

By Senator Garcia

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1 A bill to be entitled
2 An act relating to ballot boxes; amending s. 101.24,
3 F.S.; requiring that ballot boxes or ballot transfer
4 containers be transported from a supervisor of
5 elections to a precinct by a law enforcement officer;
6 requiring that all ballot boxes and ballot transfer
7 containers be under the supervision of a law
8 enforcement officer at all times until they have been
9 transported to a supervisor; amending s. 102.071,
10 F.S.; requiring that all ballot boxes, ballots, ballot
11 stubs, memoranda, and other related papers be
12 transported to a supervisor's office by a law
13 enforcement officer; making technical changes;
14 amending s. 102.101, F.S.; conforming provisions to
15 changes made by the act; amending s. 943.1718, F.S.;
16 requiring that certain policies and procedures include
17 general guidelines for the recording and the proper
18 storage, retention, and release of body camera audio
19 and video data recorded by body cameras while
20 performing specified actions; requiring such a law
21 enforcement agency to ensure that specified personnel
22 are trained in certain policies and procedures; making
23 technical changes; providing an effective date.

24
25 Be It Enacted by the Legislature of the State of Florida:

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27 Section 1. Section 101.24, Florida Statutes, is amended to
28 read:

29 101.24 Ballot boxes and ballots.—

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30 (1) The supervisor of elections shall prepare for each
31 polling place one ballot box of sufficient size to contain all
32 the ballots of the particular precinct, and the ballot box shall
33 be plainly marked with the name of the precinct for which it is
34 intended. An additional ballot box, if necessary, may be
35 supplied to any precinct. Before each election, the supervisor
36 shall place in the ballot box or ballot transfer container as
37 many ballots as are required in s. 101.21. After securely
38 sealing the ballot box or ballot transfer container, the
39 supervisor shall send the ballot box or ballot transfer
40 container to the clerk or inspector of election of the precinct
41 in which it is to be used. A law enforcement officer shall
42 transport the ballot box or ballot transfer container from the
43 supervisor to the precinct. The clerk or inspector shall be
44 placed under oath or affirmation to perform his or her duties
45 faithfully and without favor or prejudice to any political
46 party.

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

51 Section 2. Section 102.071, Florida Statutes, is amended to
52 read:

53 102.071 Tabulation of votes and proclamation of results.—
54 The election board shall post at the polls, for the benefit of
55 the public, the results of the voting for each office or other
56 item on the ballot as the count is completed. Upon completion of
57 all counts in all races, a certificate of the results must ~~shall~~
58 be drawn up by the inspectors and clerk at each precinct upon a

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59 form provided by the supervisor of elections which must ~~shall~~
60 contain the name of each person voted for, for each office, and
61 the number of votes cast for each person for such office; and,
62 if any question is submitted, the certificate must ~~shall~~ also
63 contain the number of votes cast for and against the question.
64 The certificate must ~~shall~~ be signed by the inspectors and clerk
65 and must ~~shall~~ be delivered without delay by one of the
66 inspectors, securely sealed, to the supervisor for immediate
67 publication. All the ballot boxes, ballots, ballot stubs,
68 memoranda, and papers of all kinds used in the election must
69 ~~shall~~ also be transported ~~transmitted~~, after being sealed by the
70 inspectors, to the supervisor's office by a law enforcement
71 officer. Registration books and the poll lists may ~~shall~~ not be
72 placed in the ballot boxes but must ~~shall~~ be returned to the
73 supervisor.

74 Section 3. Section 102.101, Florida Statutes, is amended to
75 read:

76 102.101 Sheriff and other officers not allowed in polling
77 place.—Except as provided in ss. 101.24 and 102.071, a sheriff,
78 a deputy sheriff, a police officer, a special officer appointed
79 pursuant to s. 102.091, or any other officer of the law is not
80 allowed within a polling place without permission from the clerk
81 or a majority of the inspectors, except to cast his or her
82 ballot. Upon the failure of any such officer to comply with this
83 section, the clerk or the inspectors must make an affidavit
84 against the officer for his or her arrest.

85 Section 4. Subsections (2) and (3) of section 943.1718,
86 Florida Statutes, are amended to read:

87 943.1718 Body cameras; policies and procedures.—

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88 (2) A law enforcement agency that authorizes ~~permits~~ its
89 law enforcement officers to wear body cameras shall establish
90 policies and procedures addressing the proper use, maintenance,
91 and storage of body cameras and the data recorded by body
92 cameras. The policies and procedures must include:

93 (a) General guidelines for the proper use, maintenance, and
94 storage of body cameras.

95 (b) Any limitations on which law enforcement officers are
96 permitted to wear body cameras.

97 (c) Any limitations on law-enforcement-related encounters
98 and activities in which law enforcement officers are permitted
99 to wear body cameras.

100 (d) A provision permitting a law enforcement officer using
101 a body camera to review the recorded footage from the body
102 camera, upon his or her own initiative or request, before
103 writing a report or providing a statement regarding any event
104 arising within the scope of his or her official duties. Any such
105 provision may not apply to an officer's inherent duty to
106 immediately disclose information necessary to secure an active
107 crime scene or to identify suspects or witnesses.

108 (e) General guidelines for the proper storage, retention,
109 and release of audio and video data recorded by body cameras.

110 (f) General guidelines for the recording and proper
111 storage, retention, and release of audio and video data recorded
112 while performing the duties required by ss. 101.24 and 102.071.

113 (3) A law enforcement agency that authorizes ~~permits~~ its
114 law enforcement officers to wear body cameras shall:

115 (a) Ensure that all personnel who wear, use, maintain, or
116 store body cameras are trained in the law enforcement agency's

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117 policies and procedures concerning them.

118 (b) Ensure that all personnel who wear or use a body
119 camera, or use, maintain, store, or release audio and video data
120 recorded by body cameras while performing the duties required by
121 ss. 101.24 and 102.071 are trained in the appropriate procedures
122 concerning such use.

123 (c) Ensure that all personnel who use, maintain, store, or
124 release audio or video data recorded by body cameras are trained
125 in the law enforcement agency's policies and procedures.

126 ~~(d)-(e)~~ Retain audio and video data recorded by body cameras
127 in accordance with the requirements of s. 119.021, except as
128 otherwise provided by law.

129 ~~(e)-(d)~~ Perform a periodic review of actual agency body
130 camera practices to ensure conformity with the agency's policies
131 and procedures.

132 Section 5. This act shall take effect July 1, 2025.