

1 A bill to be entitled
2 An act relating to elections; amending s. 97.021,
3 F.S.; revising definitions; amending s. 97.0525, F.S.;
4 requiring that the online voter registration system
5 generate a notice with certain information under a
6 specified circumstance; amending s. 97.053, F.S.;
7 authorizing a voter registration applicant to provide
8 a copy of certain documentation for a specified
9 purpose; providing construction; requiring supervisors
10 of elections to update a voter's record if provided
11 specified information by the applicant after
12 registration; providing that such updates are
13 retroactive to the date the application was received;
14 providing that certain applications can only be
15 accepted as valid after verifying citizenship through
16 specified means; requiring certain information be
17 recorded in the voter's record; requiring an applicant
18 to provide evidence to the supervisor sufficient to
19 prove the applicant's legal status as a United States
20 citizen under specified circumstances; requiring the
21 supervisor to place such applicant on the voter rolls
22 under a specified circumstance; authorizing an
23 applicant that has not provided such evidence to vote
24 a provisional ballot; providing that such ballot may
25 be counted only if the applicant can verify his or her

26 legal status within a specified timeframe; amending s.
27 97.057, F.S.; requiring the Department of State to
28 share information about the type of documentary proof
29 of citizenship provided by specified cardholders;
30 requiring the Department of Highway Safety and Motor
31 Vehicles to assist the Department of State with
32 identifying changes in residential addresses in
33 accordance with a specified provision; amending s.
34 98.045, F.S.; requiring supervisors to make certain
35 determinations within a specified timeframe related to
36 a voter registration applicant who was previously
37 removed for ineligibility and to follow specified
38 procedures to notify the applicant, if applicable;
39 amending s. 98.075, F.S.; authorizing the Department
40 of State to enter into memorandums of understanding
41 with federal agencies and other state governments and
42 to share confidential and exempt information with such
43 governments; requiring that such governments maintain
44 the confidentiality of such information; requiring the
45 Department of Highway Safety and Motor Vehicles to
46 provide driver license and identification card
47 information to such governments in certain
48 circumstances; requiring supervisors to remove the
49 name of a deceased voter under specified
50 circumstances; amending s. 98.093, F.S.; requiring

51 certain information be furnished to the Department of
52 State from the Department of Highway Safety and Motor
53 Vehicles; creating s. 98.094, F.S.; requiring that
54 lists of registered voters be provided to federal
55 courts for a specified purpose under a certain
56 condition; requiring federal jury coordinators to
57 prepare or cause to be prepared a certain list;
58 requiring that such list be sent to the Division of
59 Elections periodically; requiring that jury
60 coordinators provide the division with specified
61 information about each disqualified juror; requiring
62 the supervisor to use such list to conduct list
63 maintenance or eligibility maintenance procedures;
64 amending s. 99.021, F.S.; revising information to be
65 required in writing by a person seeking to qualify for
66 nomination as a candidate of a political party;
67 providing that certain statements are substantive
68 requirements; authorizing qualified candidates and
69 political parties with such candidates to challenge
70 another candidate's compliance with a specified oath
71 in a certain circuit court; prohibiting a person from
72 qualifying as a candidate and appearing on the ballot
73 if a court order becomes final and makes certain
74 determinations; amending s. 101.043, F.S.; revising
75 the forms of current and valid picture identifications

76 that a voter must provide upon entering the polling
77 place; amending s. 101.048, F.S.; revising the
78 instructions that are included with cure affidavits to
79 conform to changes made by the act; amending s.
80 101.151, F.S.; authorizing ballot-on-demand technology
81 to be used for early voting ballots; amending ss.
82 101.5606, 101.56075, 101.5608, and 101.5612, F.S.;
83 conforming provisions to changes made by the act;
84 amending s. 101.591, F.S.; deleting provisions
85 relating to performing a manual audit; requiring the
86 county canvassing board or local board responsible for
87 certifying an election to conduct an automated
88 independent vote validation of voting systems used in
89 all precincts; providing the procedure for such
90 automated independent vote validation; requiring the
91 division to adopt certain rules; requiring that the
92 canvassing board publish certain notice on the
93 county's website, on the supervisor's website, or in
94 certain newspapers; requiring the vote validation
95 process be open to the public; requiring that such
96 vote validation be completed and made public before
97 the certification of the election; providing reporting
98 requirements for county canvassing boards; amending s.
99 101.5911, F.S.; requiring the department to adopt
100 certain rules; conforming provisions to changes made

101 by the act; amending s. 101.595, F.S.; revising
102 reporting requirements for the Department of State;
103 amending s. 101.68, F.S.; conforming provisions to
104 changes made by the act; amending s. 101.6923, F.S.;
105 revising the instructions sent to certain first-time
106 voters to conform to changes made by the act; amending
107 s. 102.141, F.S.; revising the composition of county
108 canvassing boards; prohibiting persons who publicly
109 endorse or donate to candidates or are active
110 participants endorsing or opposing a public measure
111 from serving on county canvassing boards; requiring
112 qualified voters who meet certain conditions be
113 appointed to the county canvassing board in specified
114 circumstances; requiring members of a county
115 canvassing board and all clerical help to wear, at
116 specified times, identification badges in a certain
117 manner and which include specified information;
118 requiring a county canvassing board to retain legal
119 representation; authorizing such legal representation
120 to be a county attorney; specifying that the deadline
121 by which supervisors shall upload preliminary results
122 is in local time; requiring the supervisor on behalf
123 of the county canvassing board to report to the
124 department all early voting and vote-by-mail
125 tabulations; requiring counties to conduct an

126 automated independent vote validation process for a
127 certain purpose after unofficial results are reported;
128 requiring that such process be completed within a
129 specified timeframe; requiring the county canvassing
130 board to take specified actions after making a certain
131 determination; requiring the county canvassing board
132 to conduct a system validation review under specified
133 circumstances; providing requirements for such review;
134 deleting provisions related to recounts by the county
135 canvassing board; requiring the county canvassing
136 board to publish notice containing manual review
137 information by specified means; providing that such
138 review are open to the public; requiring the county
139 canvassing board to submit to the department certain
140 forms containing a vote validation report; providing
141 requirements for such report; requiring the department
142 to adopt rules; creating s. 102.143, F.S.; requiring
143 the supervisor to file with the division a report on
144 the conduct of the election within a specified
145 timeframe; providing requirements for the report;
146 requiring the supervisor to notify the Division of
147 Elections of new information and file an amended
148 report including such information, if applicable,
149 within a specified timeframe; requiring the division
150 to maintain on file and make available for public

151 inspection such reports; requiring the division to
152 review the reports for a specified purpose; requiring
153 an analysis of the report be submitted to specified
154 parties by a certain date; amending s. 102.166, F.S.;
155 requiring manual reviews of overvotes and undervotes
156 unless certain conditions exist; providing that the
157 secretary is responsible for ordering such review in
158 specified races and the county canvassing board, or
159 local board responsible for certifying the election,
160 is responsible for ordering such reviews in all other
161 races; authorizing political parties to designate a
162 certain expert to be allowed in the central counting
163 room while tests are being performed; prohibiting such
164 person from interfering with the normal operation of
165 the canvassing board; requiring the department to
166 adopt certain rules; amending s. 104.42, F.S.;
167 requiring certain investigations be reported to
168 specified entities; amending s. 106.08, F.S.; revising
169 the contributions or expenditures that a foreign
170 national is prohibited from making or offering to
171 make; prohibiting political parties, political
172 committees, committees associated with ballot issues
173 or questions, electioneering communications
174 organizations, and candidates from knowingly accepting
175 contributions from foreign nationals; providing

penalties; creating s. 322.034, F.S.; requiring that driver licenses and identification cards include certain information by a specified date; requiring the department issue certain replacement or renewal cards at no charge; amending s. 895.02, F.S.; revising the definition of the term "racketeering activity"; providing an effective date. date.

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

Section 1. Subsections (6), (43), (44), and (47) of section 97.021, Florida Statutes, are amended to read:

97.021 Definitions.—For the purposes of this code, except where the context clearly indicates otherwise, the term:

(6) "Ballot" or "official ballot" means a printed sheet of paper containing contests including offices and candidates, constitutional amendments, and other public measures upon which a voter's selections will be marked by using the pen or marker recommended by the voting system vendor. A ballot includes a voter-verifiable paper output upon which a voter's selections are marked by a voter interface device that meets voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062 when used in reference to:

~~(a) "Electronic or electromechanical devices" means a~~

201 ~~ballot that is voted by the process of electronically~~
202 ~~designating, including by touchscreen, or marking with a marking~~
203 ~~device for tabulation by automatic tabulating equipment or data~~
204 ~~processing equipment.~~

205 ~~(b) "Marksense ballots" means that printed sheet of paper,~~
206 ~~used in conjunction with an electronic or electromechanical vote~~
207 ~~tabulation voting system, containing the names of candidates, or~~
208 ~~a statement of proposed constitutional amendments or other~~
209 ~~questions or propositions submitted to the electorate at any~~
210 ~~election, on which sheet of paper an elector casts his or her~~
211 ~~vote.~~

212 (43) "Voter interface device" means any device that
213 communicates voting instructions and ballot information to a
214 voter and allows the voter to select and vote for candidates and
215 issues. A voter interface device may not be used to tabulate
216 votes. Any vote tabulation must be based upon a subsequent scan
217 of the marked ~~marksense~~ ballot or the voter-verifiable paper
218 output after the voter interface device process has been
219 completed.

220 (44) "Voter registration agency" means any office that
221 provides public assistance, any office that serves persons with
222 disabilities, any center for independent living, or any public
223 library. The term includes any other federal or state office
224 that is first designated by the Secretary of State to become a
225 voter registration agency if such office accepts such

226 designation.

227 (47) "Voting system" means a method of casting and
228 processing votes that ~~functions wholly or partly by use of~~
229 ~~electromechanical or electronic apparatus or by use of marksense~~
230 ~~ballots and~~ includes, but is not limited to, the equipment,
231 including hardware, firmware, and software; the ballots; the
232 procedures for casting and processing votes; and the programs,
233 the operating manuals, the supplies; and the reports, printouts,
234 and other documentation ~~software~~ necessary for the system's
235 operation.

236 **Section 2. Subsections (5) through (8) of section 97.0525,**
237 **Florida Statutes, are renumbered as subsections (6) through (9),**
238 **respectively, and new subsection (5) is added to that section,**
239 **to read:**

240 97.0525 Online voter registration.—

241 (5) The online voter registration system shall generate a
242 notice to the applicant if the applicant's legal status as a
243 United States citizen cannot be verified by the records of the
244 Department of Highway Safety and Motor Vehicles. Additionally,
245 in order to ensure the applicant is able to access information,
246 the notice must provide the applicant with contact information
247 for his or her supervisor of elections.

248 **Section 3. Subsections (2) and (6) of section 97.053,**
249 **Florida Statutes, are amended to read:**

250 97.053 Acceptance of voter registration applications.—

251 (2)(a) A voter registration application is complete and
252 becomes the official voter registration record of that applicant
253 when all information necessary to establish the applicant's
254 eligibility pursuant to s. 97.041 is received by a voter
255 registration official and verified pursuant to subsection (6). A
256 voter registration applicant may provide, with his or her
257 application, a copy of any one of the following documents as
258 proof of United States citizenship:

- 259 1. A United States passport.
- 260 2. A United States birth certificate.
- 261 3. A Consular Report of Birth Abroad provided by the
262 United States Department of State.
- 263 4. A Florida driver license or Florida identification
264 card issued by the Department of Highway Safety and Motor
265 Vehicles if such driver license or identification card indicates
266 United States citizenship.
- 267 5. A naturalization certificate or certificate of
268 citizenship issued by the United States Department of Homeland
269 Security. Alternatively, a certificate number or an alien
270 registration number may be provided to allow a state or local
271 election official to verify United States citizenship.
- 272 6. A valid photo identification issued by the Federal
273 Government or the government of this state which indicates
274 United States citizenship.
- 275 7. An order from a federal court granting United States

276 citizenship.

277
278 Any person who is registered to vote on or before June 30, 2025,
279 does not need to provide proof of United States citizenship
280 until his or her supervisor of elections makes a request to
281 verify citizenship under paragraph (6) (b) or s. 98.075.

282 (b) If the applicant fails to complete his or her voter
283 registration application on or before ~~prior to~~ the date of book
284 closing for an election, ~~then~~ such applicant is ~~shall~~ not be
285 eligible to vote in that election.

286 (6) (a) A voter registration application, including an
287 application with a change in name, address, or party
288 affiliation, may be accepted as valid only after the department
289 has verified the authenticity or nonexistence of the driver
290 license number, the Florida identification card number, or the
291 last four digits of the social security number provided by the
292 applicant. If a completed voter registration application has
293 been received by the book-closing deadline but the driver
294 license number, the Florida identification card number, or the
295 last four digits of the social security number provided by the
296 applicant cannot be verified, the applicant must ~~shall~~ be
297 notified that the number cannot be verified and that the
298 applicant must provide evidence to the supervisor sufficient to
299 verify the authenticity of the applicant's driver license
300 number, Florida identification card number, or last four digits

of the social security number. If the applicant provides the necessary evidence, the supervisor must ~~shall~~ place the applicant's name on the registration rolls as an active voter or update the voter's record with the change in address, name, or party affiliation, as applicable. The change in address, name, or party affiliation is retroactive to the date the application was initially received. If the applicant has not provided the necessary evidence or the number has not otherwise been verified before ~~prior to~~ the applicant presenting himself or herself to vote, the applicant must ~~shall~~ be provided a provisional ballot. The provisional ballot must ~~shall~~ be counted pursuant to s. 101.048, only if the number is verified by the end of the canvassing period or if the applicant presents evidence to the supervisor of elections sufficient to verify the authenticity of the applicant's driver license number, Florida identification card number, or last four digits of the social security number no later than 5 p.m. of the second day following the election.

(b) A voter registration application, including an application with a change in name, address, or party affiliation, may be accepted as valid only after the department has verified that the applicant is a United States citizen in one of the following ways:

1. The applicant's voter record indicates that his or her legal status as a United States citizen has been verified.
2. The applicant provided documentary proof of United

326 States citizenship with the application.

327 3. The applicant's legal status as a United States citizen
328 is verified against the records of the Department of Highway
329 Safety and Motor Vehicles or the United States Department of
330 Homeland Security.

331
332 The type of documentary proof of United States citizenship used
333 for the verification under subparagraph 2. shall be recorded in
334 the voter's record. If a completed voter registration
335 application has been received by the book-closing deadline but
336 the applicant's legal status as a United States citizen cannot
337 be verified, the supervisor shall notify the applicant. The
338 applicant must provide evidence to the supervisor sufficient to
339 verify the applicant's legal status as a United States citizen
340 before voting. If the applicant provides the necessary evidence
341 before requesting a vote-by-mail ballot or presenting to vote in
342 person, the supervisor shall place the applicant's name on the
343 registration rolls as an active voter. If the applicant has not
344 provided the necessary evidence or the legal status is not
345 verified before requesting a vote-by-mail ballot or presenting
346 to vote in person, the applicant must be provided a provisional
347 ballot. The provisional ballot must be counted only if the
348 applicant's legal status as a United States citizen is verified
349 by the end of the canvassing period or if the applicant presents
350 evidence to the supervisor of elections sufficient to verify the

applicant's legal status as a United States citizen no later than 5 p.m. of the second day following the election.

Section 4. Subsections (11) and (13) of section 97.057, Florida Statutes, are amended to read:

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

(11) The Department of Highway Safety and Motor Vehicles shall enter into an agreement with the department to match information in the statewide voter registration system with information in the database of the Department of Highway Safety and Motor Vehicles to the extent required to verify the accuracy of the driver license number, Florida identification number, or last four digits of the social security number provided on applications for voter registration as required in s. 97.053. The department shall also include the type of documentary proof that the licensee or cardholder provided in support of United States citizenship.

(13) The Department of Highway Safety and Motor Vehicles shall ~~must~~ assist the Department of State in ~~regularly~~ identifying changes in residence address on the driver license or identification card of a voter in accordance with this section. The Department of State must report each such change to the appropriate supervisor of elections who must change the voter's registration records in accordance with s. 98.065(4).

Section 5. Subsection (1) of section 98.045, Florida

Statutes, are amended to read:

98.045 Administration of voter registration.—

(1) ELIGIBILITY OF APPLICANT.—

(a) The supervisor shall ~~must~~ ensure that any eligible applicant for voter registration is registered to vote and that each application for voter registration is processed in accordance with law. The supervisor shall determine whether a voter registration applicant is ineligible based on any of the following:

1.~~(a)~~ The failure to complete a voter registration application as specified in s. 97.053.

2.~~(b)~~ The applicant is deceased.

3.~~(c)~~ The applicant has been convicted of a felony for which his or her voting rights have not been restored.

4.~~(d)~~ The applicant has been adjudicated mentally incapacitated with respect to the right to vote and such right has not been restored.

5.~~(e)~~ The applicant does not meet the age requirement pursuant to s. 97.041.

6.~~(f)~~ The applicant is not a United States citizen.

7.~~(g)~~ The applicant is a fictitious person.

8.~~(h)~~ The applicant has provided an address of legal residence that is not his or her legal residence.

9.~~(i)~~ The applicant has provided a driver license number, Florida identification card number, or the last four digits of a

social security number that is not verifiable by the department.

(b)1. If the latest voter registration records show that a new applicant was previously registered but subsequently removed for ineligibility pursuant to s. 98.075(7), by reason of a felony conviction without voting rights restored, adjudication as mentally incapacitated with respect to voting without voting rights restored, death, or for non-United States citizenship, the supervisor must verify the current eligibility of the applicant to register within 10 days by reviewing any governmental entity document or source to determine whether the applicant remains ineligible. If the supervisor determines that the applicant is ineligible, the supervisor shall deny the application and notify the applicant pursuant to s. 97.073.

Section 6. Subsections (2) and (3) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(2) DUPLICATE REGISTRATION.—

(a) The department shall identify those voters who are registered more than once or those applicants whose registration applications within this ~~the~~ state would result in duplicate registrations. The most recent application must ~~shall~~ be deemed an update to the voter registration record.

(b)1. The department may become a member of a nongovernmental entity whose sole purpose is to share and

426 exchange information in order to verify voter registration
427 information. The membership of the nongovernmental entity must
428 be composed solely of election officials of state governments,
429 except that such membership may also include election officials
430 of the District of Columbia. If the department intends to become
431 a member of such a nongovernmental entity, the agreement to join
432 the entity must require that the Secretary of State, or his or
433 her designee, serve as a full member with voting rights on the
434 nongovernmental entity's board of directors within 12 months
435 after joining the entity. The department may enter into
436 memorandums of understanding with federal agencies or other
437 state governments.

438 2. The department may share confidential and exempt
439 information with a federal agency or another state government
440 after agreeing to a memorandum of understanding or after
441 becoming a member of a nongovernmental entity as provided in
442 subparagraph 1. if:

443 a. Each federal agency, state government, or member of the
444 nongovernmental entity agrees to maintain the confidentiality of
445 such information as required by the laws of the jurisdiction
446 providing the information; or

447 b. The bylaws of the nongovernmental entity require member
448 jurisdictions and the entity to maintain the confidentiality of
449 information as required by the laws of the jurisdiction
450 providing the information.

451 3. The department may only become a member of a
452 nongovernmental entity as provided in subparagraph 1. if the
453 entity is controlled and operated by the participating
454 jurisdictions. The entity may not be operated or controlled by
455 the Federal Government or any other entity acting on behalf of
456 the Federal Government. The department must be able to withdraw
457 at any time from any such membership entered into.

458 4. If the department enters into a memorandum of
459 understanding with a federal agency or another state government
460 or becomes a member of a nongovernmental entity as provided in
461 subparagraph 1., the Department of Highway Safety and Motor
462 Vehicles must, pursuant to a written agreement with the
463 department, provide driver license or identification card
464 information to the department for the purpose of sharing and
465 exchanging voter registration information with the federal
466 agency, other state government, or nongovernmental entity.

467 5. If the department becomes a member of a nongovernmental
468 entity as provided in subparagraph 1., the department must
469 submit a report to the Governor, the President of the Senate,
470 and the Speaker of the House of Representatives by December 1 of
471 each year. The report must describe the terms of the
472 nongovernmental entity membership and provide information on the
473 total number of voters removed from the voter registration
474 system as a result of the membership and the reasons for their
475 removal.

476 (c) Information received by the department from another
477 state or the District of Columbia upon the department becoming a
478 member of a nongovernmental entity as provided in subparagraph
479 (b)1., which is confidential or exempt pursuant to the laws of
480 that state or the District of Columbia, is exempt from s.
481 119.07(1) and s. 24(a), Art. I of the State Constitution. The
482 department shall provide such information to the supervisors to
483 conduct registration list maintenance activities.

484 (3) DECEASED PERSONS.—

485 (a)1. The department shall identify those registered
486 voters who are deceased by comparing information received from:

487 a. The Department of Health as provided in s. 98.093;

488 b. The United States Social Security Administration,
489 including, but not limited to, any master death file or index
490 compiled by the United States Social Security Administration; or
491 ~~and~~

492 c. The Department of Highway Safety and Motor Vehicles.

493 2. Within 7 days after receipt of such information through
494 the statewide voter registration system, the supervisor shall
495 remove the name of the registered voter.

496 (b) The supervisor shall remove the name of a deceased
497 registered voter from the statewide voter registration system
498 within 7 days after receipt of:

499 1. A copy of a death certificate issued by a governmental
500 agency authorized to issue death certificates; or

501 2. A published obituary or notice of death, a letter of
502 probate or estate administration, or personal knowledge that is
503 verified pursuant to s. 92.525, of a registered voter's death.

504 **Section 7. Paragraph (c) of subsection (8) of section**
505 **98.093, Florida Statutes, is redesignated as paragraph (d), and**
506 **a new paragraph (c) is added to that subsection, to read:**

507 98.093 Duty of officials to furnish information relating
508 to deceased persons, persons adjudicated mentally incapacitated,
509 persons convicted of a felony, and persons who are not United
510 States citizens.—

511 (8) DEPARTMENT OF HIGHWAY SAFETY AND MOTOR VEHICLES.—The
512 Department of Highway Safety and Motor Vehicles shall furnish
513 weekly to the department the following information:

514 (c) Information identifying those persons who during the
515 preceding week presented evidence of United States citizenship
516 upon being issued a new or renewed Florida driver license or
517 Florida identification card. The information must contain the
518 person's name; address; date of birth; last four digits of the
519 social security number, if applicable; Florida driver license
520 number or Florida identification card number, as available; the
521 type of documentary proof provided in support of citizenship;
522 and, if applicable, the alien registration number or other legal
523 status identifier.

524 **Section 8. Section 98.094, Florida Statutes, is created to**
525 **read:**

526 98.094 Federal jury notice.—

527 (1) Lists of registered voters must be provided to federal
528 courts for purposes of selecting jurors on the condition that
529 the jury coordinator provides notice pursuant to subsection (2)
530 regarding ineligible or potentially ineligible voters.

531 (2) The jury coordinator shall prepare or cause to be
532 prepared a list of each person disqualified or potentially
533 disqualified as a prospective juror from jury service due to
534 being a non-United States citizen, being convicted of a felony,
535 being deceased, not being a resident of this state, or not being
536 a resident of the county. The list must be prepared and sent to
537 the division according to the jury summons cycle used by the
538 court clerk. This section does not prevent the list from being
539 sent more frequently. The list may be provided by mail, e-mail,
540 or other electronic means.

541 (3) The jury coordinator shall provide the division with
542 all of the following information about each disqualified juror:

543 (a) The full name of the disqualified juror.

544 (b) Current and prior addresses, if any.

545 (c) Telephone number, if available.

546 (d) Date of birth.

547 (e) The reason the prospective juror was disqualified.

548 (4) The division shall provide the information to the
549 respective supervisor in the county of residence for the
550 disqualified juror for the supervisor to initiate, as may be

applicable, address list maintenance pursuant to s. 98.065, or
eligibility maintenance pursuant to s. 98.075(7).

**Section 9. Paragraph (e) of subsection (1) of section
99.021, Florida Statutes, is redesignated as paragraph (f),
paragraphs (b) and (c) of that subsection are amended, and a new
paragraph (e) is added to that subsection, to read:**

99.021 Form of candidate oath.—

(1)

(b) In addition, any person seeking to qualify for
nomination as a candidate of any political party shall, at the
time of subscribing to the oath or affirmation, state in
writing:

1. The party of which the person is a member.

2. That the person has been a registered member of the
political party for which he or she is seeking nomination as a
candidate for at least 365 consecutive days preceding ~~before~~ the
beginning of the qualifying period before ~~preceding~~ the general
election for which the person seeks to qualify.

3. That the person has paid the assessment levied against
him or her, if any, as a candidate for said office by the
executive committee of the party of which he or she is a member.

(c) In addition, any person seeking to qualify for office
as a candidate with no party affiliation shall, at the time of
subscribing to the oath or affirmation, state in writing that he
or she has been ~~is~~ registered without any party affiliation and

576 that he or she has not been a registered member of any political
577 party for at least 365 consecutive days preceding ~~before~~ the
578 beginning of the qualifying period before ~~preceding~~ the general
579 election for which the person seeks to qualify.

580 (e) The statements in subparagraph (b)2. and paragraph (c)
581 constitute substantive requirements on the person completing the
582 statement and compliance with those requirements is mandatory.
583 The sole method to enforce compliance with such requirements is
584 contained within this paragraph. Compliance with subparagraph
585 (b)2. and paragraph (c) may be challenged by a qualified
586 candidate or political party with qualified candidates in the
587 same race by filing an action in the circuit court for the
588 county in which the qualifying officer is headquartered. A
589 person may not be qualified as a candidate for nomination or
590 election and his or her name may not appear on the ballot if an
591 order of a court that has become final determines that:

592 1. The person seeking to qualify for nomination as a
593 candidate of any political party has not been a registered
594 member of that party for the 365-day period preceding the
595 beginning of qualifying; or

596 2. The person seeking to qualify for office as a candidate
597 with no party affiliation has not been registered without party
598 affiliation for, or has been a registered member of any
599 political party during, the 365-day period preceding the
600 beginning of qualifying.

CS/HB 1381

2025

Section 10. Subsection (1) of section 101.043, Florida Statutes, is amended to read:

101.043 Identification required at polls.—

(1)(a) The precinct register, as prescribed in s. 98.461, must ~~shall~~ be used at the polls for the purpose of identifying the elector at the polls before allowing him or her to vote. The clerk or inspector shall require each elector, upon entering the polling place, to present one of the following current and valid picture identifications:

1. Florida driver license.

2. Florida identification card issued by the Department of Highway Safety and Motor Vehicles.

3. United States passport or passport card.

~~4.— Debit or credit card.~~

~~4.5.—~~ United States uniformed services or Merchant Marine Military identification.

~~6.— Student identification.~~

~~7.— Retirement center identification.~~

~~8.— Neighborhood association identification.~~

~~9.— Public assistance identification.~~

~~5.10.—~~ Veteran health identification card issued by the United States Department of Veterans Affairs.

~~6.11.—~~ A license to carry a concealed weapon or firearm issued pursuant to s. 790.06.

~~7.12.—~~ Any other ~~Employee~~ identification card issued by any

branch, department, agency, or entity of the Federal Government,
the state, a county, or a municipality.

(b) If the picture identification does not contain the
signature of the elector, an additional identification that
provides the elector's signature is ~~shall be~~ required. The
address appearing on the identification presented by the elector
may not be used as the basis to challenge an elector's legal
residence. The elector must ~~shall~~ sign his or her name in the
space provided on the precinct register or on an electronic
device provided for recording the elector's signature. The clerk
or inspector shall compare the signature with that on the
identification provided by the elector and enter his or her
initials in the space provided on the precinct register or on an
electronic device provided for that purpose and allow the
elector to vote if the clerk or inspector is satisfied as to the
identity of the elector.

**Section 11. Paragraph (d) of subsection (6) of section
101.048, Florida Statutes, is amended to read:**

101.048 Provisional ballots.—

(6)

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

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR

BALLOT NOT TO COUNT.

1. In order to cure the missing signature or the signature discrepancy on your Provisional Ballot Voter's Certificate and Affirmation, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 5 p.m. on the 2nd day after the election.

2. You must sign your name on the line above (Voter's Signature).

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

a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport or passport card; United States Uniformed Services or Merchant Marine; ~~debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; Florida license to carry a concealed weapon or firearm; or any other employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality; or~~

676 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
677 FORM OF IDENTIFICATION, identification that shows your name and
678 current residence address: current utility bill; bank statement;
679 government check; paycheck; or government document (excluding
680 voter information card).

681 4. If your status as a United States citizen has not been
682 verified you must complete the affidavit and submit a copy of
683 one of the following documents:

684 a. A United States passport.

685 b. A United States birth certificate.

686 c. A Consular Report of Birth Abroad provided by the
687 United States Department of State.

688 d. A Florida driver license or Florida identification card
689 issued by the Department of Highway Safety and Motor Vehicles if
690 such license or identification card indicates United States
691 citizenship.

692 e. A naturalization certificate or certificate of
693 citizenship issued by the United States Department of Homeland
694 Security. Alternatively, a certificate number or alien
695 registration number may be provided to allow a state or local
696 election official to verify United States citizenship.

697 f. A valid photo identification issued by the Federal
698 Government or the government of this state that indicates United
699 States citizenship.

700 g. An order from a federal court granting United States

701 citizenship.

702
703 Your affidavit should be completed and returned as soon as
704 possible so that it can reach the supervisor of elections of the
705 county in which your precinct is located no later than 5 p.m. on
706 the 2nd day after the election. You must sign your name here
707 (Voter's Signature).

708 ~~5.4.~~ Place the envelope bearing the affidavit into a
709 mailing envelope addressed to the supervisor. Insert a copy of
710 your identification in the mailing envelope. Mail (if time
711 permits), deliver, or have delivered the completed affidavit
712 along with the copy of your identification to your county
713 supervisor of elections. Be sure there is sufficient postage if
714 mailed and that the supervisor's address is correct. Remember,
715 your information MUST reach your county supervisor of elections
716 no later than 5 p.m. on the 2nd day following the election or
717 your ballot will not count.

718 ~~6.5.~~ Alternatively, you may fax or e-mail your completed
719 affidavit and a copy of your identification to the supervisor of
720 elections. If e-mailing, please provide these documents as
721 attachments.

722 ~~7.6.~~ Submitting a provisional ballot affidavit does not
723 establish your eligibility to vote in this election or guarantee
724 that your ballot will be counted. The county canvassing board
725 determines your eligibility to vote through information provided

on the Provisional Ballot Voter's Certificate and Affirmation, written evidence provided by you, including information in your cure affidavit along with any supporting identification, and any other evidence presented by the supervisor of elections or a challenger. You may still be required to present additional written evidence to support your eligibility to vote.

Section 12. Subsection (1) of section 101.151, Florida Statutes, is amended to read:

101.151 Specifications for ballots.—

(1)(a) ~~Marksense~~ Ballots must ~~shall~~ be printed on paper of such thickness that the printing cannot be distinguished from the back and must ~~shall~~ meet the specifications of the voting system that will be used to tabulate the ballots.

(b) Polling places and early voting sites may employ a ballot-on-demand production system to print individual ~~marksense~~ ballots, including provisional ballots, for eligible electors. Ballot-on-demand technology may be used to produce ~~marksense~~ vote-by-mail, early voting, and election-day ballots.

Section 13. Subsection (4) of section 101.5606, Florida Statutes, is amended to read:

101.5606 Requirements for approval of systems.—No electronic or electromechanical voting system shall be approved by the Department of State unless it is so constructed that:

(4) ~~For systems using marksense ballots,~~ It accepts a rejected ballot pursuant to subsection (3) if a voter chooses to

cast the ballot, but records no vote for any office that has been overvoted or undervoted.

Section 14. Section 101.56075, Florida Statutes, is amended to read:

101.56075 Voting methods.—For the purpose of designating ballot selections, all voting must be by official ~~marksense~~ ballot, using a pen or marker recommended by the voting system vendor. Persons with disabilities may vote using ~~marking device~~ ~~or~~ a voter interface device that produces a voter-verifiable paper output and meets the voter accessibility requirements for individuals with disabilities under s. 301 of the federal Help America Vote Act of 2002 and s. 101.56062.

Section 15. Subsections (2) and (3) of section 101.5608, Florida Statutes, are amended to read:

101.5608 Voting at the polls ~~by electronic or electromechanical method~~; procedures.—

(2) ~~When an electronic or electromechanical voting system utilizes a ballot card or marksense ballot,~~ The following procedures must ~~shall~~ be followed to vote:

(a) After receiving a ballot from an inspector, the voter ~~elector~~ shall, without leaving the polling place, retire to a booth or compartment and mark the ballot. After marking his or her ballot, the voter must ~~elector shall~~ place the ballot in a secrecy envelope so that the ballot will be deposited in the tabulator without exposing the voter's choices.

(b) Any voter who spoils his or her ballot or makes an error may return the ballot to the election official and secure another ballot, except that in no case shall a voter be furnished more than three ballots. If the vote tabulation device has rejected a ballot, the ballot must ~~shall~~ be considered spoiled and a new ballot must ~~shall~~ be provided to the voter unless the voter chooses to cast the rejected ballot. The election official, without examining the original ballot, shall state the possible reasons for the rejection and shall provide instruction to the voter pursuant to s. 101.5611. A spoiled ballot must ~~shall~~ be preserved, without examination, in an envelope provided for that purpose. ~~The stub shall be removed from the ballot and placed in an envelope.~~

(c) The supervisor of elections shall prepare for each polling place at least one ballot box to contain the ballots of a particular precinct, and each ballot box must ~~shall~~ be plainly marked with the name of the precinct for which it is intended.

(3) The Department of State shall promulgate rules regarding voting procedures to be used ~~when an electronic or electromechanical voting system is of a type which does not utilize a ballot card or marksense ballot.~~

Section 16. Subsection (5) of section 101.5612, Florida Statutes, is amended to read:

101.5612 Testing of tabulating equipment.—

(5) Any tests involving ~~marksense~~ ballots pursuant to this

section shall employ test ballots created by the supervisor of elections using actual ballots that have been printed for the election. If ballot-on-demand ballots will be used in the election, the supervisor shall also create test ballots using the ballot-on-demand technology that will be used to produce ballots in the election, using the same paper stock as will be used for ballots in the election.

Section 17. Section 101.591, Florida Statutes, is amended to read:

101.591 Voting system automated independent vote validation process; system approval; procedures ~~audit.~~—

(1) Before ~~Immediately following~~ the certification of each election, the county canvassing board or the local board responsible for certifying the election shall conduct ~~a manual audit or~~ an automated, independent vote validation ~~audit~~ of the voting systems used in all ~~randomly selected~~ precincts.

(2) ~~(a) A manual audit shall consist of a public manual tally of the votes cast in one randomly selected race that appears on the ballot. The tally sheet shall include election-day, vote-by-mail, early voting, provisional, and overseas ballots, in at least 1 percent but no more than 2 percent of the precincts chosen at random by the county canvassing board or the local board responsible for certifying the election. If 1 percent of the precincts is less than one entire precinct, the audit shall be conducted using at least one precinct chosen at~~

826 ~~random by the county canvassing board or the local board~~
827 ~~responsible for certifying the election. Such precincts shall be~~
828 ~~selected at a publicly noticed canvassing board meeting.~~

829 ~~(b)~~ An automated independent vote validation process must
830 ~~audit shall~~ consist of an a public automated verification of the
831 tally of the votes cast across every race that appears on the
832 ballot. The tally sheet must ~~shall~~ include all valid election
833 day, vote-by-mail, early voting, provisional, and overseas
834 ballots received by the start of the vote validation process in
835 all ~~at least 20 percent of the precincts chosen at random by the~~
836 ~~county canvassing board or the local board responsible for~~
837 ~~certifying the election. Such precincts shall be selected at a~~
838 ~~publicly noticed canvassing board meeting.~~

839 ~~(e)~~ The division shall adopt rules for approval of an
840 automated independent audit system which provide that the
841 system, at a minimum, must be:

842 (a)1- Completely independent of the primary voting system.

843 (b)2- Fast enough to produce final vote validation ~~audit~~
844 results within the timeframe prescribed in subsection (4).

845 (c)3- Capable of demonstrating that the ballots of record
846 have been accurately adjudicated by the automated independent
847 vote validation ~~audit~~ system in agreement with the vote
848 tabulation system and is capable of allowing the canvassing
849 board to manually adjudicate ballots of record. A canvassing
850 board is not precluded from reviewing a digital image of a

851 ballot corresponding to a physical paper ballot in conducting
852 its review.

853 (3) The canvassing board shall publish notice on the
854 county website as provided in s. 50.0311, on the supervisor of
855 election's website, or once in one or more newspapers of general
856 circulation in the county ~~post a notice~~ of the automated
857 independent vote validation process ~~audit~~, including the date,
858 time, and place, ~~in four conspicuous places in the county and on~~
859 ~~the home page of the county supervisor of elections website.~~
860 Such process shall be open to the public.

861 (4) The automated independent vote validation process
862 ~~audit~~ must be completed and the results made public before the
863 certification of the election by each county canvassing board
864 and in accordance with s. 102.141 ~~no later than 11:59 p.m. on~~
865 ~~the 7th day following certification of the election by the~~
866 ~~county canvassing board or the local board responsible for~~
867 ~~certifying the election.~~

868 (5) By December 15 of each general election year, the
869 county canvassing board or the board responsible for certifying
870 the election shall provide a report with the results of the
871 automated independent vote validation ~~audit~~ to the Department of
872 State in a standard format as prescribed by the department. Each
873 county's ~~The~~ report must be consolidated into one report and
874 included with the overvote and undervote report required under
875 s. 101.595(1). The report must, at a minimum, contain all of

shall ~~contain, but is not limited to,~~ the following items:

(a) The overall agreement accuracy of automated independent vote validation audit.

(b) A description of any problems or differences ~~discrepancies~~ encountered.

(c) The likely cause of such problems or differences ~~discrepancies~~.

(d) Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

(6) The department shall consolidate the county automated independent vote validation results and include the results as part of a post-general election report required under ss. 101.595 and 102.143 to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15 of each year following a general election ~~If a manual recount is undertaken pursuant to s. 102.166, the canvassing board is not required to perform the audit provided for in this section.~~

Section 18. Section 101.5911, Florida Statutes, is amended to read:

101.5911 Rulemaking authority for automated independent vote validation ~~voting system approval; audit~~ procedures.—
~~Effective upon this act becoming a law,~~ The department of State shall also adopt rules to implement the provisions of s. 101.591, ~~as amended by s. 8, chapter 2007-30, Laws of Florida,~~

which provide for the testing and approval of an automated independent vote validation system, and prescribe detailed automated independent vote validation ~~audit~~ procedures for each voting system, which shall be uniform to the extent practicable, along with the standard form for automated independent vote validation system ~~audit~~ reports.

Section 19. Section 101.595, Florida Statutes, is amended to read:

101.595 Analysis of overvotes and undervotes ~~and reports of voting problems.~~

(1) (a) No later than December 15 of each general election year, the supervisor of elections in each county shall report to the Department of State the total number of overvotes and undervotes in the "President and Vice President" or "Governor and Lieutenant Governor" race that appears first on the ballot or, if neither appears, the first race appearing on the ballot pursuant to s. 101.151(2), along with the likely reasons for such overvotes and undervotes and other information as may be useful in evaluating the performance of the voting system and identifying problems with ballot design and instructions which may have contributed to voter confusion. ~~This report must be consolidated into one report with the audit report required under s. 101.591(5).~~

(b) ~~(2)~~ The Department of State, upon receipt of such information, shall prepare a public report on the performance of

each type of voting system. The report must contain, but is not limited to, the following information:

1.~~(a)~~ An identification of problems with the ballot design or instructions which may have contributed to voter confusion;

2.~~(b)~~ An identification of voting system design problems; and

3.~~(c)~~ Recommendations for correcting any problems identified.

(2)~~(3)~~ The Department of State shall submit the overvote and undervote analysis required in subsection (1) as part of the post-general election report required under ss. 101.591 and 102.143, to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15 of each year following a general election.

Section 20. Subsections (2) and (4) of section 101.68, Florida Statutes, are amended to read:

101.68 Canvassing of vote-by-mail ballot.—

(2) (a) The county canvassing board may begin the canvassing of vote-by-mail ballots upon the completion of the public testing of automatic tabulating equipment pursuant to s. 101.5612(2), but must begin such canvassing by no later than noon on the day following the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing vote-by-mail ballots early, no result may ~~shall~~ be released until after the closing of the polls in that county on

951 election day. Any supervisor, deputy supervisor, canvassing
952 board member, election board member, or election employee who
953 releases the results of a canvassing or processing of vote-by-
954 mail ballots before ~~prior to~~ the closing of the polls in that
955 county on election day commits a felony of the third degree,
956 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

957 (b) To ensure that all vote-by-mail ballots to be counted
958 by the canvassing board are accounted for, the canvassing board
959 shall compare the number of ballots in its possession with the
960 number of requests for ballots received to be counted according
961 to the supervisor's file or list.

962 (c)1. The canvassing board must, if the supervisor has not
963 already done so, compare the signature of the elector on the
964 voter's certificate or on the vote-by-mail ballot cure affidavit
965 as provided in subsection (4) with the signature of the elector
966 in the registration books or the precinct register to see that
967 the elector is duly registered in the county and to determine
968 the legality of that vote-by-mail ballot. A vote-by-mail ballot
969 may only be counted if:

970 a. The signature on the voter's certificate or the cure
971 affidavit matches the elector's signature in the registration
972 books or precinct register; however, in the case of a cure
973 affidavit, the supporting identification listed in subsection
974 (4) must also confirm the identity of the elector; or

975 b. The cure affidavit contains a signature that does not

match the elector's signature in the registration books or precinct register, but the elector has submitted a current and valid Tier 1 identification pursuant to subsection (4) which confirms the identity of the elector.

For purposes of this subparagraph, any canvassing board finding that an elector's signatures do not match must be by majority vote and beyond a reasonable doubt.

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

3. A vote-by-mail ballot is not considered illegal if the signature of the elector does not cross the seal of the mailing envelope.

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

1001 voter's certificate or cure affidavit may not be accepted after
1002 the ballot has been removed from the mailing envelope.

1003 5. If the canvassing board determines that a ballot is
1004 illegal, a member of the board must, without opening the
1005 envelope, mark across the face of the envelope: "rejected as
1006 illegal." The cure affidavit, if applicable, the envelope, and
1007 the ballot therein shall be preserved in the manner that
1008 official ballots are preserved.

1009 (d) The canvassing board shall record the ballot upon the
1010 proper record, unless the ballot has been previously recorded by
1011 the supervisor. The mailing envelopes must ~~shall~~ be opened and
1012 the secrecy envelopes must ~~shall~~ be mixed so as to make it
1013 impossible to determine which secrecy envelope came out of which
1014 signed mailing envelope; however, in any county in which an
1015 electronic or electromechanical voting system is used, the
1016 ballots may be sorted by ballot styles and the mailing envelopes
1017 may be opened and the secrecy envelopes mixed separately for
1018 each ballot style. The votes on vote-by-mail ballots must ~~shall~~
1019 be included in the total vote of the county.

1020 (4) (a) As soon as practicable, the supervisor shall, on
1021 behalf of the county canvassing board, attempt to notify an
1022 elector who has returned a vote-by-mail ballot that does not
1023 include the elector's signature or contains a signature that
1024 does not match the elector's signature in the registration books
1025 or precinct register by:

1026 1. Notifying the elector of the signature deficiency by e-
1027 mail and directing the elector to the cure affidavit and
1028 instructions on the supervisor's website;

1029 2. Notifying the elector of the signature deficiency by
1030 text message and directing the elector to the cure affidavit and
1031 instructions on the supervisor's website; or

1032 3. Notifying the elector of the signature deficiency by
1033 telephone and directing the elector to the cure affidavit and
1034 instructions on the supervisor's website.

1035
1036 In addition to the notification required under subparagraph 1.,
1037 subparagraph 2., or subparagraph 3., the supervisor must notify
1038 the elector of the signature deficiency by first-class mail and
1039 direct the elector to the cure affidavit and instructions on the
1040 supervisor's website. Beginning the day before the election, the
1041 supervisor is not required to provide notice of the signature
1042 deficiency by first-class mail, but shall continue to provide
1043 notice as required under subparagraph 1., subparagraph 2., or
1044 subparagraph 3.

1045 (b) The supervisor shall allow such an elector to complete
1046 and submit an affidavit in order to cure the vote-by-mail ballot
1047 until 5 p.m. on the 2nd day after the election.

1048 (c) The elector must complete a cure affidavit in
1049 substantially the following form:
1050

CS/HB 1381

2025

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

...(Voter's Signature)...

...(Address)...

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

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

1. In order to ensure that your vote-by-mail ballot will be counted, your affidavit should be completed and returned as

1076 soon as possible so that it can reach the supervisor of
1077 elections of the county in which your precinct is located no
1078 later than 5 p.m. on the 2nd day after the election.

1079 2. You must sign your name on the line above (Voter's
1080 Signature).

1081 3. You must make a copy of one of the following forms of
1082 identification:

1083 a. Tier 1 identification.—Current and valid identification
1084 that includes your name and photograph: Florida driver license;
1085 Florida identification card issued by the Department of Highway
1086 Safety and Motor Vehicles; United States passport or passport
1087 card; United States Uniformed Services or Merchant Marine; ~~debit~~
1088 ~~or credit card~~; ~~military identification~~; ~~student identification~~;
1089 ~~retirement center identification~~; ~~neighborhood association~~
1090 ~~identification~~; ~~public assistance~~ identification; veteran health
1091 identification card issued by the United States Department of
1092 Veterans Affairs; a Florida license to carry a concealed weapon
1093 or firearm; or any ~~an~~ ~~employee~~ identification card issued by any
1094 branch, department, agency, or entity of the Federal Government,
1095 the state, a county, or a municipality; or

1096 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
1097 FORM OF IDENTIFICATION, identification that shows your name and
1098 current residence address: current utility bill, bank statement,
1099 government check, paycheck, or government document (excluding
1100 voter information card).

1101 4. Place the envelope bearing the affidavit into a mailing
1102 envelope addressed to the supervisor. Insert a copy of your
1103 identification in the mailing envelope. Mail (if time permits),
1104 deliver, or have delivered the completed affidavit along with
1105 the copy of your identification to your county supervisor of
1106 elections. Be sure there is sufficient postage if mailed and
1107 that the supervisor's address is correct. Remember, your
1108 information MUST reach your county supervisor of elections no
1109 later than 5 p.m. on the 2nd day after the election, or your
1110 ballot will not count.

1111 5. Alternatively, you may fax or e-mail your completed
1112 affidavit and a copy of your identification to the supervisor of
1113 elections. If e-mailing, please provide these documents as
1114 attachments.

1115
1116 (e) The department and each supervisor shall include the
1117 affidavit and instructions on their respective websites. The
1118 supervisor must include his or her office's mailing address, e-
1119 mail address, and fax number on the page containing the
1120 affidavit instructions, and the department's instruction page
1121 must include the office mailing addresses, e-mail addresses, and
1122 fax numbers of all supervisors of elections or provide a
1123 conspicuous link to such addresses.

1124 (f) The supervisor shall attach each affidavit received to
1125 the appropriate vote-by-mail ballot mailing envelope.

1126 (g) If a vote-by-mail ballot is validated following the
1127 submission of a cure affidavit, the supervisor must ~~shall~~ make a
1128 copy of the affidavit, affix it to a voter registration
1129 application, and immediately process it as a valid request for a
1130 signature update pursuant to s. 98.077.

1131 (h) After all election results on the ballot have been
1132 certified, the supervisor shall, on behalf of the county
1133 canvassing board, notify each elector whose ballot has been
1134 rejected as illegal and provide the specific reason the ballot
1135 was rejected. In addition, unless processed as a signature
1136 update pursuant to paragraph (g), the supervisor must ~~shall~~ mail
1137 a voter registration application to the elector to be completed
1138 indicating the elector's current signature if the signature on
1139 the voter's certificate or cure affidavit did not match the
1140 elector's signature in the registration books or precinct
1141 register.

1142 **Section 21. Subsection (2) of section 101.6923, Florida**
1143 **Statutes, is amended to read:**

1144 101.6923 Special vote-by-mail ballot instructions for
1145 certain first-time voters.—

1146 (2) A voter covered by this section must be provided with
1147 printed instructions with his or her vote-by-mail ballot in
1148 substantially the following form:

1149
1150 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR

BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote-by-mail ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your vote-by-mail ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election. Note that the later you return your ballot, the less time you will have to cure signature deficiencies, which is authorized until 5 p.m. local time on the 2nd day after the election.

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

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

4. Place your marked ballot in the enclosed secrecy

1176 envelope and seal the envelope.

1177 5. Insert the secrecy envelope into the enclosed envelope
1178 bearing the Voter's Certificate. Seal the envelope and
1179 completely fill out the Voter's Certificate on the back of the
1180 envelope.

1181 a. You must sign your name on the line above (Voter's
1182 Signature).

1183 b. If you are an overseas voter, you must include the date
1184 you signed the Voter's Certificate on the line above (Date) or
1185 your ballot may not be counted.

1186 c. A vote-by-mail ballot will be considered illegal and
1187 will not be counted if the signature on the Voter's Certificate
1188 does not match the signature on record. The signature on file at
1189 the start of the canvass of the vote-by-mail ballots is the
1190 signature that will be used to verify your signature on the
1191 Voter's Certificate. If you need to update your signature for
1192 this election, send your signature update on a voter
1193 registration application to your supervisor of elections so that
1194 it is received before your vote-by-mail ballot is received.

1195 6. Unless you meet one of the exemptions in Item 7., you
1196 must make a copy of one of the following forms of
1197 identification:

1198 a. Identification which must include your name and
1199 photograph: United States passport or passport card; United
1200 States uniformed services or Merchant marine; ~~debit or credit~~

1201 ~~card; military identification; student identification;~~
1202 ~~retirement center identification; neighborhood association~~
1203 ~~identification; public assistance~~ identification; veteran health
1204 identification card issued by the United States Department of
1205 Veterans Affairs; a Florida license to carry a concealed weapon
1206 or firearm; or any ~~an employee~~ identification card issued by any
1207 branch, department, agency, or entity of the Federal Government,
1208 the state, a county, or a municipality; or

1209 b. Identification which shows your name and current
1210 residence address: current utility bill, bank statement,
1211 government check, paycheck, or government document (excluding
1212 voter information card).

1213 7. The identification requirements of Item 6. do not apply
1214 if you meet one of the following requirements:

1215 a. You are 65 years of age or older.

1216 b. You have a temporary or permanent physical disability.

1217 c. You are a member of a uniformed service on active duty
1218 who, by reason of such active duty, will be absent from the
1219 county on election day.

1220 d. You are a member of the Merchant Marine who, by reason
1221 of service in the Merchant Marine, will be absent from the
1222 county on election day.

1223 e. You are the spouse or dependent of a member referred to
1224 in paragraph c. or paragraph d. who, by reason of the active
1225 duty or service of the member, will be absent from the county on

CS/HB 1381

2025

election day.

f. You are currently residing outside the United States.

8. Place the envelope bearing the Voter's Certificate into the mailing envelope addressed to the supervisor. Insert a copy of your identification in the mailing envelope. DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed.

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

Section 22. Section 102.141, Florida Statutes, is amended to read:

102.141 County canvassing board; duties.—

(1) MEMBERSHIP.—The county canvassing board shall be composed of the supervisor of elections; a county court judge, appointed by the chief judge of the judicial circuit in which the county is located, who shall act as chair; and the chair of the board of county commissioners. The names of the canvassing board members must be published on the supervisor's website upon completion of the logic and accuracy test. At least two

1251 alternate canvassing board members must be appointed pursuant to
1252 paragraph (b) ~~(e)~~.

1253 (a) In the event any member of the county canvassing board
1254 is unable to serve, is a candidate who has opposition in the
1255 election being canvassed, or is an active participant,
1256 including, but not limited to, publicly endorsing or donating to
1257 in the campaign or candidacy of any candidate who has opposition
1258 in the election being canvassed, or is an active participant
1259 ,including, but not limited to, publicly endorsing or donating
1260 to the support or opposition of a public measure on the ballot
1261 being canvassed, such member shall be replaced as follows:

1262 1.(a) If a county court judge is unable to serve or if all
1263 are disqualified, the chief judge of the judicial circuit in
1264 which the county is located must appoint as a substitute member
1265 a qualified voter ~~elector~~ of the county who is not a candidate
1266 with opposition in the election being canvassed and who is not
1267 an active participant, including, but not limited to, publicly
1268 endorsing or donating to the support or opposition of in the
1269 campaign or candidacy of any candidate with opposition in the
1270 election being canvassed, or is an active participant,
1271 including, but not limited to, publicly endorsing or donating to
1272 the support or opposition of a public measure on the ballot
1273 being canvassed. In such event, the members of the county
1274 canvassing board shall meet and elect a chair.

1275 2.(b) If the supervisor of elections is unable to serve or

1276 is disqualified, the chair of the board of county commissioners
1277 must appoint as a substitute member a member of the board of
1278 county commissioners who is not a candidate with opposition in
1279 the election being canvassed and who is not an active
1280 participant, including, but not limited to, publicly endorsing
1281 or donating to the support or opposition of ~~in~~ the campaign or
1282 candidacy of any candidate with opposition in the election being
1283 canvassed, or is an active participant, including, but not
1284 limited to, publicly endorsing or donating to the support or
1285 opposition of a public measure on the ballot being canvassed.
1286 The supervisor, however, shall act in an advisory capacity to
1287 the canvassing board.

1288 3. ~~(c)~~ If the chair of the board of county commissioners is
1289 unable to serve or is disqualified, the board of county
1290 commissioners must appoint as a substitute member one of its
1291 members who is not a candidate with opposition in the election
1292 being canvassed and who is not an active participant, including,
1293 but not limited to, publicly endorsing or donating to the
1294 support or opposition of ~~in~~ the campaign or candidacy of any
1295 candidate with opposition in the election being canvassed, or is
1296 an active participant, including, but not limited to, publicly
1297 endorsing or donating to the support or opposition of a public
1298 measure on the ballot being canvassed.

1299 ~~(d) If a substitute member or alternate member cannot be~~
1300 ~~appointed as provided elsewhere in this subsection, or in the~~

1301 ~~event of a vacancy in such office, the chief judge of the~~
1302 ~~judicial circuit in which the county is located must appoint as~~
1303 ~~a substitute member or alternate member a qualified elector of~~
1304 ~~the county who is not a candidate with opposition in the~~
1305 ~~election being canvassed and who is not an active participant in~~
1306 ~~the campaign or candidacy of any candidate with opposition in~~
1307 ~~the election being canvassed.~~

1308 (b)1.~~(e)1.~~ The chief judge of the judicial circuit in
1309 which the county is located shall appoint a county court judge
1310 as an alternate member of the county canvassing board or, if
1311 each county court judge is unable to serve or is disqualified,
1312 shall appoint an alternate member who is qualified to serve as a
1313 substitute member under paragraph (a). Any alternate may serve
1314 in any seat.

1315 2. The chair of the board of county commissioners shall
1316 appoint a member of the board of county commissioners as an
1317 alternate member of the county canvassing board or, if each
1318 member of the board of county commissioners is unable to serve
1319 or is disqualified, shall appoint an alternate member who is
1320 qualified to serve as a substitute member ~~under paragraph (d).~~

1321 3. If a member of the county canvassing board is unable to
1322 participate in a meeting of the board, the chair of the county
1323 canvassing board or his or her designee must designate which
1324 alternate member will serve as a member of the board in the
1325 place of the member who is unable to participate at that

1326 meeting.

1327 4. If not serving as one of the three members of the
1328 county canvassing board, an alternate member may be present,
1329 observe, and communicate with the three members constituting the
1330 county canvassing board, but may not vote in the board's
1331 decisions or determinations.

1332 (c) If a substitute member or alternate member cannot be
1333 appointed as provided in this subsection, or in the event of a
1334 vacancy in such office, the chief judge of the judicial circuit
1335 in which the county is located must appoint as a substitute
1336 member or alternate member a qualified voter of the county who
1337 is not a candidate with opposition in the election being
1338 canvassed and who is not an active participant, including
1339 endorsing, supporting, or donating, in the campaign or candidacy
1340 of a candidate who has opposition in the election being
1341 canvassed or in the support or opposition of a public measure on
1342 the ballot being canvassed.

1343 (2) IDENTIFICATION.—Each member, substitute member, and
1344 alternate member of the county canvassing board and all clerical
1345 help must wear identification badges during any period in which
1346 the county canvassing board is canvassing votes or engaging in
1347 other official duties. The identification badges must be worn in
1348 a conspicuous or unobstructed area and include the name of the
1349 individual and his or her official position.

1350 (3) LEGAL REPRESENTATION.—The county canvassing board

1351 shall retain legal counsel, which may be the county attorney.

1352 (4) ~~(2)~~ PUBLIC MEETING NOTICE.—

1353 (a) The county canvassing board shall meet in a building
1354 accessible to the public in the county where the election
1355 occurred at a time and place to be designated by the supervisor
1356 to publicly canvass the absent voters' ~~electors'~~ ballots as
1357 provided for in s. 101.68 and provisional ballots as provided by
1358 ss. 101.048, 101.049, and 101.6925. During each meeting of the
1359 county canvassing board, each political party and each candidate
1360 may have one observer ~~watcher~~ able to view directly or on a
1361 display screen ballots being examined for signature matching and
1362 other processes. Provisional ballots cast pursuant to s. 101.049
1363 shall be canvassed in a manner that votes for candidates and
1364 issues on those ballots can be segregated from other votes. As
1365 soon as the voters' ~~absent-electors'~~ ballots and the provisional
1366 ballots are canvassed, the board shall proceed to publicly
1367 canvass the vote given each candidate, nominee, constitutional
1368 amendment, or other measure submitted to the electorate of the
1369 county, as shown by the returns then on file in the office of
1370 the supervisor.

1371 (b) Public notice of the canvassing board members,
1372 alternates, time, and place at which the county canvassing board
1373 shall meet to canvass the voters' ~~absent-electors'~~ ballots and
1374 provisional ballots must be given at least 48 hours prior
1375 thereto by publication on the county's website as provided in s.

1376 50.0311, on the supervisor's website, or in one or more
1377 newspapers of general circulation in the county. If the
1378 applicable website becomes unavailable or there is no newspaper
1379 of general circulation in the county, the notice must be posted
1380 in at least four conspicuous places in the county. The time
1381 given in the notice as to the convening of the meeting of the
1382 county canvassing board must be specific and may not be a time
1383 period during which the board may meet.

1384 (c) If the county canvassing board suspends or recesses a
1385 meeting publicly noticed pursuant to paragraph (b) for a period
1386 lasting more than 60 minutes, the board must post on the
1387 supervisor's website the anticipated time at which the board
1388 expects to reconvene. If the county canvassing board does not
1389 reconvene at the specified time, the board must provide at least
1390 2 hours' notice, which must be posted on the supervisor's
1391 website, before reconvening.

1392 (d) During any meeting of the county canvassing board, a
1393 physical notice must be placed in a conspicuous area near the
1394 public entrance to the building in which the meeting is taking
1395 place. The physical notice must include the names of the
1396 individuals officially serving as the county canvassing board,
1397 the names of any alternate members, the time of the meeting, and
1398 a brief statement as to the anticipated activities of the county
1399 canvassing board.

1400 (5)(3) CANVASS OF RETURNS AND PROVISIONAL BALLOTS.—The

1401 canvass, except the canvass of voters' ~~absent electors'~~ returns
1402 and the canvass of provisional ballots, must ~~shall~~ be made from
1403 the returns and certificates of the inspectors as signed and
1404 filed by them with the supervisor, and the county canvassing
1405 board may ~~shall~~ not change the number of votes cast for a
1406 candidate, nominee, constitutional amendment, or other measure
1407 submitted to the electorate of the county, respectively, in any
1408 polling place, as shown by the returns. All returns must ~~shall~~
1409 be made to the board on or before 2 a.m. of the day following
1410 any primary, general, or other election. If the returns from any
1411 precinct are missing, if there are any omissions on the returns
1412 from any precinct, or if there is an obvious error on any such
1413 returns, the canvassing board must ~~shall~~ order a retabulation of
1414 the returns from such precinct. Before canvassing such returns,
1415 the canvassing board shall examine the tabulation of the ballots
1416 cast in such precinct and determine whether the returns
1417 correctly reflect the votes cast. If there is a discrepancy
1418 between the returns and the tabulation of the ballots cast, the
1419 tabulation of the ballots cast must ~~shall~~ be presumed correct
1420 and such votes shall be canvassed accordingly.

1421 (6)(4) PRELIMINARY RESULTS.—

1422 (a) The supervisor of elections shall upload into the
1423 county's election management system by 7 p.m. local time on the
1424 day before the election the results of all early voting and
1425 vote-by-mail ballots that have been canvassed and tabulated by

the end of the early voting period. Pursuant to ss. 101.5614(8), 101.657, and 101.68(2), the tabulation of votes cast or the results of such uploads may not be made public before the close of the polls on election day.

(b) The supervisor of elections, on behalf of the canvassing board, shall report all early voting and all tabulated vote-by-mail results to the Department of State within 30 minutes after the polls close. Thereafter, ~~the canvassing board shall report,~~ with the exception of provisional ballot results, updated precinct election results must be uploaded to the department at least every 45 minutes until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results must ~~shall~~ be submitted in a format prescribed by the department.

(7) ~~(5)~~ UNOFFICIAL RETURNS.—

(a) The canvassing board shall submit on forms or in formats provided by the division unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure no later than noon on the third day after any primary election and no later than noon on the fourth day after any general or other election. Such returns must ~~shall~~ include the canvass of all ballots, including write-in votes, as required by subsection (5) ~~(2)~~.

(b) After unofficial results are reported, each county

shall conduct an automated independent vote validation process to validate that the votes processed through the vote tabulation system for a candidate for any office, candidate for retention to a judicial office, or a measure appearing on the ballot do not:

1. Have a discrepancy of more than one-half of one percent when compared to the results of the automated independent vote validation system; or

2. Result in a change in the outcome of the contest.

The automated independent vote validation process must be completed by no later than noon on the 6th day after any primary election and no later than noon on the 7th day after any general or other election.

(c)(6) If the county canvassing board determines, after the county conducts the automated independent vote validation process in accordance with s. 101.591 and the comparison of the results of the vote tabulation and the automated independent vote validation indicates, that the unofficial returns may contain a counting error in which the vote tabulation system or the automated independent vote validation system failed to count votes that were properly marked in accordance with the instructions on the ballot, the county canvassing board shall:

1.(a) Correct the error and retabulate the affected ballots with the vote tabulation system or the automated

1476 independent vote validation system; or

1477 2.~~(b)~~ Request that the Department of State verify the
1478 ~~tabulation~~ software of the affected system. When the Department
1479 of State verifies such software, the department shall compare
1480 the software used to tabulate the votes with the software filed
1481 with the department pursuant to s. 101.5607 and check the
1482 election parameters.

1483 (8) SYSTEM VALIDATION REVIEW.—

1484 (a)~~(7)~~ If the comparison of the results of the vote
1485 tabulation system and the automated independent vote validation
1486 system reflects a difference as described in paragraph (7) (b),
1487 the proper county election official under the oversight of the
1488 county canvassing board must conduct a system validation review
1489 using the images in the automated independent vote validation
1490 system of the ballots in disagreement, which must include, but
1491 is not limited to, a review of any clear overvotes or undervotes
1492 that appear in the automated independent vote validation system
1493 to adjudicate the voter intent of such ballots before
1494 certification of the county's official results ~~unofficial~~
1495 ~~returns reflect that a candidate for any office was defeated or~~
1496 ~~eliminated by one-half of a percent or less of the votes cast~~
1497 ~~for such office, that a candidate for retention to a judicial~~
1498 ~~office was retained or not retained by one-half of a percent or~~
1499 ~~less of the votes cast on the question of retention, or that a~~
1500 ~~measure appearing on the ballot was approved or rejected by one-~~

1501 ~~half of a percent or less of the votes cast on such measure, a~~
1502 ~~recount shall be ordered of the votes cast with respect to such~~
1503 ~~office or measure.~~ The Secretary of State is responsible for
1504 ordering such system validation review ~~recounts~~ in races that
1505 are federal or, state races that are, and multicounty, and any
1506 other multicounty races. The county canvassing board or the
1507 local board responsible for certifying the election is
1508 responsible for ordering a system validation review under this
1509 subsection ~~recounts~~ in all other races. A system validation
1510 review ~~recount~~ need not be ordered with respect to the returns
1511 for any office, however, if the candidate or candidates defeated
1512 or eliminated from contention for such office by one-half of a
1513 percent or less of the votes cast for such office request in
1514 writing that a system validation review ~~recount~~ not be made.

1515 ~~(a) Each canvassing board responsible for conducting a~~
1516 ~~recount shall put each marksense ballot through automatic~~
1517 ~~tabulating equipment and determine whether the returns correctly~~
1518 ~~reflect the votes cast. If any marksense ballot is physically~~
1519 ~~damaged so that it cannot be properly counted by the automatic~~
1520 ~~tabulating equipment during the recount, a true duplicate shall~~
1521 ~~be made of the damaged ballot pursuant to the procedures in s.~~
1522 ~~101.5614(4). Immediately before the start of the recount, a test~~
1523 ~~of the tabulating equipment shall be conducted as provided in s.~~
1524 ~~101.5612. If the test indicates no error, the recount tabulation~~
1525 ~~of the ballots cast shall be presumed correct and such votes~~

shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error. If the automatic tabulating equipment used in a recount is not part of the voting system and the ballots have already been processed through such equipment, the canvassing board is not required to put each ballot through any automatic tabulating equipment again.

(b) Each canvassing board responsible for conducting a recount where touchscreen ballots were used shall examine the counters on the precinct tabulators to ensure that the total of the returns on the precinct tabulators equals the overall election return. If there is a discrepancy between the overall election return and the counters of the precinct tabulators, the counters of the precinct tabulators shall be presumed correct and such votes shall be canvassed accordingly.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide,

1551 ~~state, or multicounty office or ballot measure. The returns~~
1552 ~~shall be filed no later than 3 p.m. on the 5th day after any~~
1553 ~~primary election and no later than 3 p.m. on the 9th day after~~
1554 ~~any general election in which a recount was ordered by the~~
1555 ~~Secretary of State. If the canvassing board is unable to~~
1556 ~~complete the recount prescribed in this subsection by the~~
1557 ~~deadline, the second set of unofficial returns submitted by the~~
1558 ~~canvassing board shall be identical to the initial unofficial~~
1559 ~~returns and the submission shall also include a detailed~~
1560 ~~explanation of why it was unable to timely complete the recount.~~
1561 ~~However, the canvassing board shall complete the recount~~
1562 ~~prescribed in this subsection, along with any manual recount~~
1563 ~~prescribed in s. 102.166, and certify election returns in~~
1564 ~~accordance with the requirements of this chapter.~~

1565 ~~(d) The Department of State shall adopt detailed rules~~
1566 ~~prescribing additional recount procedures for each certified~~
1567 ~~voting system, which shall be uniform to the extent practicable.~~

1568 (b)(8) The canvassing board may employ such clerical help
1569 to assist with the work of the board as it deems necessary, with
1570 at least one member of the board present at all times, until the
1571 canvass of the returns is completed. The clerical help must
1572 ~~shall~~ be paid from the same fund as inspectors and other
1573 necessary election officials.

1574 (c) The canvassing board shall publish notice on the
1575 county website as provided in s. 50.0311, on the supervisor of

elections' website, or once in one or more newspapers of general circulation in the county of the system validation review, including the date, time, and place. Such review is open to the public.

(d) The canvassing board shall submit on forms or in formats provided by the division a vote validation report to the department for each federal, statewide, state, or multicounty office or ballot measure in accordance with paragraph (7)(b). If the canvassing board is unable to complete the system validation review by the deadline, the vote validation report submitted by the canvassing board must be identical to the initial unofficial returns and the submission must also include a detailed explanation of the reason the board was unable to timely complete the system validation review. However, the canvassing board shall complete the system validation review prescribed in this subsection, along with any manual review prescribed and certify official election returns, in accordance with the requirements of this chapter.

(e) The department shall adopt detailed rules prescribing additional system validation review procedures for each certified voting system, which must be uniform to the extent practicable.

~~(9) Each member, substitute member, and alternate member of the county canvassing board and all clerical help must wear identification badges during any period in which the county~~

1601 ~~canvassing board is canvassing votes or engaging in other~~
1602 ~~official duties. The identification badges should be worn in a~~
1603 ~~conspicuous and unobstructed area, and include the name of the~~
1604 ~~individual and his or her official position.~~

1605 ~~(10)(a) The supervisor shall file a report with the~~
1606 ~~Division of Elections on the conduct of the election no later~~
1607 ~~than 20 business days after the Elections Canvassing Commission~~
1608 ~~certifies the election. The report must, at a minimum, describe~~
1609 ~~all of the following:~~

1610 ~~1. All equipment or software malfunctions at the precinct~~
1611 ~~level, at a counting location, or within computer and~~
1612 ~~telecommunications networks supporting a county location, and~~
1613 ~~the steps that were taken to address the malfunctions.~~

1614 ~~2. All election definition errors that were discovered~~
1615 ~~after the logic and accuracy test, and the steps that were taken~~
1616 ~~to address the errors.~~

1617 ~~3. All ballot printing errors, vote-by-mail ballot mailing~~
1618 ~~errors, or ballot supply problems, and the steps that were taken~~
1619 ~~to address the errors or problems.~~

1620 ~~4. All staffing shortages or procedural violations by~~
1621 ~~employees or precinct workers which were addressed by the~~
1622 ~~supervisor of elections or the county canvassing board during~~
1623 ~~the conduct of the election, and the steps that were taken to~~
1624 ~~correct such issues.~~

1625 ~~5. All instances where needs for staffing or equipment~~

1626 ~~were insufficient to meet the needs of the voters.~~

1627 ~~6. Any additional information regarding material issues or~~
1628 ~~problems associated with the conduct of the election.~~

1629 ~~(b) If a supervisor discovers new or additional~~
1630 ~~information on any of the items required to be included in the~~
1631 ~~report pursuant to paragraph (a) after the report is filed, the~~
1632 ~~supervisor must notify the division that new information has~~
1633 ~~been discovered no later than the next business day after the~~
1634 ~~discovery, and the supervisor must file an amended report signed~~
1635 ~~by the supervisor of elections on the conduct of the election~~
1636 ~~within 10 days after the discovery.~~

1637 ~~(c) Such reports must be maintained on file in the~~
1638 ~~Division of Elections and must be available for public~~
1639 ~~inspection.~~

1640 ~~(d) The division shall review the conduct of election~~
1641 ~~reports to determine what problems may be likely to occur in~~
1642 ~~other elections and disseminate such information, along with~~
1643 ~~possible solutions and training, to the supervisors of~~
1644 ~~elections.~~

1645 ~~(e) The department shall submit the analysis of these~~
1646 ~~reports for the general election as part of the consolidated~~
1647 ~~reports required under ss. 101.591 and 101.595 to the Governor,~~
1648 ~~the President of the Senate, and the Speaker of the House of~~
1649 ~~Representatives by February 15 of each year following a general~~
1650 ~~election.~~

~~(11) The supervisor shall file with the department a copy of or an export file from the results database of the county's voting system and other statistical information as may be required by the department, the Legislature, or the Election Assistance Commission. The department shall adopt rules establishing the required content and acceptable formats for the filings and time for filings.~~

Section 23. Section 102.143, Florida Statutes, is created to read:

102.143 Conduct of election report.—

(1) (a) The supervisor shall file a report with the division on the conduct of the election no later than 15 days after the election. The report must, at a minimum, describe all of the following:

1. All equipment or software malfunctions at the precinct level, at a counting location, or within computer and telecommunications networks supporting a county location; or issues encountered with any state approved election system, including, but not limited to, vote tabulation systems and automated independent vote validation systems and the steps that were taken to address the errors.

2. All election definition errors that were discovered after the logic and accuracy test, and the steps that were taken to address the errors.

3. All ballot printing errors, vote-by-mail ballot mailing

1676 errors, or ballot supply problems and the steps that were taken
1677 to address the errors or problems.

1678 4. All staffing shortages or procedural violations by
1679 employees or precinct workers which were addressed by the
1680 supervisor of elections or the county canvassing board during
1681 the conduct of the election, and the steps that were taken to
1682 correct such issues.

1683 5. All instances where the needs for staffing or equipment
1684 were insufficient to meet the needs of the voters.

1685 6. Any additional information regarding material issues or
1686 problems associated with the conduct of the election.

1687 (b) If a supervisor discovers new or additional
1688 information for any of the items required to be included in the
1689 report pursuant to paragraph (a) after the report is filed, the
1690 supervisor must notify the division that new information has
1691 been discovered no later than the next business day after the
1692 discovery, and the supervisor must file an amended report signed
1693 by the supervisor of elections on the conduct of the election
1694 within 10 days after the discovery.

1695 (c) Such reports must be maintained on file in the
1696 division and must be available for public inspection.

1697 (2) The division shall review the conduct of election
1698 reports to determine what problems may be likely to occur in
1699 other elections and disseminate such information, along with
1700 possible solutions and training, to the supervisors of

elections.

(3) For the general election, the department shall submit the analysis of these reports as part of the post-general election report required under ss. 101.591 and 101.595 to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15 of each year following a general election.

Section 24. Section 102.166, Florida Statutes, is amended to read:

102.166 Manual review ~~recounts~~ of overvotes and undervotes.—

(1) If the vote tabulation system indicates and automated independent vote validation process ~~second set of unofficial returns~~ pursuant to ss. 101.591 and 102.141 ~~s. 102.141 confirms indicates~~ that a candidate for any office was defeated or eliminated by one-quarter of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-quarter of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-quarter of a percent or less of the votes cast on such measure, a manual review ~~recount~~ of the overvotes and undervotes cast in the entire geographic jurisdiction of such office or ballot measure must shall be ordered and conducted in a manner consistent with s. 102.141(8) unless:

1726 (a) The candidate or candidates defeated or eliminated
1727 from contention by one-quarter of 1 percent or fewer of the
1728 votes cast for such office request in writing that a manual
1729 review ~~recount~~ not be made; or

1730 (b) The number of overvotes and undervotes is fewer than
1731 the number of votes needed to change the outcome of the
1732 election.

1733
1734 The Secretary of State is responsible for ordering such manual
1735 reviews in races that are ~~a manual recount for federal or~~ state
1736 races that are multicounty, and any other multicounty races. The
1737 county canvassing board or local board responsible for
1738 certifying the election is responsible for ordering a manual
1739 review ~~recount~~ for all other races. A manual review ~~recount~~
1740 consists of a review by a designee of the canvassing board
1741 ~~recount of paper marksense~~ ballots or of digital images from an
1742 independent vote validation system, if applicable ~~of those~~
1743 ~~ballots by a person.~~

1744 (2) Any hardware or software used to identify and sort
1745 overvotes and undervotes for a given race or ballot measure must
1746 be certified by the Department of State. Any such hardware or
1747 software must be capable of simultaneously identifying and
1748 sorting overvotes and undervotes in multiple races while
1749 simultaneously counting votes. Overvotes and undervotes must be
1750 identified and sorted while conducting the vote validation

CS/HB 1381

2025

1751 process ~~recounting ballots~~ pursuant to s. 102.141. Overvotes and
1752 undervotes may be identified and sorted physically or digitally.

1753 (3) Any manual review is ~~recount shall be~~ open to the
1754 public. Each political party may designate one person with
1755 expertise in the computer field who must be allowed in the
1756 central counting room when all tests are being conducted and
1757 when the official votes are being counted. The designee may not
1758 interfere with the normal operation of the canvassing board.

1759 (4) (a) A vote for a candidate or ballot measure must ~~shall~~
1760 be counted if there is a clear indication on the ballot that the
1761 voter has made a definite choice.

1762 (b) The Department of State shall adopt specific rules for
1763 the federal write-in absentee ballot and for each certified
1764 voting system prescribing what constitutes a "clear indication
1765 on the ballot that the voter has made a definite choice." The
1766 rules must ~~shall~~ be consistent, to the extent practicable, and
1767 may not:

1768 1. Authorize the use of any electronic or
1769 electromechanical reading device to review a hybrid voting
1770 system ballot that is produced using a voter interface device
1771 and that contains both machine-readable fields and machine-
1772 printed text of the contest titles and voter selections, unless
1773 the printed text is illegible;

1774 2. Exclusively provide that the voter must properly mark
1775 or designate his or her choice on the ballot; or

1776 3. Contain a catch-all provision that fails to identify
1777 specific standards, such as "any other mark or indication
1778 clearly indicating that the voter has made a definite choice."

1779 (c) The rule for the federal write-in absentee ballot must
1780 address, at a minimum, the following issues:

1781 1. The appropriate lines or spaces for designating a
1782 candidate choice and, for state and local races, the office or
1783 ballot measure to be voted, including the proximity of each to
1784 the other and the effect of intervening blank lines.

1785 2. The sufficiency of designating a candidate's first or
1786 last name when no other candidate in the race has the same or a
1787 similar name.

1788 3. The sufficiency of designating a candidate's first or
1789 last name when an opposing candidate has the same or a similar
1790 name, notwithstanding generational suffixes and titles such as
1791 "Jr.," "Sr.," or "III." The rule should contemplate the
1792 sufficiency of additional first names and first initials, middle
1793 names and middle initials, generational suffixes and titles,
1794 nicknames, and, in general elections, the name or abbreviation
1795 of a political party.

1796 4. Candidate designations containing both a qualified
1797 candidate's name and a political party, including those in which
1798 the party designated is the candidate's party, is not the
1799 candidate's party, has an opposing candidate in the race, or
1800 does not have an opposing candidate in the race.

1801 5. Situations where the abbreviation or name of a
1802 candidate is the same as the abbreviation or name of a political
1803 party to which the candidate does not belong, including those in
1804 which the party designated has another candidate in the race or
1805 does not have a candidate in the race.

1806 6. The use of marks, symbols, or language, such as arrows,
1807 quotation marks, or the word "same" or "ditto," to indicate that
1808 the same political party designation applies to all listed
1809 offices or the elector's approval or disapproval of all listed
1810 ballot measures.

1811 7. Situations in which an elector designates the name of a
1812 qualified candidate for an incorrect office.

1813 8. Situations in which an elector designates an otherwise
1814 correct office name that includes an incorrect district number.

1815 (5) Procedures for a manual review ~~recount~~ are as follows:

1816 (a) The county canvassing board shall appoint as many
1817 counting teams of at least two electors as is necessary to
1818 manually review ~~recount~~ the ballots. A counting team must have,
1819 when possible, members of at least two political parties. A
1820 candidate involved in the race shall not be a member of the
1821 counting team.

1822 (b) Each duplicate ballot prepared pursuant to s.
1823 101.5614(4) or s. 102.141(8) ~~s. 102.141(7)~~ shall be compared
1824 with the original ballot to ensure the correctness of the
1825 duplicate.

(c) If a counting team is unable to determine whether the ballot contains a clear indication that the voter has made a definite choice, the ballot must ~~shall~~ be presented to the county canvassing board for a determination.

(d) The Department of State shall adopt detailed rules prescribing additional review ~~recount~~ procedures for each certified voting system which must ~~shall~~ be uniform to the extent practicable. The rules must, at a minimum, ~~shall~~ address, ~~at a minimum,~~ the following areas:

1. Security of ballots during the manual review ~~recount~~ process;
2. Time and place of manual reviews ~~recounts~~;
3. Public observance of manual reviews ~~recounts~~;
4. Objections to ballot determinations;
5. Record of manual review ~~recount~~ proceedings;
6. Procedures relating to candidate and petitioner representatives; and
7. Procedures relating to the certification and the use of automatic tabulating equipment that is not part of a voting system.

(6) Nothing in this section precludes a county canvassing board or local board involved in the manual review ~~recount~~ from comparing a digital image of a ballot to the corresponding physical paper ballot during a manual review ~~recount~~.

Section 25. Subsection (1) of section 104.42, Florida

CS/HB 1381

2025

1851 **Statutes, is amended to read:**

1852 104.42 Fraudulent registration and illegal voting;
1853 investigation.—

1854 (1) The supervisor of elections is authorized to
1855 investigate fraudulent registrations and illegal voting and must
1856 ~~to~~ report his or her findings to the local state attorney and
1857 the Office of Election Crimes and Security.

1858 **Section 26. Paragraph (b) of subsection (12) of section**
1859 **106.08, Florida Statutes, is amended to read:**

1860 106.08 Contributions; limitations on.—

1861 (12)

1862 (b) A foreign national may not make or offer to make,
1863 directly or indirectly, a contribution or expenditure in
1864 connection with any election held in the state or in connection
1865 with a constitutional amendment proposed by initiative. A
1866 political party, a political committee, an electioneering
1867 communications organization, or a candidate may not knowingly
1868 accept or solicit, directly or indirectly, a contribution from a
1869 foreign national in connection with any election held in this
1870 state or in connection with a constitutional amendment proposed
1871 by initiative. A person or entity who violates this section
1872 commits a felony of the third degree, punishable as provided in
1873 s. 775.082, s. 775.083, or s. 775.084, and shall also be subject
1874 to a civil penalty equal to three times the amount contributed.
1875 Such penalty shall be paid into the General Revenue Fund of this

1876 state. Any penalty imposed against a person that is not an
1877 individual jointly and severally attaches to the chair of the
1878 entity if the entity does not pay the penalty within 30 days.
1879 The Florida Election Commission shall be responsible for
1880 determining violations, imposing civil penalties, and collecting
1881 any unpaid civil penalties.

1882 **Section 27. Section 322.034, Florida Statutes, is created**
1883 **to read:**

1884 322.034 Legal status designation on state-issued driver
1885 licenses and identification cards.—

1886 (1) By July 1, 2026, a driver license or Florida
1887 identification card issued new or as a renewal to a qualified
1888 applicant must include the legal status of the licensee or
1889 cardholder as either United States citizen or a non-United
1890 States citizen as last recorded in the system at the time of the
1891 issuance or renewal.

1892 (2) Notwithstanding this chapter, the department shall, at
1893 no charge, issue or renew a replacement card if a licensee or
1894 cardholder timely updates his or her legal status upon becoming
1895 a citizen of the United States as required in s. 322.19.

1896 **Section 28. Paragraph (d) is added to subsection (8) of**
1897 **section 895.02, Florida Statutes, to read:**

1898 895.02 Definitions.—As used in ss. 895.01-895.08, the
1899 term:

1900 (8) "Racketeering activity" means to commit, to attempt to

CS/HB 1381

2025

1901 commit, to conspire to commit, or to solicit, coerce, or
1902 intimidate another person to commit:

1903 (d) A violation of the Florida Election Code, relating to
1904 irregularities or fraud involving voter registration, voting, or
1905 candidate petitions.

1906 **Section 29.** This act shall take effect October 1, 2025.
1907