

1                   A bill to be entitled  
2           An act relating to elections impacted by emergencies;  
3           providing a short title; amending s. 101.733, F.S.;  
4           requiring notice of certain delayed or suspended  
5           elections to be published on the website of an  
6           affected municipality; requiring affected Supervisors  
7           of Elections to notify voters of a delayed or  
8           suspended election through any available and regular  
9           means of communication; providing that an elections  
10          emergency contingency plan is a public record and must  
11          be presented to the Legislature in certain years;  
12          requiring the Secretary of State to proactively  
13          consult with specified entities to ensure all voters  
14          are able to participate in an election affected by an  
15          emergency; providing rights each voter has with  
16          respect to participating in an election in a county  
17          that has been designated as being in a state of  
18          emergency or eligible for individual or public  
19          assistance from the Federal Emergency Management  
20          Agency (FEMA); requiring the Division of Elections to  
21          take certain actions if an election is scheduled  
22          within a certain timeframe after a county has been  
23          designated as being in a state of emergency or  
24          eligible for individual or public assistance from  
25          FEMA; requiring the Division of Elections to maintain

26 a certain number of strategic elections equipment  
 27 reserves in certain areas of this state; authorizing  
 28 the division to contract with state-approved vendors  
 29 for the provision of such reserve equipment; requiring  
 30 certain equipment be included in the reserve  
 31 equipment; requiring election officials to take  
 32 certain actions if a county has been designated as  
 33 being in a state of emergency or eligible for  
 34 individual or public assistance from FEMA; requiring  
 35 counties and municipalities affected by an emergency  
 36 to provide specified information on their websites;  
 37 specifying that certain criminal penalties do not  
 38 apply if a county has been designated as being in a  
 39 state of emergency or eligible for individual or  
 40 public assistance from FEMA; providing applicability;  
 41 amending s. 101.62, F.S.; prohibiting a Supervisor of  
 42 Elections from requiring certain voters to use a  
 43 uniform statewide application for a vote-by-mail  
 44 ballot; amending ss. 101.657, 102.141, and 104.0616,  
 45 F.S.; conforming provisions to changes made by the  
 46 act; providing an effective date.

47

48 Be It Enacted by the Legislature of the State of Florida:

49

50 **Section 1.** This act may be cited as the "Disaster-Affected

51 Voter Bill of Rights."

52 **Section 2. Subsections (2) and (3) of section 101.733,**  
53 **Florida Statutes, are amended, and subsections (4) through (8)**  
54 **are added to that section, to read:**

55 101.733 Election emergency; purpose; elections emergency  
56 contingency plan; voter protections.—Because of the existing and  
57 continuing possibility of an emergency or common disaster  
58 occurring before or during a regularly scheduled or special  
59 election, and in order to ensure maximum citizen participation  
60 in the electoral process and provide a safe and orderly  
61 procedure for persons seeking to exercise their right to vote,  
62 generally to minimize to whatever degree possible a person's  
63 exposure to danger during declared states of emergency, and to  
64 protect the integrity of the electoral process, it is hereby  
65 found and declared to be necessary to designate a procedure for  
66 the emergency suspension or delay and rescheduling of elections.

67 (2) The Governor, upon consultation with the Secretary of  
68 State, shall reschedule any election suspended or delayed due to  
69 an emergency. The election shall be held within 10 days after  
70 the date of the suspended or delayed election or as soon  
71 thereafter as is practicable. Notice of the election must be  
72 published on the affected county's website as provided in s.  
73 50.0311, on the affected municipality's website for municipal  
74 elections, on the affected supervisor's website, ~~or~~ at least  
75 once in a newspaper of general circulation in the affected area,

76 and, where practicable, broadcast as a public service  
77 announcement on radio and television stations at least 1 week  
78 before the date the election is to be held. The affected  
79 supervisor must also notify voters in his or her county through  
80 any other available and regularly used means of communication,  
81 including social media, e-mail, telephone, and text message.

82 (3) The Division of Elections of the Department of State  
83 shall adopt, by rule, an elections emergency contingency plan,  
84 which shall contain goals and policies that give specific  
85 direction to state and local elections officials when an  
86 election has been suspended or delayed due to an emergency. The  
87 contingency plan is a public record and must be presented to the  
88 Legislature each year in which federal or state elections are  
89 being conducted. The contingency plan must ~~shall~~ be statewide in  
90 scope and ~~shall~~ address, but not be limited to, the following  
91 concerns:

92 (a) Providing a procedure for state and local elections  
93 officials to follow when an election has been suspended or  
94 delayed to ensure notice of the suspension or delay to the  
95 proper authorities, the electorate, the communications media,  
96 poll workers, and the custodians of polling places.

97 (b) Providing a procedure for the orderly conduct of a  
98 rescheduled election, whether municipal, county, district, or  
99 statewide in scope; coordinating those efforts with the  
100 appropriate elections official, and the members of the governing

101 body holding such election, if appropriate; and working with the  
102 appropriate emergency management officials in determining the  
103 safety of existing polling places or designating additional  
104 polling places.

105 (c) Providing a procedure for the release and  
106 certification of election returns to the department for  
107 elections suspended or delayed and subsequently rescheduled  
108 under the provisions of ss. 101.731-101.74.

109 (4) To ensure that all voters are able to participate in  
110 an election, the Secretary of State shall consider the  
111 emergency's impact on housing, transportation, utilities,  
112 Internet access, the United States Postal Service, and  
113 accessibility needs, and proactively consult with the county  
114 Supervisors of Elections as well as county emergency management  
115 agencies, relevant county public services and utilities, social  
116 services, and community-based nongovernmental organizations in  
117 the affected jurisdictions. At a minimum, in any county that is  
118 designated by the Federal Emergency Management Agency as  
119 eligible for individual or public assistance or designated as  
120 being in a state of emergency as declared by executive order or  
121 proclamation issued by the Governor, a voter has the right to:

122 (a) Request, through telephonic means, in writing, or by  
123 e-mail, a vote-by-mail ballot to be mailed to an address other  
124 than the voter's address on file in the Florida Voter  
125 Registration System without requiring the voter to complete the

126 standard vote-by-mail request form.

127 (b) Have the voter's vote-by-mail ballot sent by  
128 forwardable mail so a displaced voter who has provided a  
129 forwarding address to the United States Postal Service does not  
130 need to request a new ballot.

131 (c) Return the voter's completed vote-by-mail ballot to  
132 the Supervisor of Elections in any county and have such  
133 supervisor forward the ballot to the elections office in the  
134 appropriate county.

135 (d) Drop the voter's completed vote-by-mail ballot off at  
136 any polling place or election office on the day of the election.

137 (e) Request a vote-by-mail ballot be mailed to the voter  
138 10 days before election day and request that his or her vote-by-  
139 mail ballot be picked up during the early voting period without  
140 the need for an emergency excuse.

141 (f) Have the voter's vote-by-mail ballot counted as long  
142 as it is postmarked before or on the election day and received  
143 by the Supervisor of Elections within 2 days after election day.

144 (g) Cure any issues with the voter's signature on the  
145 vote-by-mail ballot by 5 p.m. on the 4th day after the election.

146 (h) Obtain accurate and timely information about disaster-  
147 related changes to the voter's voting options on a clearly and  
148 prominently designated page on the Supervisor of Election's  
149 website and on the appropriate municipal or county website for  
150 municipal or county elections.

151 (5) At a minimum, if a county is designated by the Federal  
152 Emergency Management Agency as eligible for public or individual  
153 assistance or as being in a state of emergency as declared by  
154 executive order or proclamation issued by the Governor, and  
155 there is a regularly scheduled or special election in that  
156 county within 90 days after such designation, the Division of  
157 Elections must:

158 (a) Create a page on the division's website that provides  
159 a statewide phone number or online request form that voters  
160 registered in any affected county can use to request a vote-by-  
161 mail ballot.

162 (b) Provide emergency funding, if necessary, to ensure all  
163 affected counties can pay for:

164 1. Return paid postage for vote-by-mail ballots.

165 2. Voter education about the changes to the voting  
166 processes and locations.

167 3. Additional early voting sites, secure ballot intake  
168 stations, and related staffing.

169 4. Additional costs for extended early voting hours.

170 (c) Extend early voting hours in affected counties from 8  
171 hours to 12 hours per day throughout the early voting period.

172 (d) Extend relevant election deadlines to accommodate  
173 extended timeframes to return ballots and cure any ballot  
174 deficiencies.

175 (e) Update all emergency response websites this state may

176 operate, including the Division of Elections and the Division of  
177 Emergency Management websites, to prominently include  
178 information regarding the changes to the voting procedures or  
179 voter locations in affected counties. Such information must be  
180 user-friendly, written in plain language, publicly promoted,  
181 updated in real-time, and remain on such websites through  
182 election day. All of the following information must be included  
183 on such websites:

184 1. How voters in affected counties can vote by mail,  
185 including:

186 a. How voters can obtain and cast a vote-by-mail ballot if  
187 they cannot access their mailing address.

188 b. How voters can obtain and cast a vote-by-mail ballot if  
189 they have already requested a vote-by-mail ballot but cannot  
190 locate it.

191 c. How voters can verify if a vote-by-mail ballot they  
192 already mailed was received and what actions they can take if  
193 their vote-by-mail ballot was lost or destroyed.

194 2. The dates, hours, and locations voters can drop off  
195 their vote-by-mail ballots at secure ballot intake stations in  
196 affected counties.

197 3. The days and hours during which the Supervisor of  
198 Elections' offices that are located in the affected counties  
199 will be open and fully functional and, at a minimum, the phone  
200 number and e-mail address for the Supervisor of Elections in



201 such affected counties. Any information that has changed because  
202 of the emergency must be highlighted.

203 4. The dates, hours, and locations for early voting in  
204 affected counties. Any information that has changed because of  
205 the emergency must be highlighted.

206 5. The list of acceptable forms of voter identification  
207 and information on how to obtain a new Florida driver license or  
208 state identification card for voters who may have lost such  
209 documentation due to the emergency.

210 6. How to vote in person at early voting sites during the  
211 early voting period and, if relevant, on election day, including  
212 whether displaced voters can vote at these locations if outside  
213 of their precinct.

214 (f) Instruct supervisors in affected counties to update  
215 their websites and social media pages regularly through election  
216 day to prominently display information about all changes to  
217 election procedures and voting locations.

218 (g) Provide prominent links to relevant voting and  
219 election information on the websites for the affected counties  
220 or municipalities, the affected county's Supervisor of Elections  
221 website, and on both the Division of Elections and Division of  
222 Emergency Management websites.

223 (6) The Division of Elections must maintain at least three  
224 strategic elections equipment reserves of voting systems, with  
225 one located in the northern part of this state, one in the

226 central part of this state, and one in the southern part of this  
227 state. In lieu of maintaining a physical reserve of such  
228 equipment, the division may contract with state-approved vendors  
229 of voting equipment to provide such equipment on an emergency  
230 as-needed basis. These reserves must be deployed to provide  
231 affected counties with additional or replacement equipment  
232 necessary to ensure adequate execution of elections in the  
233 aftermath of an emergency. The reserves must include tabulation  
234 equipment and any other necessary equipment, including ballot  
235 on-demand printers or other printers used by each supervisor of  
236 elections, accessible voting equipment, electronic poll books,  
237 uninterrupted power supplies, generators, cabling, and power  
238 cords.

239 (7) At a minimum, in a county that is designated by the  
240 Federal Emergency Management Agency as eligible for public or  
241 individual assistance or as being in a state of emergency as  
242 declared by executive order or proclamation issued by the  
243 Governor, election officials may:

244 (a) Conduct early voting every day beginning 15 days  
245 before the election through election day.

246 (b) Designate up to three early voting sites that are not  
247 otherwise eligible early voting locations as long as they are  
248 geographically located, to the extent practicable, to provide  
249 all voters in the affected area with an equal opportunity to  
250 cast a ballot and provide sufficient nonpermitted parking to

251 accommodate the anticipated number of voters.

252 (c) Use mobile polling locations.

253 (d) Expand the use of secure ballot intake stations by  
254 allowing voters to drop their ballots off at all polling places  
255 and election offices on election day and allow affected counties  
256 to offer secure ballot intake stations beyond the hours that  
257 sites are normally open during early voting.

258 (e) Forward any paper vote-by-mail request that was  
259 submitted by a voter registered in another county to the  
260 elections office in the appropriate county.

261 (f) Extend the deadline to cure vote-by-mail ballots to 5  
262 p.m. on the 4th day after election day.

263 (g) Offer early voting through election day so that all  
264 voters registered in a county may vote county-wide on election  
265 day.

266 (h) If the emergency impacts post offices, hold local  
267 ballots at the Supervisor of Elections' office and notify voters  
268 by all available means that such action is happening.

269 (i) Receive supplies and equipment shared by other  
270 counties and access supplies and equipment from this state's  
271 emergency equipment warehouses.

272 (8) Counties and municipalities affected by an emergency  
273 must update their websites to prominently include information  
274 regarding changes to voting dates, procedures, and locations,  
275 and include links to the county Supervisor of Elections' website

276 that contains election information relating to the emergency.

277 (9) In a county that is designated by the Federal  
278 Emergency Management Agency as eligible for public or individual  
279 assistance, or as being in a state of emergency as declared by  
280 executive order or proclamation issued by the Governor, the  
281 criminal penalties in s. 104.0616(2) do not apply in order to  
282 facilitate voters who require assistance in casting their vote-  
283 by-mail ballot in the aftermath of an emergency. This subsection  
284 applies only if the secure ballot intake stations are  
285 continuously monitored in person by an employee of the  
286 supervisor's office in accordance with s. 101.69(2) (a).

287 **Section 3. Paragraphs (a) and (b) of subsection (1) of**  
288 **section 101.62, Florida Statutes, are amended to read:**

289 101.62 Request for vote-by-mail ballots.—

290 (1) REQUEST.—

291 (a) The supervisor shall accept a request for a vote-by-  
292 mail ballot only from a voter or, if directly instructed by the  
293 voter, a member of the voter's immediate family or the voter's  
294 legal guardian. A request may be made in person, in writing, by  
295 telephone, or through the supervisor's website. The department  
296 shall prescribe by rule by October 1, 2023, a uniform statewide  
297 application to make a written request for a vote-by-mail ballot  
298 which includes fields for all information required in this  
299 subsection. A supervisor may not require voters located in a  
300 county that is affected by an emergency, as defined in s.

301 101.732, to use the uniform statewide application. One request  
302 is deemed sufficient to receive a vote-by-mail ballot for all  
303 elections through the end of the calendar year of the next  
304 regularly scheduled general election, unless the voter or the  
305 voter's designee indicates at the time the request is made the  
306 elections within such period for which the voter desires to  
307 receive a vote-by-mail ballot. The supervisor must cancel a  
308 request for a vote-by-mail ballot when any first-class mail or  
309 nonforwardable mail sent by the supervisor to the voter is  
310 returned as undeliverable. If the voter requests a vote-by-mail  
311 ballot thereafter, the voter must provide or confirm his or her  
312 current residential address.

313 (b) The supervisor may accept a request for a vote-by-mail  
314 ballot to be mailed to a voter's address on file in the Florida  
315 Voter Registration System from the voter, or, if directly  
316 instructed by the voter, a member of the voter's immediate  
317 family or the voter's legal guardian. If an in-person or a  
318 telephonic request is made, the voter must provide the voter's  
319 Florida driver license number, the voter's Florida  
320 identification card number, or the last four digits of the  
321 voter's social security number, whichever may be verified in the  
322 supervisor's records. If the ballot is requested to be mailed to  
323 an address other than the voter's address on file in the Florida  
324 Voter Registration System, the request must be made in writing  
325 except as provided in s. 101.733(4). A written request must be

326 signed by the voter and include the voter's Florida driver  
327 license number, the voter's Florida identification card number,  
328 or the last four digits of the voter's social security number.  
329 However, an absent uniformed services voter or an overseas voter  
330 seeking a vote-by-mail ballot is not required to submit a  
331 signed, written request for a vote-by-mail ballot that is being  
332 mailed to an address other than the voter's address on file in  
333 the Florida Voter Registration System. The person making the  
334 request must disclose:

- 335 1. The name of the voter for whom the ballot is requested.
- 336 2. The voter's address.
- 337 3. The voter's date of birth.
- 338 4. The voter's Florida driver license number, the voter's  
339 Florida identification card number, or the last four digits of  
340 the voter's social security number, whichever may be verified in  
341 the supervisor's records. If the voter's registration record  
342 does not already include the voter's Florida driver license  
343 number or Florida identification card number or the last four  
344 digits of the voter's social security number, the number  
345 provided must be recorded in the voter's registration record.
- 346 5. The requester's name.
- 347 6. The requester's address.
- 348 7. The requester's driver license number, the requester's  
349 identification card number, or the last four digits of the  
350 requester's social security number, if available.

351 8. The requester's relationship to the voter.

352 9. The requester's signature (written requests only).

353 **Section 4. Paragraphs (a), (b), and (d) of subsection (1)**  
 354 **of section 101.657, Florida Statutes, are amended to read:**

355 101.657 Early voting.—

356 (1) (a) As a convenience to the voter, the supervisor of  
 357 elections shall allow an elector to vote early in the main or  
 358 branch office of the supervisor. The supervisor shall mark,  
 359 code, indicate on, or otherwise track the voter's precinct for  
 360 each early voted ballot. In order for a branch office to be used  
 361 for early voting, it must ~~shall~~ be a permanent facility of the  
 362 supervisor and ~~shall~~ have been designated and used as such for  
 363 at least 1 year before ~~prior to~~ the election. The supervisor may  
 364 also designate any city hall, permanent public library facility,  
 365 fairground, civic center, courthouse, county commission  
 366 building, stadium, convention center, government-owned senior  
 367 center, or government-owned community center as an early voting  
 368 site; however, if so designated, the sites must be  
 369 geographically located so as to provide all voters in the county  
 370 an equal opportunity to cast a ballot, insofar as is  
 371 practicable, and must provide sufficient nonpermitted parking to  
 372 accommodate the anticipated amount of voters. In addition, a  
 373 supervisor may designate one early voting site per election in  
 374 an area of the county that does not have any of the eligible  
 375 early voting locations and, in accordance with s. 101.733, may

376 designate early voting sites at locations that are otherwise  
377 ineligible to be used for early voting. Such additional early  
378 voting site must be geographically located so as to provide all  
379 voters in that area with an equal opportunity to cast a ballot,  
380 insofar as is practicable, and must provide sufficient  
381 nonpermitted parking to accommodate the anticipated amount of  
382 voters. Each county shall, at a minimum, operate the same total  
383 number of early voting sites for a general election which the  
384 county operated for the 2012 general election. The results or  
385 tabulation of votes cast during early voting may not be made  
386 before the close of the polls on election day. Results shall be  
387 reported by precinct.

388 (b) Except as provided in s. 101.733, the supervisor shall  
389 designate each early voting site ~~by~~ no later than the 30th day  
390 before ~~prior to~~ an election and shall designate an early voting  
391 area, as defined in s. 97.021, at each early voting site. Except  
392 as provided in s. 101.733, the supervisor shall provide to the  
393 division no later than the 30th day before an election the  
394 address of each early voting site and the hours that early  
395 voting will occur at each site.

396 (d) Early voting shall begin on the 10th day before an  
397 election that contains state or federal races and, except as  
398 provided in s. 101.733, end on the 3rd day before the election,  
399 and shall be provided for no less than 8 hours and no more than  
400 12 hours per day at each site during the applicable period. In



401 addition, early voting may be offered at the discretion of the  
 402 supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or  
 403 2nd day before an election that contains state or federal races  
 404 for at least 8 hours per day, but not more than 12 hours per  
 405 day. The supervisor of elections may provide early voting for  
 406 elections that are not held in conjunction with a state or  
 407 federal election. However, the supervisor has the discretion to  
 408 determine the hours of operation of early voting sites in those  
 409 elections.

410 **Section 5. Subsection (5) of section 102.141, Florida**  
 411 **Statutes, is amended to read:**

412 102.141 County canvassing board; duties.—

413 (5) The canvassing board shall submit on forms or in  
 414 formats provided by the division unofficial returns to the  
 415 Department of State for each federal, statewide, state, or  
 416 multicounty office or ballot measure no later than noon on the  
 417 third day after any primary election and no later than noon on  
 418 the fourth day after any general or other election, except as  
 419 provided in s. 101.733. Such returns shall include the canvass  
 420 of all ballots as required by subsection (2).

421 **Section 6. Subsection (2) of section 104.0616, Florida**  
 422 **Statutes, is amended to read:**

423 104.0616 Vote-by-mail ballots and voting; violations.—

424 (2) Any person who distributes, orders, requests,  
 425 collects, delivers, or otherwise physically possesses more than

426 | two vote-by-mail ballots per election in addition to his or her  
427 | own ballot or a ballot belonging to an immediate family member,  
428 | except as provided in ss. 101.6105-101.694 and s. 101.733,  
429 | including supervised voting at assisted living facilities and  
430 | nursing home facilities as authorized under s. 101.655, commits  
431 | a felony of the third degree, punishable as provided in s.  
432 | 775.082, s. 775.083, or s. 775.084.

433 |       **Section 7.** This act shall take effect July 1, 2025.