after the first Monday in January of the year following  
15 such election appointed by the Governor, subject to confirmation  
16 by the Senate, and shall serve at the pleasure of the Governor.

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

19 Section 2. Paragraph (b) of subsection (5) of section  
20 97.053, Florida Statutes, is amended to read:

21 97.053 Acceptance of voter registration applications.—

22 (5)

23 (b) An applicant who fails to designate party affiliation  
24 or affirmatively select "no party affiliation" may not ~~must~~ be  
25 registered ~~without party affiliation~~. The supervisor must notify  
26 the voter by mail that the voter has not been registered ~~without~~  
27 ~~party affiliation~~ and that the voter must complete a new  
28 registration application and designate a party affiliation or  
29 affirmatively select "no party affiliation." The voter  
30 registration application must clearly denote this requirement  
31 ~~may change party affiliation as provided in s. 97.1031.~~

32 Section 3. Section 97.0556, Florida Statutes, is created to  
33 read:

34 97.0556 Same-day voter registration.—A person who meets the  
35 qualifications to register to vote in s. 97.041 and who provides  
36 the information required for the statewide voter registration  
37 application in s. 97.052 may register at an early voting site or  
38 at his or her polling place and immediately thereafter cast a  
39 ballot.

40 Section 4. Section 97.057, Florida Statutes, is amended to



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41 read:

42 97.057 Voter registration by the Department of Highway  
43 Safety and Motor Vehicles.—

44 (1) Each of the following serves as an application ~~The~~  
45 ~~Department of Highway Safety and Motor Vehicles shall provide~~  
46 ~~the opportunity to preregister to vote, register to vote, or to~~  
47 ~~update a voter registration record when submitted to the~~  
48 ~~Department of Highway Safety and Motor Vehicles to each~~  
49 ~~individual who comes to an office of that department to:~~

50 (a) An application for or a renewal of ~~Apply for or renew a~~  
51 driver license;

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

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

56  
57 Unless the applicant declines to register or preregister to  
58 vote, he or she is deemed to have consented to the use of the  
59 signature from his or her driver license or identification card  
60 application for voter registration purposes.

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

65 (a) The minimum amount of information necessary to prevent  
66 duplicate voter registrations and to preserve the ability of the  
67 department and supervisors of elections to assess the  
68 eligibility of the applicant and administer voter registration  
69 and other provisions of this code.



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70       (b) A statement setting forth voting eligibility  
71 requirements.

72       (c) An explanation that the applicant is consenting to the  
73 use of his or her signature from the applicant's driver license  
74 or identification card application for voter registration  
75 purposes. By consenting to the use of his or her signature, the  
76 applicant is deemed to have subscribed to the oath required by  
77 s. 3, Art. VI of the State Constitution and s. 97.051 and to  
78 have sworn and affirmed that the voter registration information  
79 contained in the application is true under penalty for false  
80 swearing pursuant to s. 104.011.

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

86       (e) An option that allows the applicant to decline to  
87 register to vote or preregister to vote. The Department of  
88 Highway Safety and Motor Vehicles shall note any such  
89 declination in its records and forward the declination to the  
90 Department of State. Any declination may be used only for voter  
91 registration purposes and is confidential and exempt from public  
92 records requirements as provided in s. 97.0585.

93       (3) The Department of Highway Safety and Motor Vehicles  
94 shall:

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

97       (b) Electronically transmit the voter registration  
98 component of an applicant's driver license or identification



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99 card application to the Department of State within 24 hours  
100 after receipt. Upon receipt of the voter registration component,  
101 the Department of State shall provide the information to the  
102 supervisor of the county in which the applicant is registering  
103 or preregistering to vote or updating his or her voter  
104 registration record.

105 ~~(2) The Department of Highway Safety and Motor Vehicles~~  
106 ~~shall:~~

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

108 ~~1. Information gathered for the completion of a driver~~  
109 ~~license or identification card application, renewal, or change~~  
110 ~~of address can be automatically transferred to a voter~~  
111 ~~registration application;~~

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

115 ~~3. Information provided can also be used to update a voter~~  
116 ~~registration record;~~

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

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

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



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

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

134 ~~b. The additional necessary information must be obtained by~~  
135 ~~the driver license examiner and must not duplicate any~~  
136 ~~information already obtained while completing the forms required~~  
137 ~~under subsection (1).~~

138 ~~e. A voter registration application with all of the~~  
139 ~~applicant's voter registration information required to establish~~  
140 ~~the applicant's eligibility pursuant to s. 97.041 must be~~  
141 ~~presented to the applicant to review and verify the voter~~  
142 ~~registration information received and provide an electronic~~  
143 ~~signature affirming the accuracy of the information provided.~~

144 ~~2. If the applicant declines to register to vote, update~~  
145 ~~the applicant's voter registration record, or change the~~  
146 ~~applicant's address by either orally declining or by failing to~~  
147 ~~sign the voter registration application, the Department of~~  
148 ~~Highway Safety and Motor Vehicles must note such declination on~~  
149 ~~its records and shall forward the declination to the statewide~~  
150 ~~voter registration system.~~

151 ~~(3) For the purpose of this section, the Department of~~  
152 ~~Highway Safety and Motor Vehicles, with the approval of the~~  
153 ~~Department of State, shall prescribe:~~

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



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

159 ~~(4) The Department of Highway Safety and Motor Vehicles~~  
160 ~~must electronically transmit completed voter registration~~  
161 ~~applications within 24 hours after receipt to the statewide~~  
162 ~~voter registration system. Completed paper voter registration~~  
163 ~~applications received by the Department of Highway Safety and~~  
164 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~  
165 ~~the supervisor of the county where the office that processed or~~  
166 ~~received that application is located.~~

167 ~~(5) The Department of Highway Safety and Motor Vehicles~~  
168 ~~must send, with each driver license renewal extension~~  
169 ~~application authorized pursuant to s. 322.18(8), a uniform~~  
170 ~~statewide voter registration application, the voter registration~~  
171 ~~application prescribed under paragraph (3) (a), or a voter~~  
172 ~~registration application developed especially for the purposes~~  
173 ~~of this subsection by the Department of Highway Safety and Motor~~  
174 ~~Vehicles, with the approval of the Department of State, which~~  
175 ~~must meet the requirements of s. 97.052.~~

176 ~~(4)~~~~(6)~~ A person providing voter registration services for a  
177 driver license office may not:

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

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

181 (c) Make any statement to an applicant or take any action  
182 the purpose or effect of which is to discourage the applicant  
183 from registering to vote; or

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



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186        (5)~~(7)~~ The Department of Highway Safety and Motor Vehicles  
187 shall collect data determined necessary by the Department of  
188 State for program evaluation and reporting to the Election  
189 Assistance Commission pursuant to federal law.

190        (6)~~(8)~~ The Department of Highway Safety and Motor Vehicles  
191 shall ~~must~~ ensure that all voter registration services provided  
192 by driver license offices are in compliance with the Voting  
193 Rights Act of 1965.

194        (7)~~(9)~~ The Department of Highway Safety and Motor Vehicles  
195 shall retain complete records of voter registration information  
196 received, processed, and submitted to the Department of State  
197 ~~statewide voter registration system~~ by the Department of Highway  
198 Safety and Motor Vehicles. The retention of such ~~These~~ records  
199 is shall be for the explicit purpose of supporting audit and  
200 accounting controls established to ensure accurate and complete  
201 electronic transmission of records between the Department of  
202 State ~~statewide voter registration system~~ and the Department of  
203 Highway Safety and Motor Vehicles.

204        (8)~~(10)~~ The Department of State shall provide the  
205 Department of Highway Safety and Motor Vehicles with an  
206 electronic database of street addresses valid for use as the  
207 address of legal residence as required in s. 97.053(5). The  
208 Department of Highway Safety and Motor Vehicles shall compare  
209 the address provided by the applicant against the database of  
210 valid street addresses. If the address provided by the applicant  
211 does not match a valid street address in the database, the  
212 applicant will be asked to verify the address provided. The  
213 Department of Highway Safety and Motor Vehicles may ~~shall~~ not  
214 reject any application for voter registration for which a valid





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215 match cannot be made.

216 (9)~~(11)~~ The Department of Highway Safety and Motor Vehicles  
217 shall enter into an agreement with the Department of State to  
218 match information in the statewide voter registration system  
219 with information in the database of the Department of Highway  
220 Safety and Motor Vehicles to the extent required to verify the  
221 accuracy of the driver license number, Florida identification  
222 number, or last four digits of the social security number  
223 provided on applications for voter registration as required in  
224 s. 97.053.

225 (10)~~(12)~~ The Department of Highway Safety and Motor  
226 Vehicles shall enter into an agreement with the Commissioner of  
227 Social Security as required by the Help America Vote Act of 2002  
228 to verify the last four digits of the social security number  
229 provided in applications for voter registration as required in  
230 s. 97.053.

231 (11)~~(13)~~ The Department of Highway Safety and Motor  
232 Vehicles shall ~~must~~ assist the Department of State in regularly  
233 identifying changes in residence address on the driver license  
234 or identification card of a voter. The Department of State shall  
235 ~~must~~ report each such change to the appropriate supervisor of  
236 elections who must change the voter's registration records in  
237 accordance with s. 98.065(5).

238 Section 5. Paragraph (a) of subsection (3) of section  
239 97.0575, Florida Statutes, is amended to read:

240 97.0575 Third-party voter registrations.—

241 (3) (a) A third-party voter registration organization that  
242 collects voter registration applications serves as a fiduciary  
243 to the applicant, ensuring that any voter registration



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244 application entrusted to the organization, irrespective of party  
245 affiliation, race, ethnicity, or gender, must be promptly  
246 delivered to the division or the supervisor of elections in the  
247 county in which the applicant resides within 14 days after the  
248 application was completed by the applicant, but not after  
249 registration closes for the next ensuing election. If a voter  
250 registration application collected by any third-party voter  
251 registration organization is not promptly delivered to the  
252 division or supervisor of elections in the county in which the  
253 applicant resides, the third-party voter registration  
254 organization is liable for the following fines:

255       1. A fine in the amount of \$50 for each application  
256 received by the division or the supervisor of elections in the  
257 county in which the applicant resides more than 14 days after  
258 the applicant delivered the completed voter registration  
259 application to the third-party voter registration organization  
260 or any person, entity, or agent acting on its behalf. A fine in  
261 the amount of \$250 for each application received if the third-  
262 party voter registration organization or person, entity, or  
263 agency acting on its behalf acted willfully.

264       2. A fine in the amount of \$100 for each application  
265 collected by a third-party voter registration organization or  
266 any person, entity, or agent acting on its behalf, before book  
267 closing for any given election for federal or state office and  
268 received by the division or the supervisor of elections in the  
269 county in which the applicant resides after the book-closing  
270 deadline for such election. A fine in the amount of \$500 for  
271 each application received if the third-party registration  
272 organization or person, entity, or agency acting on its behalf



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273 acted willfully.

274 ~~3. A fine in the amount of \$500 for each application~~  
275 ~~collected by a third party voter registration organization or~~  
276 ~~any person, entity, or agent acting on its behalf, which is not~~  
277 ~~submitted to the division or supervisor of elections in the~~  
278 ~~county in which the applicant resides. A fine in the amount of~~  
279 ~~\$1,000 for any application not submitted if the third party~~  
280 ~~voter registration organization or person, entity, or agency~~  
281 ~~acting on its behalf acted willfully.~~

282

283 ~~The aggregate fine pursuant to this paragraph which may be~~  
284 ~~assessed against a third party voter registration organization,~~  
285 ~~including affiliate organizations, for violations committed in a~~  
286 ~~calendar year is \$50,000.~~

287 Section 6. Paragraph (b) of subsection (4) of section  
288 98.045, Florida Statutes, is amended to read:

289 98.045 Administration of voter registration.—

290 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL  
291 STREET ADDRESSES.—

292 (b) The department shall make the statewide database of  
293 valid street addresses available to the Department of Highway  
294 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~  
295 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles  
296 shall use the database for purposes of validating the legal  
297 residential addresses provided in voter registration  
298 applications received by the Department of Highway Safety and  
299 Motor Vehicles.

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



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302           98.065 Registration list maintenance programs.-  
303           (4) The supervisor shall designate as inactive all voters  
304 who have not voted in at least one of the last two general  
305 elections and who have been sent an address confirmation final  
306 notice and have not returned the postage prepaid, preaddressed  
307 return form within 30 days or for whom the final notice has been  
308 returned as undeliverable. Names on the inactive list may not be  
309 used to calculate the number of signatures needed on any  
310 petition. A voter on the inactive list may be restored to the  
311 active list of voters upon the voter updating his or her  
312 registration, requesting a vote-by-mail ballot, or voting in an  
313 election. However, if the voter does not update his or her voter  
314 registration information, request a vote-by-mail ballot, or vote  
315 by the second general election after being placed on the  
316 inactive list, the voter's name must be removed from the  
317 statewide voter registration system, and the voter must  
318 reregister to have his or her name restored to ~~A registration~~  
319 ~~list maintenance program must be conducted by each supervisor,~~  
320 ~~at a minimum, once each year and must be completed not later~~  
321 ~~than 90 days before the date of any federal election. All list~~  
322 ~~maintenance actions associated with each voter must be entered,~~  
323 ~~tracked, and maintained in the statewide voter registration~~  
324 ~~system.~~

325           Section 8. Paragraph (a) of subsection (7) of section  
326 99.061, Florida Statutes, is amended to read:

327           99.061 Method of qualifying for nomination or election to  
328 federal, state, county, or district office.-

329           (7) (a) In order for a candidate to be qualified, the  
330 following items must be received by the filing officer by the



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331 end of the qualifying period:

332 1. A cashier's check purchased with campaign account funds  
333 or a properly executed check drawn upon the candidate's campaign  
334 account payable to the person or entity as prescribed by the  
335 filing officer in an amount not less than the fee required by s.  
336 99.092, unless the candidate obtained the required number of  
337 signatures on petitions pursuant to s. 99.095. The filing fee  
338 for a special district candidate is not required to be drawn  
339 upon the candidate's campaign account. If a candidate's check is  
340 returned by the bank for any reason, the filing officer must  
341 ~~shall~~ immediately notify the candidate, and the candidate has  
342 ~~shall have~~ until the end of qualifying to pay the fee with a  
343 cashier's check purchased from funds of the campaign account.  
344 Failure to pay the fee as provided in this subparagraph  
345 disqualifies ~~shall disqualify~~ the candidate.

346 2. The candidate's oath required by s. 99.021, which must  
347 contain the name of the candidate as it is to appear on the  
348 ballot; the office sought, including the district or group  
349 number if applicable; and the signature of the candidate, which  
350 must be verified under oath or affirmation pursuant to s.  
351 92.525(1) (a).

352 3. If the office sought is partisan, the written statement  
353 of political party affiliation required by s. 99.021(1) (b); or  
354 if the candidate is running without party affiliation for a  
355 partisan office, the written statement required by s.  
356 99.021(1) (c).

357 4. The completed form for the appointment of campaign  
358 treasurer and designation of campaign depository, as required by  
359 s. 106.021.



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360           5. The full and public disclosure or statement of financial  
361 interests required by subsection (5). A public officer who has  
362 filed the full and public disclosure or statement of financial  
363 interests with the Commission on Ethics or the supervisor before  
364 ~~of elections prior to~~ qualifying for office may file a copy of  
365 that disclosure at the time of qualifying.

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

368           100.111 Filling vacancy.—

369           (2) Whenever there is a vacancy for which a special  
370 election is required pursuant to s. 100.101, the Governor, after  
371 consultation with the Secretary of State and the supervisor of  
372 elections of any affected county, shall fix the dates of a  
373 special primary election and a special election. Nominees of  
374 political parties shall be chosen under the primary laws of this  
375 state in the special primary election to become candidates in  
376 the special election. Before ~~Prior to~~ setting the special  
377 election dates, the Governor shall consider any upcoming  
378 elections in the jurisdiction where the special election will be  
379 held and, in the event of a vacancy in a state legislative  
380 office, shall limit the period of any such vacancy during a  
381 regular legislative session to the greatest extent possible in  
382 fixing such dates. Notwithstanding the foregoing, a special  
383 election may not be held later than 180 days after a vacancy has  
384 occurred. The dates fixed by the Governor must ~~shall~~ be specific  
385 days certain and may ~~shall~~ not be established by the happening  
386 of a condition or stated in the alternative. The dates fixed  
387 must ~~shall~~ provide a minimum of 10 ~~2~~ weeks between each  
388 election. In the event a vacancy occurs in the office of state



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389 senator or member of the House of Representatives when the  
390 Legislature is in regular legislative session, the minimum times  
391 prescribed by this subsection may be waived upon concurrence of  
392 the Governor, the Speaker of the House of Representatives, and  
393 the President of the Senate. If a vacancy occurs in the office  
394 of state senator and no session of the Legislature is scheduled  
395 to be held before ~~prior to~~ the next general election, the  
396 Governor may fix the dates for the special primary election and  
397 for the special election to coincide with the dates of the  
398 primary election and general election. If a vacancy in office  
399 occurs in any district in the state Senate or House of  
400 Representatives or in any congressional district, and no session  
401 of the Legislature, or session of Congress if the vacancy is in  
402 a congressional district, is scheduled to be held during the  
403 unexpired portion of the term, the Governor is not required to  
404 call a special election to fill such vacancy.

405 (a) The dates for candidates to qualify in such special  
406 election or special primary election must ~~shall~~ be fixed by the  
407 Department of State, and candidates must ~~shall~~ qualify no ~~not~~  
408 later than noon of the last day so fixed. The dates fixed for  
409 qualifying must ~~shall~~ allow a minimum of 14 days between the  
410 last day of qualifying and the special primary election.

411 (b) The filing of campaign expense statements by candidates  
412 in such special elections or special primaries and by committees  
413 making contributions or expenditures to influence the results of  
414 such special primaries or special elections must ~~shall~~ be no ~~not~~  
415 later than such dates as ~~shall be~~ fixed by the Department of  
416 State, and in fixing such dates the Department of State shall  
417 take into consideration and be governed by the practical time



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418 limitations.

419 (c) The dates for a candidate to qualify by the petition  
420 process pursuant to s. 99.095 in such special primary or special  
421 election must ~~shall~~ be fixed by the Department of State. In  
422 fixing such dates the Department of State shall take into  
423 consideration and be governed by the practical time limitations.  
424 Any candidate seeking to qualify by the petition process in a  
425 special primary election must ~~shall~~ obtain 25 percent of the  
426 signatures required by s. 99.095.

427 (d) The qualifying fees and party assessments of such  
428 candidates as may qualify must ~~shall~~ be the same as collected  
429 for the same office at the last previous primary for that  
430 office. The party assessment must ~~shall~~ be paid to the  
431 appropriate executive committee of the political party to which  
432 the candidate belongs.

433 (e) Each county canvassing board shall make as speedy a  
434 return of the result of such special primary elections and  
435 special elections as time will permit, and the Elections  
436 Canvassing Commission likewise shall make as speedy a canvass  
437 and declaration of the nominees as time will permit.

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

440 100.141 Notice of special election to fill any vacancy in  
441 office.—

442 (1) Whenever a special election is required to fill any  
443 vacancy in office, the Governor, after consultation with the  
444 Secretary of State and the supervisor of elections of any  
445 affected county, shall issue an order declaring on what day the  
446 election shall be held and deliver the order to the Department





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447 of State. The Governor shall issue the order within 14 calendar  
448 days after the occurrence of the vacancy or, for vacancies  
449 arising due to a resignation under s. 99.012, within 14 calendar  
450 days after submittal of the written resignation to the Governor,  
451 whichever is sooner.

452 Section 11. Paragraph (a) of subsection (7) of section  
453 100.371, Florida Statutes, is amended, and paragraph (c) is  
454 added to that subsection, to read:

455 100.371 Initiatives; procedure for placement on ballot.—

456 (7)~~(a)~~ A sponsor that collects petition forms or uses a  
457 petition circulator to collect petition forms serves as a  
458 fiduciary to the elector signing the petition form, ensuring  
459 that any petition form entrusted to the petition circulator  
460 shall be promptly delivered to the supervisor ~~of elections~~  
461 within 30 days after the elector signs the form.

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

465 1. A fine in the amount of \$50 for each petition form  
466 received by the supervisor of elections more than 30 days after  
467 the elector signed the petition form or the next business day,  
468 if the office is closed. A fine in the amount of \$250 for each  
469 petition form received if the sponsor or petition circulator  
470 acted willfully.

471 2. A fine in the amount of \$500 for each petition form  
472 collected by a petition circulator which is not submitted to the  
473 supervisor of elections. A fine in the amount of \$1,000 for any  
474 petition form not submitted if the sponsor or petition  
475 circulator acted willfully.



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476 (c) A sponsor shall deliver petition forms to the  
477 supervisor grouped in batches by the petition circulator who  
478 collected them.

479 Section 12. Section 100.51, Florida Statutes, is created to  
480 read:

481 100.51 General Election Day paid holiday.—In order to  
482 encourage civic participation, enable more individuals to serve  
483 as poll workers, and provide additional time for the resolution  
484 of any issues that arise while an elector is casting his or her  
485 vote, General Election Day shall be a paid holiday. An elector  
486 is entitled to absent himself or herself from any service or  
487 employment in which he or she is engaged or employed during the  
488 time the polls are open on General Election Day. An elector who  
489 absents himself or herself under this section may not be  
490 penalized in any way, and a deduction may not be made from his  
491 or her usual salary or wages on account of his or her absence.

492 Section 13. Section 101.016, Florida Statutes, is created  
493 to read:

494 101.016 Strategic elections equipment reserve.—The Division  
495 of Elections shall maintain a strategic elections equipment  
496 reserve of voting systems that may be deployed in the event of  
497 an emergency as defined in s. 101.732 or upon the occurrence of  
498 equipment capacity issues due to unexpected voter turnout. The  
499 reserve must include tabulation equipment and any other  
500 necessary equipment, including, but not limited to, printers,  
501 which are in use by each supervisor of elections. In lieu of  
502 maintaining a physical reserve of such equipment, the division  
503 may contract with a vendor of voting equipment to provide such  
504 equipment on an as-needed basis.



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

507 101.048 Provisional ballots.—

508 (1) At all elections, a voter claiming to be properly  
509 registered in this ~~the~~ state and eligible to vote ~~at the~~  
510 ~~precinct~~ in the election but whose eligibility cannot be  
511 determined, a person whom an election official asserts is not  
512 eligible, and other persons specified in the code shall be  
513 entitled to vote a provisional ballot at any precinct in the  
514 county in which the voter claims to be registered. Once voted,  
515 the provisional ballot must ~~shall~~ be placed in a secrecy  
516 envelope and thereafter sealed in a provisional ballot envelope.  
517 The provisional ballot must ~~shall~~ be deposited in a ballot box.  
518 All provisional ballots must ~~shall~~ remain sealed in their  
519 envelopes for return to the supervisor of elections. The  
520 department shall prescribe the form of the provisional ballot  
521 envelope. A person casting a provisional ballot shall have the  
522 right to present written evidence supporting his or her  
523 eligibility to vote to the supervisor of elections by not later  
524 than 5 p.m. on the second day following the election.

525 (2) (a) The county canvassing board shall examine each  
526 Provisional Ballot Voter's Certificate and Affirmation to  
527 determine if the person voting that ballot was entitled to vote  
528 in the county in which ~~at the precinct where~~ the person cast a  
529 vote in the election and that the person had not already cast a  
530 ballot in the election. In determining whether a person casting  
531 a provisional ballot is entitled to vote, the county canvassing  
532 board shall review the information provided in the Voter's  
533 Certificate and Affirmation, written evidence provided by the



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534 person pursuant to subsection (1), information provided in any  
535 cure affidavit and accompanying supporting documentation  
536 pursuant to subsection (6), any other evidence presented by the  
537 supervisor, and, in the case of a challenge, any evidence  
538 presented by the challenger. A ballot of a person casting a  
539 provisional ballot must ~~shall~~ be canvassed pursuant to paragraph  
540 (b) unless the canvassing board determines by a preponderance of  
541 the evidence that the person was not entitled to vote.

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

549 1. The signature on the voter's certificate or the cure  
550 affidavit matches the elector's signature in the registration  
551 books or the precinct register; however, in the case of a cure  
552 affidavit, the supporting identification listed in subsection  
553 (6) must also confirm the identity of the elector; or

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

559  
560 For purposes of this paragraph, any canvassing board finding  
561 that signatures do not match must be by majority vote and beyond  
562 a reasonable doubt.



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

567 (d) If a provisional ballot is validated following the  
568 submission of a cure affidavit, the supervisor must make a copy  
569 of the affidavit, affix it to a voter registration application,  
570 and immediately process it as a valid request for a signature  
571 update pursuant to s. 98.077.

572 Section 15. Paragraph (a) of subsection (2) and paragraph  
573 (a) of subsection (3) of section 101.151, Florida Statutes, are  
574 amended to read:

575 101.151 Specifications for ballots.—

576 (2) (a) The ballot must include the following office titles  
577 above the names of the candidates for the respective offices in  
578 the following order:

579 1. The office titles of President and Vice President above  
580 the randomly ordered names of the candidates for President and  
581 Vice President of the United States ~~nominated by the political~~  
582 ~~party that received the highest vote for Governor in the last~~  
583 ~~general election of the Governor in this state, followed by the~~  
584 ~~names of other candidates for President and Vice President of~~  
585 ~~the United States~~ who have been properly nominated.

586 2. The office titles of United States Senator and  
587 Representative in Congress.

588 3. The office titles of Governor and Lieutenant Governor;  
589 Attorney General; Chief Financial Officer; Commissioner of  
590 Agriculture; Secretary of State; State Attorney, with the  
591 applicable judicial circuit; and Public Defender, with the



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592 applicable judicial circuit.

593         4. The office titles of State Senator and State  
594 Representative, with the applicable district for the office  
595 printed beneath.

596         5. The office titles of Clerk of the Circuit Court or, when  
597 the Clerk of the Circuit Court also serves as the County  
598 Comptroller, Clerk of the Circuit Court and Comptroller, when  
599 authorized by law; Clerk of the County Court, when authorized by  
600 law; Sheriff; Property Appraiser; Tax Collector; District  
601 Superintendent of Schools; and Supervisor of Elections.

602         6. The office titles of Board of County Commissioners, with  
603 the applicable district printed beneath each office, and such  
604 other county and district offices as are involved in the  
605 election, in the order fixed by the Department of State,  
606 followed, in the year of their election, by "Party Offices," and  
607 thereunder the offices of state and county party executive  
608 committee members.

609         (3) (a) The names of the candidates ~~of the party that~~  
610 ~~received the highest number of votes for Governor in the last~~  
611 ~~election in which a Governor was elected~~ shall be ordered  
612 randomly placed first for each office on the general election  
613 ballot, together with an appropriate abbreviation of the party  
614 name; ~~the names of the candidates of the party that received the~~  
615 ~~second highest vote for Governor shall be placed second for each~~  
616 ~~office, together with an appropriate abbreviation of the party~~  
617 ~~name.~~

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

620         101.5612 Testing of tabulating equipment.—



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

625           Section 17. Paragraph (a) of subsection (1), subsection  
626 (2), and paragraph (c) of subsection (4) of section 101.62,  
627 Florida Statutes, are amended, and subsection (8) is added to  
628 that section, to read:

629           101.62 Request for vote-by-mail ballots.—

630           (1) (a) The supervisor shall accept a request for a vote-by-  
631 mail ballot from an elector in person or in writing. One request  
632 is deemed sufficient to receive a vote-by-mail ballot for all  
633 elections until the elector or the elector's designee notifies  
634 the supervisor that the elector cancels such request ~~through the~~  
635 ~~end of the calendar year of the next regularly scheduled general~~  
636 ~~election~~, unless the elector or the elector's designee indicates  
637 at the time the request is made the elections ~~within such period~~  
638 for which the elector desires to receive a vote-by-mail ballot.  
639 Such request may be considered canceled when any first-class  
640 mail sent by the supervisor to the elector is returned as  
641 undeliverable.

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

647           (4)

648           (c) The supervisor shall provide a vote-by-mail ballot to  
649 each elector by whom a request for that ballot has been made by



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650 one of the following means:

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

654 2. By forwardable mail, e-mail, or facsimile machine  
655 transmission to absent uniformed services voters and overseas  
656 voters. The absent uniformed services voter or overseas voter  
657 may designate in the vote-by-mail ballot request the preferred  
658 method of transmission. If the voter does not designate the  
659 method of transmission, the vote-by-mail ballot must ~~shall~~ be  
660 mailed.

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

664 4. By delivery to a designee on election day or up to 11 ~~9~~  
665 days before the day of an election. Any elector may designate,  
666 in writing, a person to pick up the ballot for the elector;  
667 ~~however, the person designated may not pick up more than two~~  
668 ~~vote-by-mail ballots per election, other than the designee's own~~  
669 ~~ballot, except that additional ballots may be picked up for~~  
670 ~~members of the designee's immediate family. For purposes of this~~  
671 ~~section, "immediate family" means the designee's spouse or the~~  
672 ~~parent, child, grandparent, grandchild, or sibling of the~~  
673 ~~designee or of the designee's spouse. The designee shall provide~~  
674 ~~to the supervisor the written authorization by the elector and a~~  
675 ~~picture identification of the designee and must complete an~~  
676 ~~affidavit. The designee shall state in the affidavit that the~~  
677 ~~designee is authorized by the elector to pick up that ballot and~~  
678 ~~shall indicate if the elector is a member of the designee's~~





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679 ~~immediate family and, if so, the relationship. The department~~  
680 ~~shall prescribe the form of the affidavit. If the supervisor is~~  
681 ~~satisfied that the designee is authorized to pick up the ballot~~  
682 ~~and that the signature of the elector on the written~~  
683 ~~authorization matches the signature of the elector on file, the~~  
684 ~~supervisor shall give the ballot to that designee for delivery~~  
685 ~~to the elector.~~

686         5. Except as provided in s. 101.655, the supervisor may not  
687 deliver a vote-by-mail ballot to an elector or an elector's  
688 immediate family member on the day of the election unless there  
689 is an emergency, to the extent that the elector will be unable  
690 to go to his or her assigned polling place. If a vote-by-mail  
691 ballot is delivered, the elector or his or her designee must  
692 ~~shall~~ execute an affidavit affirming to the facts which allow  
693 for delivery of the vote-by-mail ballot. The department shall  
694 adopt a rule providing for the form of the affidavit.

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

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

700         101.64 Delivery of vote-by-mail ballots; envelopes; form.-

701         (1) (a) The supervisor shall enclose with each vote-by-mail  
702 ballot two envelopes: a secrecy envelope, into which the absent  
703 elector shall enclose his or her marked ballot; and a postage  
704 prepaid mailing envelope, into which the absent elector must  
705 ~~shall~~ then place the secrecy envelope, which must ~~shall~~ be  
706 addressed to the supervisor and also bear on the back side a  
707 certificate in substantially the following form:



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

710 VOTER'S CERTIFICATE

711 I, ....., do solemnly swear or affirm that I am a qualified  
712 and registered voter of .... County, Florida, and that I have  
713 not and will not vote more than one ballot in this election. I  
714 understand that if I commit or attempt to commit any fraud in  
715 connection with voting, vote a fraudulent ballot, or vote more  
716 than once in an election, I can be convicted of a felony of the  
717 third degree and fined up to \$5,000 and/or imprisoned for up to  
718 5 years. I also understand that failure to sign this certificate  
719 will invalidate my ballot.

720 ... (Date) ...

721 ... (Voter's Signature or Last Four Digits of Social Security  
722 Number) ...

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

724 ... (Mobile Telephone Number) ...

725 (2) The certificate must ~~shall~~ be arranged on the back of  
726 the mailing envelope so that the line for the signature or last  
727 four digits of the social security number of the absent elector  
728 is across the seal of the envelope; however, a ~~no~~ statement may  
729 not ~~shall~~ appear on the envelope which indicates that a  
730 signature or the last four digits of the social security number  
731 of the voter must cross the seal of the envelope. The absent  
732 elector must ~~shall~~ execute the certificate on the envelope.

733 Section 19. Section 101.65, Florida Statutes, is amended to  
734 read:

735 101.65 Instructions to absent electors.—The supervisor  
736 shall enclose with each vote-by-mail ballot separate printed



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737 instructions in substantially the following form; however, where  
738 the instructions appear in capitalized text, the text of the  
739 printed instructions must be in bold font:

740 READ THESE INSTRUCTIONS CAREFULLY  
741 BEFORE MARKING BALLOT.

742 1. VERY IMPORTANT. In order to ensure that your vote-by-  
743 mail ballot will be counted, it should be completed and returned  
744 as soon as possible so that it can reach the supervisor of  
745 elections of the county in which your precinct is located no  
746 later than 7 p.m. on the day of the election. However, if you  
747 are an overseas voter casting a ballot in a presidential  
748 preference primary or general election, your vote-by-mail ballot  
749 must be postmarked or dated no later than the date of the  
750 election and received by the supervisor of elections of the  
751 county in which you are registered to vote no later than 10 days  
752 after the date of the election. Note that the later you return  
753 your ballot, the less time you will have to cure any signature  
754 deficiencies, which may cause your ballot not to be counted ~~is~~  
755 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

763 4. Place your marked ballot in the enclosed secrecy  
764 envelope.

765 5. Insert the secrecy envelope into the enclosed mailing



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766 envelope which is addressed to the supervisor.

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

769         7. VERY IMPORTANT. In order for your vote-by-mail ballot to  
770 be counted, you must sign your name or print the last four  
771 digits of your social security number on the line above (Voter's  
772 Signature or Last Four Digits of Social Security Number). A  
773 vote-by-mail ballot will be considered illegal and not be  
774 counted if the signature or the last four digits of the social  
775 security number on the voter's certificate do ~~does~~ not match the  
776 signature or social security number on record. The signature on  
777 file at the time the supervisor of elections in the county in  
778 which your precinct is located receives your vote-by-mail ballot  
779 is the signature that will be used to verify your signature on  
780 the voter's certificate. If you need to update your signature  
781 for this election, send your signature update on a voter  
782 registration application to your supervisor of elections ~~so that~~  
783 ~~it is received before your vote-by-mail ballot is received.~~

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

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

794         10. FELONY NOTICE. It is a felony under Florida law to



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795 accept any gift, payment, or gratuity in exchange for your vote  
796 for a candidate. It is also a felony under Florida law to vote  
797 in an election using a false identity or false address, or under  
798 any other circumstances making your ballot false or fraudulent.

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

802 101.68 Canvassing of vote-by-mail ballot.—

803 (1) The supervisor of the county where the absent elector  
804 resides shall receive the voted ballot, at which time the  
805 supervisor shall compare the signature or last four digits of  
806 the social security number of the elector on the voter's  
807 certificate with the signature or last four digits of the social  
808 security number of the elector in the registration books or the  
809 precinct register to determine whether the elector is duly  
810 registered in the county and must record on the elector's  
811 registration record that the elector has voted. During the  
812 signature comparison process, the supervisor may not use any  
813 knowledge of the political affiliation of the voter whose  
814 signature is subject to verification. An elector who dies after  
815 casting a vote-by-mail ballot but on or before election day must  
816 ~~shall~~ remain listed in the registration books until the results  
817 have been certified for the election in which the ballot was  
818 cast. The supervisor shall safely keep the ballot unopened in  
819 his or her office until the county canvassing board canvasses  
820 the vote. Except as provided in subsection (4), after a vote-by-  
821 mail ballot is received by the supervisor, the ballot is deemed  
822 to have been cast, and changes or additions may not be made to  
823 the voter's certificate.



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824 (2)

825 (c)1. The canvassing board must, if the supervisor has not

826 already done so, compare the signature or last four digits of

827 the social security number of the elector on the voter's

828 certificate or on the vote-by-mail ballot cure affidavit as

829 provided in subsection (4) with the signature or last four

830 digits of the social security number of the elector in the

831 registration books or the precinct register to see that the

832 elector is duly registered in the county and to determine the

833 legality of that vote-by-mail ballot. A vote-by-mail ballot may

834 only be counted if:

835 a. The signature or last four digits of the social security

836 number on the voter's certificate or the cure affidavit match

837 ~~matches~~ the elector's signature or last four digits of the

838 social security number in the registration books or precinct

839 register; however, in the case of a cure affidavit, the

840 supporting identification listed in subsection (4) must also

841 confirm the identity of the elector; or

842 b. The cure affidavit contains a signature or last four

843 digits of the social security number which do ~~that does not~~

844 match the elector's signature or last four digits of the social

845 security number in the registration books or precinct register,

846 but the elector has submitted a current and valid Tier 1

847 identification pursuant to subsection (4) which confirms the

848 identity of the elector.

849

850 For purposes of this subparagraph, any canvassing board finding

851 that an elector's signatures or last four digits of the social

852 security numbers do not match must be by majority vote and



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853 beyond a reasonable doubt.

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

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

863         4. ~~If any elector or candidate present believes that a~~  
864 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~  
865 ~~voter's certificate or the cure affidavit, he or she may, at any~~  
866 ~~time before the ballot is removed from the envelope, file with~~  
867 ~~the canvassing board a protest against the canvass of that~~  
868 ~~ballot, specifying the precinct, the voter's certificate or the~~  
869 ~~cure affidavit, and the reason he or she believes the ballot to~~  
870 ~~be illegal. A challenge based upon a defect in the voter's~~  
871 ~~certificate or cure affidavit may not be accepted after the~~  
872 ~~ballot has been removed from the mailing envelope.~~

873         5. If the canvassing board determines that a ballot is  
874 illegal, a member of the board must, without opening the  
875 envelope, mark across the face of the envelope: "rejected as  
876 illegal." The cure affidavit, if applicable, the envelope, and  
877 the ballot therein must ~~shall~~ be preserved in the manner that  
878 official ballots are preserved.

879         (4) (a) As soon as practicable, the supervisor shall, on  
880 behalf of the county canvassing board, attempt to notify an  
881 elector who has returned a vote-by-mail ballot that does not



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882 include the elector's signature or last four digits of the  
883 social security number or contains a signature or last four  
884 digits of the social security number that do ~~does~~ not match the  
885 elector's signature or last four digits of the social security  
886 number in the registration books or precinct register by:

887 1. Notifying the elector of the signature or last four  
888 digits of the social security number deficiency by e-mail and  
889 directing the elector to the cure affidavit and instructions on  
890 the supervisor's website;

891 2. Notifying the elector of the signature or last four  
892 digits of the social security number deficiency by text message  
893 and directing the elector to the cure affidavit and instructions  
894 on the supervisor's website; or

895 3. Notifying the elector of the signature or last four  
896 digits of the social security number deficiency by telephone and  
897 directing the elector to the cure affidavit and instructions on  
898 the supervisor's website.

899  
900 In addition to the notification required under subparagraph 1.,  
901 subparagraph 2., or subparagraph 3., the supervisor must notify  
902 the elector of the signature or last four digits of the social  
903 security number deficiency by first-class mail and direct the  
904 elector to the cure affidavit and instructions on the  
905 supervisor's website. Beginning the day before the election, the  
906 supervisor is not required to provide notice of the signature  
907 deficiency by first-class mail, but shall continue to provide  
908 notice as required under subparagraph 1., subparagraph 2., or  
909 subparagraph 3.

910 (c) The elector must complete a cure affidavit in





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911 substantially the following form:

912 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

913 I, ....., am a qualified voter in this election and  
914 registered voter of .... County, Florida. I do solemnly swear or  
915 affirm that I requested and returned the vote-by-mail ballot and  
916 that I have not and will not vote more than one ballot in this  
917 election. I understand that if I commit or attempt any fraud in  
918 connection with voting, vote a fraudulent ballot, or vote more  
919 than once in an election, I may be convicted of a felony of the  
920 third degree and fined up to \$5,000 and imprisoned for up to 5  
921 years. I understand that my failure to sign this affidavit means  
922 that my vote-by-mail ballot will be invalidated.

923 ... (Voter's Signature or Last Four Digits of Social Security  
924 Number) ...

925 ... (Address) ...

926 (d) Instructions must accompany the cure affidavit in  
927 substantially the following form:

928 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE  
929 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
930 BALLOT NOT TO COUNT.

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

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

939 3. You must make a copy of one of the following forms of



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940 identification:

941 a. Tier 1 identification.—Current and valid identification  
942 that includes your name and photograph: Florida driver license;  
943 Florida identification card issued by the Department of Highway  
944 Safety and Motor Vehicles; United States passport; debit or  
945 credit card; military identification; student identification;  
946 retirement center identification; neighborhood association  
947 identification; public assistance identification; veteran health  
948 identification card issued by the United States Department of  
949 Veterans Affairs; a Florida license to carry a concealed weapon  
950 or firearm; or an employee identification card issued by any  
951 branch, department, agency, or entity of the Federal Government,  
952 the state, a county, or a municipality; or

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

958 4. Place the envelope bearing the affidavit into a mailing  
959 envelope addressed to the supervisor. Insert a copy of your  
960 identification in the mailing envelope. Mail (if time permits),  
961 deliver, or have delivered the completed affidavit along with  
962 the copy of your identification to your county supervisor of  
963 elections. Be sure there is sufficient postage if mailed and  
964 that the supervisor's address is correct. Remember, your  
965 information MUST reach your county supervisor of elections no  
966 later than 5 p.m. on the 2nd day after the election, or your  
967 ballot will not count.

968 5. Alternatively, you may fax or e-mail your completed



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969 affidavit and a copy of your identification to the supervisor of  
970 elections. If e-mailing, please provide these documents as  
971 attachments.

972 Section 21. Section 101.6952, Florida Statutes, is amended  
973 to read:

974 101.6952 Vote-by-mail ballots for absent ~~uniformed services~~  
975 ~~and overseas~~ voters.-

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

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

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

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

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

992 (b)1. In an election for federal office, an elector may  
993 designate a candidate by writing the name of a candidate on the  
994 ballot. Except for a primary or special primary election, the  
995 elector may alternatively designate a candidate by writing the  
996 name of a political party on the ballot. A written designation  
997 of the political party must ~~shall~~ be counted as a vote for the



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998 candidate of that party if there is such a party candidate in  
999 the race.

1000 2. In a state or local election, an elector may vote in the  
1001 section of the federal write-in absentee ballot designated for  
1002 nonfederal races by writing on the ballot the title of each  
1003 office and by writing on the ballot the name of the candidate  
1004 for whom the elector is voting. Except for a primary, special  
1005 primary, or nonpartisan election, the elector may alternatively  
1006 designate a candidate by writing the name of a political party  
1007 on the ballot. A written designation of the political party must  
1008 ~~shall~~ be counted as a vote for the candidate of that party if  
1009 there is such a party candidate in the race. In addition, the  
1010 elector may vote on any ballot measure presented in such  
1011 election by identifying the ballot measure on which he or she  
1012 desires to vote and specifying his or her vote on the measure.  
1013 For purposes of this section, a vote cast in a judicial merit  
1014 retention election must ~~shall~~ be treated in the same manner as a  
1015 ballot measure in which the only allowable responses are "Yes"  
1016 or "No."

1017 (c) In the case of a joint candidacy, such as for the  
1018 offices of President/Vice President or Governor/Lieutenant  
1019 Governor, a valid vote for one or both qualified candidates on  
1020 the same ticket constitutes ~~shall constitute~~ a vote for the  
1021 joint candidacy.

1022 (d) For purposes of this subsection and except when the  
1023 context clearly indicates otherwise, such as when a candidate in  
1024 the election is affiliated with a political party whose name  
1025 includes the word "Independent," "Independence," or a similar  
1026 term, a voter designation of "No Party Affiliation" or



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1027 "Independent," or any minor variation, misspelling, or  
1028 abbreviation thereof, shall be considered a designation for the  
1029 candidate, other than a write-in candidate, who qualified to run  
1030 in the race with no party affiliation. If more than one  
1031 candidate qualifies to run as a candidate with no party  
1032 affiliation, the designation may not count for any candidate  
1033 unless there is a valid, additional designation of the  
1034 candidate's name.

1035 (e) Any abbreviation, misspelling, or other minor variation  
1036 in the form of the name of an office, the name of a candidate,  
1037 the ballot measure, or the name of a political party must be  
1038 disregarded in determining the validity of the ballot.

1039 (3) (a) An absent ~~uniformed services voter or an overseas~~  
1040 voter who submits a federal write-in absentee ballot and later  
1041 receives an official vote-by-mail ballot may submit the official  
1042 vote-by-mail ballot. An elector who submits a federal write-in  
1043 absentee ballot and later receives and submits an official vote-  
1044 by-mail ballot should make every reasonable effort to inform the  
1045 appropriate supervisor of elections that the elector has  
1046 submitted more than one ballot.

1047 (b) ~~A federal write-in absentee ballot may not be canvassed~~  
1048 ~~until 7 p.m. on the day of the election.~~ A federal write-in  
1049 absentee ballot from an absent ~~overseas~~ voter in a presidential  
1050 preference primary or general election may not be canvassed  
1051 until the conclusion of the 10-day period specified in  
1052 subsection (5). Each federal write-in absentee ballot received  
1053 by 7 p.m. on the day of the election must ~~shall~~ be canvassed  
1054 pursuant to ss. 101.5614(4) and 101.68, unless the elector's  
1055 official vote-by-mail ballot is received by 7 p.m. on election



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1056 day. Each federal write-in absentee ballot from an absent  
1057 ~~overseas~~ voter in a presidential preference primary or general  
1058 election received by 10 days after the date of the election must  
1059 ~~shall~~ be canvassed pursuant to ss. 101.5614(4) and 101.68,  
1060 unless the absent ~~overseas~~ voter's official vote-by-mail ballot  
1061 is received by 10 days after the date of the election. If the  
1062 elector's official vote-by-mail ballot is received ~~by 7 p.m. on~~  
1063 ~~election day, or, for an overseas voter in a presidential~~  
1064 ~~preference primary or general election,~~ no later than 10 days  
1065 after the date of the election, the federal write-in absentee  
1066 ballot is invalid and the official vote-by-mail ballot must  
1067 ~~shall~~ be canvassed. The time shall be regulated by the customary  
1068 time in standard use in the county seat of the locality.

1069 (4) For vote-by-mail ballots received from absent ~~uniformed~~  
1070 ~~services voters or overseas~~ voters, there is a presumption that  
1071 the envelope was mailed on the date stated on the outside of the  
1072 return envelope, regardless of the absence of a postmark on the  
1073 mailed envelope or the existence of a postmark date ~~that is~~  
1074 later than the date of the election.

1075 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in  
1076 any presidential preference primary or general election which is  
1077 postmarked or dated no later than the date of the election and  
1078 is received by the supervisor of elections of the county in  
1079 which the absent ~~overseas~~ voter is registered no later than 10  
1080 days after the date of the election must ~~shall~~ be counted as  
1081 long as the vote-by-mail ballot is otherwise proper.

1082 Section 22. Subsection (6) is added to section 101.71,  
1083 Florida Statutes, to read:

1084 101.71 Polling place.—



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1085           (6) A polling place may not be located within a gated  
1086 community unless the legal residence of every elector in the  
1087 precinct is within such gated community.

1088           Section 23. Paragraph (f) is added to subsection (4) and  
1089 subsection (6) is added to section 102.031, Florida Statutes, to  
1090 read:

1091           102.031 Maintenance of good order at polls; authorities;  
1092 persons allowed in polling rooms and early voting areas;  
1093 unlawful solicitation of voters.—

1094           (4)

1095           (f) A person may provide food, water, or other items,  
1096 including, but not limited to, over-the-counter medication,  
1097 chairs, fans, and umbrellas or other rain gear, to voters  
1098 standing in line to vote outside the no-solicitation zone.

1099           (6) Bullhorns or other devices used to amplify sound are  
1100 prohibited in close proximity to:

1101           (a) A polling place during voting hours.

1102           (b) An office of the supervisor during a recount.

1103           Section 24. Subsection (2) of section 102.111, Florida  
1104 Statutes, is amended to read:

1105           102.111 Elections Canvassing Commission.—

1106           (2) The Elections Canvassing Commission shall meet at 9  
1107 a.m. on the 9th day after a primary election to certify the  
1108 returns for each federal, state, and multicounty office. The  
1109 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a  
1110 general election to certify the returns of the election for each  
1111 federal, state, and multicounty office. The commission shall  
1112 meet at 9 a.m. on the 21st day after a general election to  
1113 certify the returns for each federal and state office. If a



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1114 member of a county canvassing board that was constituted  
1115 pursuant to s. 102.141 determines, within 5 days after the  
1116 certification by the Elections Canvassing Commission, that a  
1117 typographical error occurred in the official returns of the  
1118 county, the correction of which could result in a change in the  
1119 outcome of an election, the county canvassing board must certify  
1120 corrected returns to the Department of State within 24 hours,  
1121 and the Elections Canvassing Commission must correct and  
1122 recertify the election returns as soon as practicable.

1123 Section 25. Subsection (2) of section 102.112, Florida  
1124 Statutes, is amended to read:

1125 102.112 Deadline for submission of county returns to the  
1126 Department of State.—

1127 (2) Returns must be filed by 5 p.m. on the 7th day  
1128 following a primary election, ~~and~~ by noon on the 12th day  
1129 following the general election for multicounty offices, and by  
1130 noon on the 19th day following the general election for federal  
1131 and statewide offices. However, the Department of State may  
1132 correct typographical errors, including the transposition of  
1133 numbers, in any returns submitted to the Department of State  
1134 pursuant to s. 102.111(2).

1135 Section 26. Section 102.181, Florida Statutes, is created  
1136 to read:

1137 102.181 Action against supervisor of elections.—

1138 (1) Any elector qualified to vote in or any candidate for  
1139 office in an election may file an action against the supervisor  
1140 of elections administering such election for noncompliance with  
1141 any provision of this code.

1142 (2) Any elector or candidate who files such an action is





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1143 entitled to an immediate hearing.

1144 (3) In any such action, any filing fees or costs must be  
1145 waived, and attorney fees must be awarded to the prevailing  
1146 party or parties.

1147 Section 27. This act shall take effect July 1, 2023.

1148

1149 ===== T I T L E A M E N D M E N T =====

1150 And the title is amended as follows:

1151 Delete everything before the enacting clause  
1152 and insert:

1153 A bill to be entitled  
1154 An act relating to elections; amending s. 20.10, F.S.;  
1155 requiring the Secretary of State to be elected rather  
1156 than appointed; specifying when such election must  
1157 occur; amending s. 97.053, F.S.; requiring an  
1158 applicant to designate a party affiliation or select  
1159 "no party affiliation" to be registered to vote;  
1160 requiring a supervisor of elections to provide a  
1161 certain notification; requiring the voter registration  
1162 application to include certain information; creating  
1163 s. 97.0556, F.S.; authorizing a person who meets  
1164 certain requirements to register to vote at an early  
1165 voting site or at his or her polling place and to  
1166 immediately thereafter cast a ballot; amending s.  
1167 97.057, F.S.; authorizing the Department of Highway  
1168 Safety and Motor Vehicles to preregister certain  
1169 individuals to vote; providing that driver license or  
1170 identification card applications, driver license or  
1171 identification card renewal applications, and



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1172 applications for changes of address for existing  
1173 driver licenses or identification cards submitted to  
1174 the department serve as voter registration  
1175 applications; providing that an applicant is deemed to  
1176 have consented to the use of his or her signature for  
1177 voter registration purposes unless a declination is  
1178 made; requiring specified applications to include a  
1179 voter registration component, subject to approval by  
1180 the Department of State; providing requirements for  
1181 the voter registration component; requiring the  
1182 Department of Highway Safety and Motor Vehicles to  
1183 electronically transmit voter registration information  
1184 to the Department of State within a specified  
1185 timeframe; requiring the Department of State to  
1186 provide such information to supervisors of elections,  
1187 as applicable; deleting obsolete language; making  
1188 technical changes; amending s. 97.0575, F.S.; revising  
1189 certain penalties for third-party voter registration  
1190 organizations; deleting the aggregate limit of such  
1191 penalties; amending s. 98.045, F.S.; conforming a  
1192 cross-reference; amending s. 98.065, F.S.; revising  
1193 requirements for registration list maintenance  
1194 programs; requiring supervisors to designate voters as  
1195 inactive if certain conditions are met; prohibiting  
1196 the number of voters on the inactive list from being  
1197 used to calculate the number of signatures necessary  
1198 for a petition; providing conditions under which a  
1199 voter on the inactive list may be restored to the  
1200 active list; requiring an inactive voter's name to be



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1201 removed from the statewide voter registration system  
1202 if certain conditions are met; providing requirements  
1203 for such inactive voter to have his or her name  
1204 restored to the system; amending s. 99.061, F.S.;  
1205 authorizing a candidate to pay his or her  
1206 qualification fee with a cashier's check; amending  
1207 100.111, F.S.; requiring the Governor to consult with  
1208 affected supervisors of elections in fixing the dates  
1209 for special elections; requiring the Governor, in the  
1210 event of a vacancy in a state legislative office, to  
1211 limit the period of such vacancy during a regular  
1212 legislative session to the greatest extent possible in  
1213 fixing a special election date; requiring the Governor  
1214 to fix the date for a special election to be held  
1215 within a certain timeframe; revising the minimum time  
1216 between a special primary election and a special  
1217 election; amending s. 100.141, F.S.; requiring the  
1218 Governor to issue an order calling for a special  
1219 election within a certain timeframe; conforming a  
1220 provision to changes made by the act; amending s.  
1221 100.371, F.S.; providing a requirement for the  
1222 delivery of certain petition forms; creating s.  
1223 100.51, F.S.; establishing General Election Day as a  
1224 paid holiday; providing that an elector may absent  
1225 himself or herself from service or employment at a  
1226 specific time on a General Election Day and may not be  
1227 penalized or have salary or wages reduced for such  
1228 absence; creating s. 101.016, F.S.; requiring the  
1229 Division of Elections to maintain a strategic



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1230 elections equipment reserve of voting systems and  
1231 other equipment for specified purposes; requiring such  
1232 reserve to include specified equipment; authorizing  
1233 the division to contract with specified entities  
1234 rather than physically maintain such reserve; amending  
1235 s. 101.048, F.S.; providing that a voter may cast a  
1236 provisional vote at any precinct in the county in  
1237 which the voter claims to be registered; amending s.  
1238 101.151, F.S.; revising the order in which office  
1239 titles and names of candidates are placed on the  
1240 ballot; conforming provisions to changes made by the  
1241 act; amending s. 101.5612, F.S.; requiring supervisors  
1242 of elections to annually file a plan for operations  
1243 under certain conditions; amending s. 101.62, F.S.;  
1244 providing that a request for a vote-by-mail ballot is  
1245 valid until such request is canceled; revising the  
1246 deadline by which requests for vote-by-mail ballots  
1247 must be received by a supervisor of elections;  
1248 revising the period during which a supervisor of  
1249 elections may deliver certain ballots; deleting  
1250 requirements for a person designated by an elector to  
1251 pick up the elector's vote-by-mail ballot; providing  
1252 for extension of deadlines under certain conditions;  
1253 amending s. 101.64, F.S.; requiring supervisors of  
1254 elections to enclose a postage prepaid mailing  
1255 envelope with each vote-by-mail ballot; providing that  
1256 vote-by-mail ballot voter certificates may be signed  
1257 with the last four digits of the voter's social  
1258 security number; amending s. 101.65, F.S.; revising



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1259 instructions that must be provided with a vote-by-mail  
1260 ballot; amending s. 101.68, F.S.; requiring  
1261 supervisors of elections to compare the signature or  
1262 last four digits of the social security number on a  
1263 voter's certificate with the signature or last four  
1264 digits of the social security number in the  
1265 registration books or precinct register when  
1266 canvassing a vote-by-mail ballot; requiring a  
1267 canvassing board to compare the signature or last four  
1268 digits of the social security number on a voter's  
1269 certificate or cure affidavit with the signature or  
1270 last four digits of the social security number in the  
1271 registration books or precinct register when  
1272 canvassing a vote-by-mail ballot; deleting the  
1273 authorization for certain persons to file a protest  
1274 against the canvass of a ballot; amending s. 101.6952,  
1275 F.S.; authorizing an absent voter to submit a federal  
1276 write-in absentee ballot or vote-by-mail ballot;  
1277 revising requirements for the canvassing of specified  
1278 ballots; providing that a certain presumption applies  
1279 to vote-by-mail ballots received from absent voters;  
1280 requiring a vote-by-mail ballot from an absent voter  
1281 which is postmarked or dated by a certain date to be  
1282 counted; amending s. 101.71, F.S.; prohibiting a  
1283 polling place from being located within a gated  
1284 community unless certain conditions are met; amending  
1285 s. 102.031, F.S.; authorizing a person to provide  
1286 food, water, or other items to certain voters;  
1287 prohibiting the use of devices that amplify sound in



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1288 certain locations during certain hours; amending s.  
1289 102.111, F.S.; revising the dates by which the  
1290 Elections Canvassing Commission must certify certain  
1291 election returns; amending s. 102.112, F.S.; revising  
1292 the deadlines for submission of county returns to the  
1293 Department of State; creating s. 102.181, F.S.;  
1294 authorizing certain persons to file actions against a  
1295 supervisor of elections for noncompliance with the  
1296 election code; providing that such persons are  
1297 entitled to an immediate hearing; providing for the  
1298 waiver of fees and costs and the awarding of attorney  
1299 fees; providing an effective date.