

By Senator Polsky

30-01455-25

20251486\_\_

1                                   A bill to be entitled  
2           An act relating to elections affected by disasters;  
3           amending s. 101.733, F.S.; requiring that a certain  
4           notice be posted on affected municipalities' websites;  
5           requiring supervisors of elections to also notify  
6           voters using specified means; requiring the Division  
7           of Elections to provide and present a certain  
8           contingency plan to the Legislature; providing that  
9           such presentation is a public record; requiring the  
10          Secretary of State to consider certain sectors when  
11          assessing the impact on their jurisdiction and the  
12          ability of voters to participate in elections;  
13          requiring that voters be able to perform specified  
14          actions under certain conditions; requiring the  
15          division to perform specified actions under certain  
16          conditions; requiring that certain information be  
17          provided in a specified manner and updated in real-  
18          time as changes are made; requiring the division to  
19          maintain a specified number of strategic elections  
20          equipment reserves in specified locations; requiring  
21          that such reserves be deployed for certain purposes;  
22          requiring that the reserves include certain equipment;  
23          authorizing the division to contract with a state-  
24          approved vendor for such equipment; requiring that,  
25          under specified conditions, election officials be able  
26          to perform specified actions; requiring certain  
27          counties and municipalities to update their websites  
28          to include specified information; providing that  
29          specified criminal penalties do not apply under

30-01455-25

20251486\_\_

30 specified conditions; amending s. 101.62, F.S.;

31 providing that the use of the uniform statewide ballot

32 application may not be required for requests for vote-

33 by-mail ballots from certain voters; conforming

34 provisions to changes made by the act; amending s.

35 101.657, F.S.; authorizing that certain locations be

36 designated as early voting locations; conforming

37 provisions to changes made by the act; amending s.

38 102.141, F.S.; conforming provisions to changes made

39 by the act; amending s. 104.0616, F.S.; providing an

40 exemption from criminal penalties to conform to

41 changes made by the act; providing an effective date.

42

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

44

45 Section 1. Section 101.733, Florida Statutes, is amended to

46 read:

47 101.733 Election emergency; purpose; elections emergency

48 contingency plan; voter protections.—Because of the existing and

49 continuing possibility of an emergency or common disaster

50 occurring before or during a regularly scheduled or special

51 election, and in order to ensure maximum citizen participation

52 in the electoral process and provide a safe and orderly

53 procedure for persons seeking to exercise their right to vote,

54 generally to minimize to whatever degree possible a person's

55 exposure to danger during declared states of emergency, and to

56 protect the integrity of the electoral process, it is hereby

57 found and declared to be necessary to designate a procedure for

58 the emergency suspension or delay and rescheduling of elections.

30-01455-25

20251486\_\_

59 (1) The Governor may, upon issuance of an executive order  
60 declaring a state of emergency or impending emergency, suspend  
61 or delay any election. The Governor may take such action  
62 independently or at the request of the Secretary of State, a  
63 supervisor of elections from a county affected by the emergency  
64 circumstances, or a municipal clerk from a municipality affected  
65 by the emergency circumstances.

66 (2) The Governor, upon consultation with the Secretary of  
67 State, shall reschedule any election suspended or delayed due to  
68 an emergency. The election shall be held within 10 days after  
69 the date of the suspended or delayed election or as soon  
70 thereafter as is practicable. Notice of the election must be  
71 published on the affected county's website and on the affected  
72 municipality's website as provided in s. 50.0311, on the  
73 affected supervisor's website; ~~or~~ at least once in a newspaper  
74 of general circulation in the affected area; and, if where  
75 practicable, broadcast as a public service announcement on radio  
76 and television stations at least 1 week before the date the  
77 election is to be held. Supervisors of elections shall also  
78 notify voters in their respective county through other available  
79 and regularly used means of communication, including, but not  
80 limited to, the use of social media, e-mails, telephone calls,  
81 and text message.

82 (3) The Division of Elections of the Department of State  
83 shall adopt, by rule, an elections emergency contingency plan,  
84 which shall contain goals and policies that give specific  
85 direction to state and local elections officials when an  
86 election has been suspended or delayed due to an emergency. The  
87 division must provide and prepare this contingency plan to the

30-01455-25

20251486\_\_

88 Legislature each year that an election is conducted. The  
89 presentation is a public record. The contingency plan must ~~shall~~  
90 be statewide in scope and must ~~shall~~ address, but not be limited  
91 to, the following concerns:

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

97 (b) Providing a procedure for the orderly conduct of a  
98 rescheduled election, whether municipal, county, district, or  
99 statewide in scope; coordinating those efforts with the  
100 appropriate elections official, and the members of the governing  
101 body holding such election, if appropriate; and working with the  
102 appropriate emergency management officials in determining the  
103 safety of existing polling places or designating additional  
104 polling places.

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

109 (4) When assessing impacts on jurisdictions and the ability  
110 of all voters to participate in elections, the secretary shall  
111 consider impacts on housing, transportation, utilities, Internet  
112 access, the United States Postal Service, and accessibility  
113 needs and shall proactively consult with supervisors and county  
114 emergency management agencies, county public services and  
115 utilities, social services, and community-based nongovernmental  
116 organizations in the affected jurisdictions. At a minimum, in

30-01455-25

20251486\_\_

117 any county designated by the Federal Emergency Management Agency  
118 as eligible for individual assistance or designated as being in  
119 a state of emergency by the Governor in an executive order, a  
120 voter must be able to do all of the following:

121 (a) Request a vote-by-mail ballot by telephone, in writing,  
122 or by e-mail to be mailed to an address other than the voter's  
123 address on file, without requiring the voter to complete the  
124 statewide vote-by-mail request form.

125 (b) Have the vote-by-mail ballot sent via forwardable mail,  
126 such that displaced voters who have provided a forwarding  
127 address to the United States Postal Service do not need to  
128 request a new ballot.

129 (c) Return the completed vote-by-mail ballot to any county  
130 and have the supervisor of that county forward that ballot to  
131 the supervisor of the appropriate county.

132 (d) Drop the vote-by-mail ballot off at any polling place  
133 or the supervisor of elections office on election day.

134 (e) Request that a vote-by-mail ballot be mailed to the  
135 voter 10 days before election day, and request a vote-by-mail  
136 ballot for pickup during early voting without an emergency  
137 excuse.

138 (f) Have the vote-by-mail ballot counted, as long as it is  
139 postmarked by or on election day and received within 2 days  
140 after election day.

141 (g) Receive additional time, up to 5 p.m. on the fourth day  
142 after the election, to cure any issues with the signature on the  
143 vote-by-mail ballot.

144 (h) Obtain accurate and timely information about disaster-  
145 related changes to the voter's voting options on a clearly and

30-01455-25

20251486\_\_

146 prominently designated page on their supervisor's website and,  
147 for municipal and county elections on the respective website.

148 (5) At a minimum, if a county in this state is designated  
149 by the Federal Emergency Management Agency as eligible for  
150 public or individual assistance or is designated as being in a  
151 state of emergency by the Governor in an executive order, and  
152 there is a regularly scheduled or special election in that  
153 county within 90 days after the designation, the division must:

154 (a) Create a page on the division's website where voters  
155 registered in any affected county can submit a vote-by-mail  
156 request using a statewide phone number and online request form.

157 (b) Provide an emergency allocation to ensure that all  
158 affected counties can pay for return paid postage for vote-by-  
159 mail ballots, additional staffing needs and other costs for  
160 extended early voting hours, and additional early voting sites,  
161 additional secure ballot intake stations and staffing to monitor  
162 them, and voter education about changes to voting processes and  
163 locations.

164 (c) Extend mandatory early voting hours in affected  
165 counties from 8 to 12 hours per day throughout the early voting  
166 period, and provide financial support, if necessary.

167 (d) Extend relevant election deadlines to accommodate  
168 extended ballot return and ballot cure timeframes.

169 (e) Update the website and require that the Division of  
170 Emergency Management and all other emergency pages include  
171 information regarding changes to voting procedures or locations  
172 in affected counties through election day. The following  
173 information must be presented in a user-friendly format, written  
174 in plain language, publicly promoted, and updated in real-time

30-01455-25

20251486\_\_

175 as changes are made:

176 1. How to vote by mail for voters in affected counties,  
177 including, but not limited to:

178 a. How voters can obtain and cast a vote-by-mail ballot if  
179 unable to access their mailing address.

180 b. How voters can obtain and cast a vote-by-mail ballot if  
181 they have recently requested one, but cannot locate it.

182 c. How voters can verify whether a vote-by-mail ballot that  
183 was mailed back to the supervisor was received or if it was lost  
184 or destroyed.

185 2. The dates, hours, and locations for vote-by-mail drop  
186 off at secure ballot intake stations in affected counties.

187 3. The days and hours during which affected supervisor of  
188 elections offices will be open and fully functional, including  
189 locations and contact information for the supervisor  
190 highlighting any changes.

191 4. The dates, hours, and locations for early voting in  
192 affected counties and highlighting any changes.

193 5. The list of acceptable forms of voter identification  
194 with instruction on how to obtain a new driver license or  
195 Florida identification card for those who lost documentation as  
196 a result of the emergency.

197 6. How to vote in person at early voting sites during the  
198 early voting period or, if relevant, on election day, including  
199 whether displaced voters can vote at these locations if outside  
200 the precinct.

201 (f) Instruct supervisors in affected counties to update  
202 their websites and social media through election day to  
203 prominently display information about all the changes to

30-01455-25

20251486\_\_

204 election procedures.

205 (g) Provide prominent links on the division's website  
206 containing voting and election information related to the  
207 emergency and require the Division of Emergency Management and  
208 any affected county or municipality include such links on their  
209 websites.

210 (6) The division shall maintain at least three strategic  
211 elections equipment reserves of voting systems: at least one in  
212 the northern part of the state, at least one in the central part  
213 of the state, and at least one in the southern part of the  
214 state. Such reserves must be deployed to provide affected  
215 counties with additional or replacement equipment necessary to  
216 ensure adequate execution of elections in the aftermath of a  
217 disaster. Such reserves must include tabulation equipment and  
218 other necessary equipment, including, but not limited to,  
219 ballot-on-demand printers and other printers that are in use by  
220 each supervisor, accessible voting equipment, electronic poll  
221 books, uninterrupted power supplies, generators, cabling, and  
222 power cords. In lieu of maintaining a physical reserve of such  
223 equipment, the division may contract with a state-approved  
224 vendor of voting equipment to provide such equipment on an  
225 emergency as-needed basis.

226 (7) At a minimum, in a county that is designated by the  
227 Federal Emergency Management Agency as eligible for individual  
228 or public assistance or designated by the Governor as being in a  
229 state of emergency in an executive order, election officials  
230 must be able to:

231 (a) Conduct early voting beginning 15 days before the  
232 election through election day.



30-01455-25

20251486\_\_

233       (b) Designate up to three early voting sites that are not  
234 otherwise eligible early voting sites, as long as they are  
235 geographically located so as to provide all voters in that area  
236 with an equal opportunity to cast a ballot, insofar as is  
237 practicable, and provide sufficient nonpermitted parking to  
238 accommodate the anticipated number of voters.

239       (c) Use mobile polling locations.

240       (d) Expand the use of secure ballot intake stations by  
241 allowing voters to drop their ballots off at all polling places  
242 and supervisor of elections offices on election day and by  
243 allowing counties to offer secure ballot intake stations beyond  
244 the hours that sites are open during early voting.

245       (e) Forward any paper vote-by-mail requests submitted to  
246 them from a voter registered in another county to the supervisor  
247 of elections office in the appropriate county.

248       (f) Extend the deadline to cure vote-by-mail ballots by 2  
249 days to 5 p.m. on the fourth day after the election.

250       (g) Offer early voting through election day so that all  
251 voters registered in a county may vote countywide on election  
252 day.

253       (h) If post offices are impacted, hold local ballots at the  
254 supervisor's office, so long as the supervisor notifies voters  
255 by all available means that this service is being offered.

256       (i) Receive supplies and equipment shared by other counties  
257 and access supplies and equipment from the state's emergency  
258 equipment warehouses.

259       (8) Affected counties and municipalities shall update their  
260 websites to prominently display information regarding changes to  
261 voting dates, procedures, or locations and include links to the

30-01455-25

20251486\_\_

262 county's supervisor of elections website containing election  
263 information related to the emergency.

264 (9) In order to facilitate voters who require assistance in  
265 casting their vote-by-mail ballot in the aftermath of a  
266 disaster, in a county that is designated by the Federal  
267 Emergency Management Agency as eligible for individual or public  
268 assistance or designated by the Governor as being in a state of  
269 emergency in an executive order, criminal penalties pursuant to  
270 s. 104.0616(2) do not apply, provided that secure ballot intake  
271 stations are monitored in person by an employee of the  
272 supervisor's office in accordance with s. 101.69(2) (a).

273 Section 2. Subsection (1) of section 101.62, Florida  
274 Statutes, is amended to read:

275 101.62 Request for vote-by-mail ballots.—

276 (1) REQUEST.—

277 (a) The supervisor shall accept a request for a vote-by-  
278 mail ballot only from a voter or, if directly instructed by the  
279 voter, a member of the voter's immediate family or the voter's  
280 legal guardian. A request may be made in person, in writing, by  
281 telephone, or through the supervisor's website. The department  
282 shall prescribe by rule by October 1, 2023, a uniform statewide  
283 application to make a written request for a vote-by-mail ballot  
284 which includes fields for all information required in this  
285 subsection. The use of the uniform statewide ballot application  
286 may not be required for vote-by-mail ballot requests from a  
287 county that is affected by an emergency defined in ss. 101.732  
288 and 101.733. One request is deemed sufficient to receive a vote-  
289 by-mail ballot for all elections through the end of the calendar  
290 year of the next regularly scheduled general election, unless

30-01455-25

20251486\_\_

291 the voter or the voter's designee indicates at the time the  
292 request is made the elections within such period for which the  
293 voter desires to receive a vote-by-mail ballot. The supervisor  
294 must cancel a request for a vote-by-mail ballot when any first-  
295 class mail or nonforwardable mail sent by the supervisor to the  
296 voter is returned as undeliverable. If the voter requests a  
297 vote-by-mail ballot thereafter, the voter must provide or  
298 confirm his or her current residential address.

299 (b) The supervisor may accept a request for a vote-by-mail  
300 ballot to be mailed to a voter's address on file in the Florida  
301 Voter Registration System from the voter, or, if directly  
302 instructed by the voter, a member of the voter's immediate  
303 family or the voter's legal guardian. If an in-person or a  
304 telephonic request is made, the voter must provide the voter's  
305 Florida driver license number, the voter's Florida  
306 identification card number, or the last four digits of the  
307 voter's social security number, whichever may be verified in the  
308 supervisor's records. Except as provided in s. 101.733, if the  
309 ballot is requested to be mailed to an address other than the  
310 voter's address on file in the Florida Voter Registration  
311 System, the request must be made in writing. A written request  
312 must be signed by the voter and include the voter's Florida  
313 driver license number, the voter's Florida identification card  
314 number, or the last four digits of the voter's social security  
315 number. However, an absent uniformed services voter or an  
316 overseas voter seeking a vote-by-mail ballot is not required to  
317 submit a signed, written request for a vote-by-mail ballot that  
318 is being mailed to an address other than the voter's address on  
319 file in the Florida Voter Registration System. The person making

30-01455-25

20251486\_\_

320 the request must disclose:

321 1. The name of the voter for whom the ballot is requested.

322 2. The voter's address.

323 3. The voter's date of birth.

324 4. The voter's Florida driver license number, the voter's  
325 Florida identification card number, or the last four digits of  
326 the voter's social security number, whichever may be verified in  
327 the supervisor's records. If the voter's registration record  
328 does not already include the voter's Florida driver license  
329 number or Florida identification card number or the last four  
330 digits of the voter's social security number, the number  
331 provided must be recorded in the voter's registration record.

332 5. The requester's name.

333 6. The requester's address.

334 7. The requester's driver license number, the requester's  
335 identification card number, or the last four digits of the  
336 requester's social security number, if available.

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

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

339 (c) Upon receiving a request for a vote-by-mail ballot from  
340 an absent voter, the supervisor of elections shall notify the  
341 voter of the free access system that has been designated by the  
342 department for determining the status of his or her vote-by-mail  
343 ballot.

344 (d) For purposes of this section, the term "immediate  
345 family" refers to the following, as applicable:

346 1. The voter's spouse, parent, child, grandparent,  
347 grandchild, or sibling, or the parent, child, grandparent,  
348 grandchild, or sibling of the voter's spouse.

30-01455-25

20251486\_\_

349           2. The designee's spouse, parent, child, grandparent,  
350 grandchild, or sibling, or the parent, child, grandparent,  
351 grandchild, or sibling of the designee's spouse.

352           Section 3. Subsection (1) of section 101.657, Florida  
353 Statutes, is amended to read:

354           101.657 Early voting.—

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

30-01455-25

20251486\_\_

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

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

395 (c) All early voting sites in a county shall allow any  
396 person in line at the closing of an early voting site to vote.

397 (d) Except as provided in s. 101.733, early voting shall  
398 begin on the 10th day before an election that contains state or  
399 federal races and end on the 3rd day before the election, and  
400 shall be provided for no less than 8 hours and no more than 12  
401 hours per day at each site during the applicable period. In  
402 addition, early voting may be offered at the discretion of the  
403 supervisor of elections on the 15th, 14th, 13th, 12th, 11th, or  
404 2nd day before an election that contains state or federal races  
405 for at least 8 hours per day, but not more than 12 hours per  
406 day. The supervisor of elections may provide early voting for

30-01455-25

20251486\_\_

407 elections that are not held in conjunction with a state or  
408 federal election. However, the supervisor has the discretion to  
409 determine the hours of operation of early voting sites in those  
410 elections.

411 (e) Notwithstanding the requirements of s. 100.3605,  
412 municipalities may provide early voting in municipal elections  
413 that are not held in conjunction with county or state elections.  
414 If a municipality provides early voting, it may designate as  
415 many sites as necessary and shall conduct its activities in  
416 accordance with the provisions of paragraphs (a)-(c). The  
417 supervisor is not required to conduct early voting if it is  
418 provided pursuant to this subsection.

419 (f) Notwithstanding the requirements of s. 189.04, special  
420 districts may provide early voting in any district election not  
421 held in conjunction with county or state elections. If a special  
422 district provides early voting, it may designate as many sites  
423 as necessary and shall conduct its activities in accordance with  
424 the provisions of paragraphs (a)-(c). The supervisor is not  
425 required to conduct early voting if it is provided pursuant to  
426 this subsection.

427 Section 4. Subsection (5) of section 102.141, Florida  
428 Statutes, is amended to read:

429 102.141 County canvassing board; duties.—

430 (5) Except as provided in s. 101.733, the canvassing board  
431 shall submit on forms or in formats provided by the division  
432 unofficial returns to the Department of State for each federal,  
433 statewide, state, or multicounty office or ballot measure no  
434 later than noon on the third day after any primary election and  
435 no later than noon on the fourth day after any general or other

30-01455-25

20251486\_\_

436 election. Such returns shall include the canvass of all ballots  
437 as required by subsection (2).

438 Section 5. Subsection (2) of section 104.0616, Florida  
439 Statutes, is amended to read:

440 104.0616 Vote-by-mail ballots and voting; violations.-

441 (2) Any person who distributes, orders, requests, collects,  
442 delivers, or otherwise physically possesses more than two vote-  
443 by-mail ballots per election in addition to his or her own  
444 ballot or a ballot belonging to an immediate family member,  
445 except as provided in ss. 101.6105-101.694 and 101.733,  
446 including supervised voting at assisted living facilities and  
447 nursing home facilities as authorized under s. 101.655, commits  
448 a felony of the third degree, punishable as provided in s.  
449 775.082, s. 775.083, or s. 775.084.

450 Section 6. This act shall take effect July 1, 2025.