

By Senator Garcia

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1 A bill to be entitled
2 An act relating to ballot boxes; amending s. 101.24,
3 F.S.; requiring a law enforcement officer to transport
4 ballot boxes or ballot transfer containers from a
5 supervisor of elections to a precinct; requiring that
6 all ballot boxes and ballot transfer containers be
7 supervised by a law enforcement officer at all times;
8 amending s. 102.071, F.S.; requiring all ballot boxes,
9 ballots, ballot stubs, memoranda, and papers to be
10 transported by a law enforcement officer; making
11 technical changes; amending s. 102.101, F.S.;
12 conforming provisions to changes made by the act;
13 providing an effective date.

14
15 Be It Enacted by the Legislature of the State of Florida:

16
17 Section 1. Section 101.24, Florida Statutes, is amended to
18 read:

19 101.24 Ballot boxes and ballots.—

20 (1) The supervisor of elections shall prepare for each
21 polling place one ballot box of sufficient size to contain all
22 the ballots of the particular precinct, and the ballot box shall
23 be plainly marked with the name of the precinct for which it is
24 intended. An additional ballot box, if necessary, may be
25 supplied to any precinct. Before each election, the supervisor
26 shall place in the ballot box or ballot transfer container as
27 many ballots as are required in s. 101.21. After securely
28 sealing the ballot box or ballot transfer container, the
29 supervisor shall send the ballot box or ballot transfer

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30 container to the clerk or inspector of election of the precinct
31 in which it is to be used. A law enforcement officer shall
32 transport the ballot box or ballot transfer container from the
33 supervisor to the precinct. The clerk or inspector shall be
34 placed under oath or affirmation to perform his or her duties
35 faithfully and without favor or prejudice to any political
36 party.

37 (2) A ballot box or ballot transfer container must be under
38 the supervision of a law enforcement officer at all times during
39 an election until such ballot box or ballot transfer container
40 has been transported to the supervisor.

41 Section 2. Section 102.071, Florida Statutes, is amended to
42 read:

43 102.071 Tabulation of votes and proclamation of results.—
44 The election board shall post at the polls, for the benefit of
45 the public, the results of the voting for each office or other
46 item on the ballot as the count is completed. Upon completion of
47 all counts in all races, a certificate of the results must ~~shall~~
48 be drawn up by the inspectors and clerk at each precinct upon a
49 form provided by the supervisor of elections which must ~~shall~~
50 contain the name of each person voted for, for each office, and
51 the number of votes cast for each person for such office; and,
52 if any question is submitted, the certificate must ~~shall~~ also
53 contain the number of votes cast for and against the question.
54 The certificate must ~~shall~~ be signed by the inspectors and clerk
55 and must ~~shall~~ be delivered without delay by one of the
56 inspectors, securely sealed, to the supervisor for immediate
57 publication. All the ballot boxes, ballots, ballot stubs,
58 memoranda, and papers of all kinds used in the election must

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59 ~~shall~~ also be transported ~~transmitted~~, after being sealed by the
60 inspectors, to the supervisor's office by a law enforcement
61 officer. Registration books and the poll lists may ~~shall~~ not be
62 placed in the ballot boxes but must ~~shall~~ be returned to the
63 supervisor.

64 Section 3. Section 102.101, Florida Statutes, is amended to
65 read:

66 102.101 Sheriff and other officers not allowed in polling
67 place.—Except as provided in ss. 101.24 and 102.071, a sheriff,
68 a deputy sheriff, a police officer, a special officer appointed
69 pursuant to s. 102.091, or any other officer of the law is not
70 allowed within a polling place without permission from the clerk
71 or a majority of the inspectors, except to cast his or her
72 ballot. Upon the failure of any such officer to comply with this
73 section, the clerk or the inspectors must make an affidavit
74 against the officer for his or her arrest.

75 Section 4. This act shall take effect July 1, 2024.