

By Senator Garcia

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1 A bill to be entitled
2 An act relating to elections; amending s. 97.021,
3 F.S.; defining the term "other election system";
4 amending s. 101.015, F.S.; requiring the Department of
5 State to adopt rules relating to the security of
6 certain voting procedures; requiring the department to
7 create a certain manual; requiring the department to
8 adopt by rule certain minimum security standards;
9 requiring county canvassing boards to enforce such
10 standards; requiring county canvassing board manuals
11 to include specified information; requiring county
12 canvassing boards to reconcile certain ballots and
13 forms; requiring the department to develop and adopt
14 certain rules for the physical security of election
15 materials and technology, absentee vote process
16 reporting and observation, and manual cross-checks for
17 certain systems; amending s. 101.131, F.S.;
18 authorizing political action committees and political
19 committees to have poll watchers in polling rooms and
20 early voting areas; revising the date before which
21 poll watchers must be designated; revising the
22 information that must be on a poll watcher's
23 identification badge; prohibiting a poll watcher from
24 wearing another poll watcher's identification badge;
25 creating s. 101.132, F.S.; authorizing certain persons
26 to designate watchers for absentee vote processing
27 locations; providing requirements for absentee vote
28 processing location work areas and the number of
29 watchers who may observe in each area; providing

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30 requirements for such watchers; requiring the
31 Department of State to establish a certain telephone
32 hotline; requiring the department to adopt by rule a
33 certain manual; requiring the department to prescribe
34 certain forms; requiring a supervisor of elections to
35 accept certain forms; requiring a supervisor of
36 elections to furnish a specified list to county
37 canvassing boards; prohibiting certain persons from
38 being designated as watchers; authorizing watchers to
39 enter into specified areas and watch operations in
40 compliance with certain safety recommendations;
41 providing requirements for watcher identification
42 badges; amending s. 101.21, F.S.; requiring a
43 supervisor of elections to determine the actual number
44 of voter certificate envelopes to be printed for each
45 election; providing requirements for printed ballots
46 and voter certificate envelopes; requiring a
47 supervisor of elections to complete a certain report;
48 requiring the county canvassing boards to complete and
49 reconcile the review and approve such report before an
50 election is certified; amending s. 101.545, F.S.;
51 requiring a supervisor of elections to retain
52 envelopes, seals, and video recordings for a certain
53 period; authorizing the destruction of certain
54 election materials after a certain audit is completed
55 and published on the supervisor's website; amending s.
56 101.5614, F.S.; requiring certain information to be
57 entered on certain forms; requiring precinct poll
58 workers to conduct certain hand-counted audits;

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59 providing requirements and procedures for such audits;
60 providing that certain results may be provided to
61 county canvassing boards for a specified purpose;
62 prohibiting a tabulator from using networking
63 communication hardware; authorizing a supervisor of
64 elections to collect certain data in a certain manner;
65 requiring certain ballots to be duplicated in the
66 presence of certain watchers; authorizing a duplicate
67 to be made by hand duplication; authorizing certain
68 persons to observe the duplication of ballots;
69 requiring a county canvassing board to convene in the
70 presence of certain parties for certain discussions
71 before certification of the election; making technical
72 changes; conforming a cross-reference; amending s.
73 101.595, F.S.; requiring that a certain audit be
74 conducted after each election; providing requirements
75 for the audit; requiring the department to adopt
76 rules; amending s. 101.6103, F.S.; requiring a
77 supervisor of elections to mail ballots with certain
78 envelopes; requiring a supervisor of elections to use
79 separate postal service billing permits for certain
80 purposes; revising actions an elector must take upon
81 receipt of his or her ballot; revising information to
82 be included on the voter's certificate; requiring an
83 elector who requests a replacement ballot to provide
84 certain identification; requiring a supervisor of
85 elections to verify signatures on certain sworn
86 statements; revising the circumstances in which such a
87 ballot is counted; requiring a supervisor of elections

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88 to keep such ballots stored in an area secured in a
89 specified manner; requiring that the canvassing of
90 mail ballots be open for public observation; amending
91 s. 101.6104, F.S.; requiring a ballot to be treated in
92 a certain manner upon county canvassing board receipt
93 of a challenge of a voter certificate envelope or cure
94 affidavit signature; amending s. 101.62, F.S.;

95 requiring a person requesting a vote-by-mail ballot to
96 provide and attest to an allowed reason for such
97 request; providing such allowed reasons; requiring
98 voters to provide certain information in certain
99 written requests for vote-by-mail ballots; deleting
100 provisions related to absent uniformed services voters
101 and overseas voters; requiring a supervisor of
102 elections to record certain information for each vote-
103 by-mail ballot request; revising a statement that must
104 be marked on certain envelopes; amending s. 101.64,
105 F.S.; revising the specified envelopes that a
106 supervisor of elections must enclose with a vote-by-
107 mail ballot; revising the voter's certificate that
108 accompanies vote-by-mail ballots; amending s. 101.65,
109 F.S.; revising the instructions that a supervisor of
110 elections must enclose with a vote-by-mail ballot;
111 amending s. 101.655, F.S.; requiring a supervisor of
112 elections to provide bipartisan supervised voting for
113 certain absent electors at the request of certain
114 persons; providing requirements for the transportation
115 and chain of custody for ballots delivered to and
116 completed by certain absent voters; requiring a

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117 supervised voting team to verify an elector's identity
118 in a certain manner; amending s. 101.68, F.S.;
119 requiring a supervisor of elections to verify a
120 certificate signature, a voter certificate envelope,
121 and ballot material in a specified manner; requiring a
122 supervisor of elections to evaluate certain photo
123 identification in a certain manner; requiring a county
124 canvassing board to complete the canvass of certain
125 ballots within a certain timeframe; requiring a county
126 canvassing board to make certain ballot comparisons
127 according to specified records and reports; specifying
128 that certain identification is considered ballot
129 material and must be presented to certain persons;
130 providing that certain envelopes are considered
131 illegal; requiring that logs of certain information be
132 kept; requiring that certain materials be preserved in
133 a specified manner and reviewed for certain purposes;
134 requiring a supervisor of elections to provide direct
135 links to his or her website in certain circumstances;
136 revising the vote-by-mail cure affidavit; authorizing
137 certain persons to inspect certain materials;
138 requiring the review of certain materials in certain
139 circumstances; requiring a supervisor of elections to
140 provide certain persons with certain access to certain
141 ballot materials; prohibiting a supervisor of
142 elections from limiting the time available to certain
143 persons to complete a cure affidavit review during
144 certain periods; providing that a ballot for which a
145 cure affidavit protest is rejected shall be counted;

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146 requiring county canvassing board minutes to contain
147 certain information; requiring a supervisor of
148 elections to research certain electors to determine
149 their voter eligibility; providing that certain
150 information must be made available to certain persons;
151 amending s. 101.69, F.S.; revising the process for
152 marking certain returned ballots as canceled;
153 requiring that certain materials be submitted to the
154 Office of Election Crimes and Security for
155 investigation; revising locations at which secure
156 ballot intake stations may be placed; requiring
157 certain daily inspection of secure ballot intake
158 stations during early voting; providing a civil
159 penalty for supervisors of elections for deploying
160 secure ballot intake stations that do not meet certain
161 standards; amending s. 101.6921, F.S.; revising the
162 specified envelopes that a supervisor of elections
163 must enclose with a vote-by-mail ballot; revising the
164 voter's certificate; amending s. 101.6923, F.S.;
165 revising the instructions that a supervisor of
166 elections must enclose with certain vote-by-mail
167 ballots; amending s. 102.012, F.S.; requiring a
168 supervisor of elections to recruit absentee vote
169 processing workers; requiring such workers to
170 subscribe to an oath or affirmation and meet certain
171 qualifications; amending s. 102.014, F.S.; requiring a
172 supervisor of elections to conduct required training
173 for absentee vote processing workers; requiring the
174 department to develop a certain uniform training

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175 curriculum for use by supervisors of elections;
176 requiring such workers to demonstrate a working
177 knowledge of certain laws and procedures; requiring a
178 supervisor of elections to appoint a replacement for
179 such a worker in certain circumstances; prohibiting an
180 absentee vote processing worker from working in a work
181 area unless he or she completes certain minimum
182 training requirements; revising the contents of the
183 polling place procedures manual; requiring the
184 department to create and adopt by rule an absentee
185 vote processing procedures manual; providing
186 requirements for such manual; requiring the department
187 to revise the manual as necessary; amending s.
188 102.141, F.S.; revising the composition of county
189 canvassing boards; authorizing a supervisor of
190 elections to appoint a municipal official as a
191 substitute member of the county canvassing board;
192 requiring a specified quorum of the county canvassing
193 board for certain proceedings; requiring real-time
194 video monitoring of county canvassing board meetings;
195 requiring meeting minutes to be published on the
196 supervisor of elections' website; requiring the county
197 canvassing board to review certain reports each day
198 and take certain actions; requiring the county
199 canvassing board to review certain information before
200 certifying an election; requiring the county
201 canvassing board to address certain discrepancies in a
202 certain manner; requiring a special election in
203 certain circumstances; authorizing the removal from

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204 office of the supervisor of elections in certain
205 circumstances; requiring a manual recount to use
206 original paper ballots and voter certificate envelopes
207 in certain circumstances; revising requirements for a
208 county canvassing board conducting a recount; amending
209 s. 102.166, F.S.; authorizing a candidate to request a
210 manual recount of certain votes after a first set of
211 unofficial returns in certain circumstances; revising
212 the percentage of votes by which a candidate is
213 defeated upon which a manual recount of certain votes
214 is required; providing requirements for such recounts;
215 authorizing certain governmental entities to request a
216 manual recount in certain circumstances; requiring a
217 certain audit to be conducted upon delivery of a
218 certain petition; providing requirements for such
219 audit; requiring a manual audit in certain races for
220 which a specified discrepancy exists; conforming a
221 cross-reference; amending s. 104.21, F.S.; providing
222 that an election worker who changes certain envelope
223 information or markings commits a misdemeanor;
224 providing criminal penalties; creating s. 104.291,
225 F.S.; providing that a poll worker who wears the poll
226 worker identification badge of another person commits
227 a misdemeanor; providing criminal penalties; amending
228 s. 104.30, F.S.; providing that a person who prints
229 certain ballots or voter certificate envelopes without
230 authorization commits a felony; providing criminal
231 penalties; providing an effective date.
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233 Be It Enacted by the Legislature of the State of Florida:

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235 Section 1. Present subsections (25) through (47) of section
236 97.021, Florida Statutes, are redesignated as subsections (26)
237 through (48), respectively, and a new subsection (25) is added
238 to that section, to read:

239 97.021 Definitions.—For the purposes of this code, except
240 where the context clearly indicates otherwise, the term:

241 (25) "Other election system" means any information
242 technology other than a voting system which is used in the
243 election process and which is capable of adding, deleting, or
244 modifying ballots or votes or which stores critical election
245 data. The term includes hosted technologies and service
246 providers that store or have access to critical election data.
247 The term also includes, but is not limited to, the voter
248 registration system, electronic precinct registers, tabulation
249 systems, mail sorters, election night reporting systems, ballot
250 tracking solutions, and future technologies integrated into the
251 election process.

252 Section 2. Present subsections (5), (6), and (7) of section
253 101.015, Florida Statutes, are redesignated as subsections (9),
254 (10), and (11), respectively, new subsections (5), (6), and (7)
255 and subsection (8) are added to that section, and subsections
256 (3) and (4) and present subsection (6) of that section are
257 amended, to read:

258 101.015 Standards for voting systems.—

259 (3) The Department of State shall adopt rules to achieve
260 and maintain the maximum degree of correctness, impartiality,
261 ~~and~~ efficiency, and security of the procedures of in-person and

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262 absentee voting, including write-in voting, and of counting,
263 tabulating, and recording votes by voting systems and other
264 election systems used in this state.

265 (4) (a) The Department of State shall adopt rules
266 establishing minimum security standards for voting systems and
267 create an absentee ballot processing manual adopted by rule
268 which is composed of such standards. The standards, at a
269 minimum, must address the ~~following~~:

270 ~~1.~~ chain of custody of ballots, including chain of custody
271 forms and procedures for ballots returned by mail, secure ballot
272 intake stations, in-person return, or facsimile, which extends
273 through the work areas of the absentee vote counting location
274 and to storage. Chain of custody standards must:

275 1. Enable monitoring of the ballot transport and receiving
276 process by the county canvassing board and monitoring of
277 precertification audits and postcertification procedural audits.

278 2. Include validation and reporting by the county
279 canvassing board on a daily basis during the election that the
280 required chain of custody forms are properly completed, that
281 chain of custody is not broken, that any exceptions are noted
282 with an action plan to resolve the issue, and that sent and
283 received ballot quantities and seals match and are consistent
284 with the seal number ranges and ballot transport container
285 numbers assigned to particular locations. Such validation and
286 reporting must include objective measures for determining ballot
287 quantities received at the vote counting location and
288 determining ballot quantities when moved between work areas of
289 the vote counting location.

290 3. Require that appropriate corrective measures as

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291 determined by the department be taken immediately when the chain
292 of custody is broken. Such measures must include notification
293 and reasonable steps to correct the issue, employee education,
294 disciplinary actions, reassignment, penalties, or criminal
295 referral.

296 4. Provide definitions for and examples of an excessive
297 transport time; a broken seal; a marking that is not legally
298 binding, such as overwritten data entry without proper notation;
299 missing or disparate ballot quantities; and other circumstances
300 that break chain of custody.

301 5. Prohibit the comingling of absentee ballots from a
302 secure ballot intake station, the United States Postal Service,
303 in-person return at the supervisor's office or vote counting
304 location, or facsimile until the chain of custody validation is
305 completed from each source.

306 6. If return ballot postage is prepaid by a supervisor,
307 require the supervisor to have separate post office billing
308 permits dedicated to and used exclusively for outgoing ballots
309 and returned ballots to enable auditing. Post office billing
310 records must be reconciled on a daily basis with the number of
311 absentee ballots sent to and received from the United States
312 Postal Service. The supervisor may not use the post office
313 billing permits required under this subparagraph for mailing of
314 other items.

315 7. If return ballot postage is not prepaid by a supervisor,
316 require the supervisor to employ other means to reconcile the
317 number of completed ballots transported between the post office
318 box and the absentee vote counting location or have the ballots
319 delivered directly to the absentee vote counting location.

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320 8. Require that ballots returned by registered mail be
321 accepted and tracked in a log used for auditing purposes, if the
322 supervisor or voter chooses to pay for the service.

323 9. Require that chain of custody forms for completed
324 ballots from secure intake stations include fields for all of
325 the following:

326 a. The address of the secure ballot intake station location
327 and ballot transport container number.

328 b. The date and time.

329 c. Verification that the secure ballot intake station was
330 empty at the beginning of the day, with one verifier from each
331 major political party who shall sign and print his or her name
332 and write either "empty" or "not empty" to reflect the state in
333 which he or she found the intake receptacle.

334 d. The printed names and signatures of two persons who
335 count the ballots in the secure ballot intake station for
336 transport at the close of the day's authorized voting hours,
337 place the ballots in an assigned ballot transport container, and
338 place a seal on the ballot transport container.

339 e. The seal number placed on the ballot transport
340 container.

341 f. The printed names and signatures of two transporters
342 accepting custody of the sealed voter certificate envelopes and
343 the seal number observed.

344 g. The transport vehicle type and license plate number.

345 h. The transporter departure time, the seal number on the
346 ballot transport container, and a checkbox to confirm that the
347 seal is intact at the handoff.

348 i. The printed names and signatures of two vote counting

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349 center staff accepting custody of the voter certificate
350 envelopes from transporters, the date, the time, the seal
351 number, a checkbox to confirm that the seal is intact, the
352 quantity counted, and the method used to count.

353 j. The ballot transport container number.

354 k. Explanations for form anomalies or missing data,
355 including excessive transport times, which includes any
356 documented period of transport that exceeds 12 hours.

357 10. Require that the supervisor be notified if a ballot is
358 found in the secure ballot intake station at the beginning of
359 the day. The supervisor shall research the origin of the ballot,
360 and if the supervisor determines that the ballot was placed in
361 the intake receptacle during authorized voting hours during the
362 previous day, the ballot must be processed. If the supervisor
363 determines that the ballot was placed in the intake receptacle
364 outside of authorized voting hours or that the ballot envelope
365 does not display a valid county election serial number, the
366 supervisor must notify the voter that his or her ballot may not
367 be counted unless it is cured, send the voter instructions to
368 complete a cure affidavit, and refer the matter to the Office of
369 Election Crimes and Security for investigation.

370 11. Provide that the facsimile used to send and receive
371 uniformed and overseas voter ballots may be used only for that
372 function, and the facsimile transmission logs must be printed
373 daily, retained, and made available to the county canvassing
374 board, state and county inspectors and auditors, and public
375 watchers.

376 12. Require the maintenance of ballot-on-demand print logs.
377 The logs must be made available to the county canvassing board,

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378 state and county inspectors and auditors, and public watchers.

379 13. Require, after the county canvassing board completes
380 the daily validation of the chain of custody, the number of
381 absentee ballots received at the vote counting location to be
382 posted daily, by source, on the supervisor's website. Any chain
383 of custody or validation issues must be noted in the daily chain
384 of custody report, entered into the county canvassing board's
385 minutes, and reported to the department.

386 14. Require each ballot and envelope to have a unique
387 county election serial number. The unique county election serial
388 number must include at least 11 digits. The first 2 digits must
389 identify the county, and the next 4 digits must identify the
390 month and year of the election. Such numbers may not be repeated
391 for 5 years. A supervisor must ensure that vendors are properly
392 allocated distinct ranges of numbers and that produced materials
393 contain only the allocated ranges of numbers before the ballots
394 and envelopes are mailed. Additional security measures must be
395 implemented to protect ballots from being illegally duplicated,
396 distributed, or inserted, including the sourcing of ballots and
397 envelopes to separate vendors.

398 (b) The standards included in the absentee ballot
399 processing manual must be enforced by the county canvassing
400 board before opening voter certificate envelopes and by audit
401 before election certification, with disciplinary penalties for
402 noncompliance. The county canvassing board manual must include
403 procedures for monitoring of the chain of custody of ballots and
404 portable storage media, manual cross-check reports, and manual
405 counts.

406 (c) Before certifying an election, the county canvassing

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407 board shall reconcile the number of ballots transported from
408 secure ballot intake stations, the United States Postal Service,
409 in-person return at the supervisor's office or vote counting
410 location, and facsimile with the number of absentee ballots
411 counted. The county canvassing board shall also reconcile the
412 chain of custody forms with the number of ballots transported
413 from the vote counting location to storage and the number of
414 ballots counted. Both reconciliation reports require approval by
415 the Department of State before certification of the election and
416 must be promptly published on the supervisor's website.

417 (5) The Department of State shall develop and adopt rules
418 for the physical security of election materials and technology,
419 which must include all of the following:

420 (a) Standards for building security at absentee vote
421 counting locations. Electronic badge access must be required to
422 gain access to the absentee vote counting location and to secure
423 storage areas within the building. All employees and visitors,
424 including vendors, must be required to visibly wear photo
425 identification badges at all times.

426 (b) That an absentee vote counting location be in the
427 supervisor of election's office or a standalone building that
428 may include gated fencing. Absentee vote counting locations must
429 have video surveillance of all building and parking lot entries
430 and exits.

431 (c) That cable and other ports be sealed on all systems
432 left unattended overnight at any early voting location.

433 (d) Standards for secure ballot intake stations. Secure
434 ballot intake stations must be located inside polling places or
435 the main office of and, if used, any branch office of a

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436 supervisor. A supervisor may only use a brand or model of secure
437 ballot intake station which the Department of State has
438 certified as secure. Secure ballot intake stations must be
439 inspected and audited by bipartisan state or county teams
440 accompanied by public watchers.

441 (e) That ballots be transported by at least two persons,
442 each representing a different major political party. A duplicate
443 copy of the ballot transport form must be placed inside the
444 ballot transport container before the container is sealed.

445 (f) That once received at a vote counting location, a
446 sealed ballot transport container be stored in a secured area
447 under video surveillance and accessible only by electronic badge
448 access. Compliance must be validated by the county canvassing
449 board with public observation.

450 (g) A prohibition on opening any sealed container of
451 completed ballots without observation by members of both major
452 parties and the public.

453 (h) That portable storage media be stored in a secured area
454 under video surveillance and accessible only by electronic badge
455 access.

456 (i) That the chain of custody of ballots, including a
457 detailed description of forms and procedures to create a
458 complete record of custody of ballots and paper outputs, begin
459 with the ballot design and the receipt of ballots from all
460 sources until such time as the ballots are destroyed.

461 (6) The Department of State shall adopt rules providing
462 absentee vote process reporting and observation requirements of
463 the supervisor of elections to state, county, and public
464 preelection inspectors, election monitors, preelection

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465 certification audits, and postelection certification procedural
466 audits. The rules must address:

467 (a) Reporting during and after the election cycle.

468 (b) Video viewing, video streaming of all ballot
469 processing, video recording storage, and public records requests
470 for video recordings.

471 (c) In-person observation.

472 (d) United States Postal Service liaison and monitoring.

473 (e) A ballot accounting report that must be completed by
474 the supervisor and reviewed by the canvassing board before
475 election certification. The ballot accounting report must
476 reconcile:

477 1. The number of ballots tabulated in precincts, the number
478 of voters that checked in, and the number of ballots counted
479 during each day of early voting and election day.

480 2. The number of absentee ballots tabulated in the absentee
481 vote processing location each day and the chain of custody form
482 ballot totals from secure ballot intake stations, the United
483 States Postal Service, facsimile logs, and in-person drop off
484 each day.

485 3. The number of absentee ballots mailed out equals the
486 number of outbound ballots billed by the post office.

487 4. The number of ballots acquired or printed, including
488 ballot-on-demand ballots, and the number of ballots used,
489 unused, spoiled, duplicated, and unreturned.

490 (f) Audits conducted by bipartisan state and county audit
491 teams with public observation to confirm that the required chain
492 of custody forms and processes are in compliance. Such audits
493 must include examination of post office billing records, fax

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494 logs, and chain of custody forms. The rules must provide for
495 disciplinary actions and criminal referrals when appropriate.
496 The rules must require that if it is determined in a
497 postcertification audit that the number of ballots involved in
498 chain of custody breaches in an election exceed the margin of
499 victory in any race in that election, such race must be deemed
500 invalid and a special election must be held to fill the office
501 in accordance with chapter 100. If an audit failure is
502 determined to be due to chain of custody mismanagement, an audit
503 failure report must be generated by the Secretary of State and
504 made available to the public, and the supervisor overseeing the
505 process may be disciplined or removed from office.

506 (7) The Department of State shall adopt rules that include
507 manual cross-checks for legacy systems and systems that have
508 networking or other communication capability to ensure that such
509 systems have not been compromised by unauthorized changes in
510 settings, data manipulation, or malware. The rules must require:

511 (a) That early voting sites reconcile and report daily at
512 the close of authorized voting hours the:

513 1. Number of ballots tabulated by precinct tabulator, as
514 calculated by subtracting the cumulative tabulator count at the
515 end of the prior day from the cumulative count of the current
516 day.

517 2. Number of completed ballots processed through the
518 precinct tabulator and transported to storage.

519 3. Number of voters who checked in to the precinct.

520 4. Number of blank ballots processed through precinct
521 tabulator. All blank ballots must be placed in a separate
522 envelope to enable auditing.

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523 (b) That, after the polls are closed on the first day of
524 early voting and on election day, precinct poll workers conduct
525 a hand count audit of both a randomly chosen race and the race
526 for the highest office on the ballot. In view of the public,
527 ballots must be placed in stacks according to the candidate
528 chosen on the ballots for that race. A poll worker from each of
529 the two largest political parties shall hand count those ballots
530 and verify the candidate choice. This process must be repeated
531 as necessary until the hand count totals from each poll worker
532 match. Hand count totals must be noted and compared to the
533 machine count. Any discrepancies must be flagged and reported to
534 the supervisor of elections and posted for the public. The
535 supervisor shall verify any discrepancies over the next 3 days
536 with interested members of the public and at least one person
537 from each major political party present. If the supervisor
538 determines that there is a discrepancy, all ballots for the
539 entire precinct must be hand counted, and those results, once
540 verified, override the machine count.

541 (c) That, at least once during each day of absentee ballot
542 canvassing, election workers conduct hand count cross-checks of
543 each tabulator for a randomly chosen race on batches of ballots.
544 In view of the public, ballots must be placed in stacks
545 according to the candidate chosen on the ballots for that race.
546 An election worker shall hand count those ballots and verify and
547 any discrepancies flagged, reported, and verified according to
548 the process required under paragraph (b). If the supervisor
549 determines that there is a discrepancy, all ballots for the
550 entire precinct must be hand counted, and those results, once
551 verified, override the machine count. Any tabulator that

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552 produces erroneous results must be taken out of service until
553 the cause of the error is determined and corrected. When random
554 batches are analyzed, the contents of output sorter bins must be
555 inspected to validate proper sorting.

556 (d) That, if an automated signature verification system is
557 used, the settings be verified and documented four times each
558 day. The settings must be corrected if the settings are found to
559 be out of compliance. After such verification and, if necessary,
560 correction, signatures on 20 voter's certificates must be
561 compared manually to determine if the signature verification
562 algorithm is functioning properly. If there is a discrepancy,
563 the signatures must be verified manually until the system is
564 replaced or the cause of the issue is determined and corrected.
565 The employee performing this verification must sign the
566 verification form and print his or her name, the date, the time,
567 and the outcome.

568 (e) That, if an automated target duplication is used, 20
569 original ballots be compared four times each day to the original
570 ballot displayed on the duplication machine console to ensure
571 that the ballot is correctly displayed. If the display is
572 inconsistent, duplication must be completed manually until the
573 cause of the issue is determined and corrected.

574 (f) That, if an outbound mail assembly and sorter is used,
575 the transfer of outgoing ballots from the dock be under video
576 surveillance. After each batch is assembled and sorted, the
577 batch report quantity must be compared to the number of ballots
578 received at the dock, as determined by weight.

579 (g) That, if an inbound mail sorter is used, the number of
580 inbound envelopes processed daily be compared to the number of

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581 ballots received at the dock as documented in chain of custody
582 forms from secure ballot intake stations and the United States
583 Postal Service.

584 (h) That the voter registration database be analyzed
585 monthly for registration anomalies. Any anomalies must be
586 investigated and corrected. The database must be backed up daily
587 using a method that preserves the history of any changes made in
588 a manner that allows for restoration to previous versions of the
589 history at any time. The supervisor shall use a department-
590 approved storage device that uses technologies such as a write
591 once, read many, or "WORM," device, as appropriate. The
592 supervisor shall immediately, automatically, and securely
593 transmit to the department an identical copy of the database
594 backup. The supervisor and the department shall each retain the
595 database backup for at least 5 years. Such backups may be used
596 by internal auditors, independent third-party auditors, major
597 political parties, and the public for the purpose of auditing
598 voter registration transactions.

599 (i) That any changes or additions made in the 60-day period
600 preceding election day be tracked and audited by an independent
601 auditor. Audit reports must be made available to the public at
602 no charge and must include the mode and location of unauthorized
603 new registrations, registration updates, or deletions occurring
604 in the 60-day period preceding election day, and the voted
605 status of every registrant registered to vote in the election. A
606 person may not be removed from the voter roll until the audit is
607 complete. An archived dataset of persons removed from the voter
608 roll, including each person's voting history, must be maintained
609 for auditing purposes. The archived dataset must be included

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610 upon request with any distribution of the voter roll.

611 (j) That, if new technologies are tested during an
612 election, the supervisor posts, in a conspicuous location
613 visible to the public within the vote counting center and all
614 election locations, a notice providing the location, date, and
615 time of such testing. All machines and election equipment in
616 testing must clearly be labeled as such.

617 (k) That procedures for manual counts include video
618 recording and public observation ~~a detailed description of~~
619 ~~procedures to create a complete written record of the chain of~~
620 ~~custody of ballots and paper outputs beginning with their~~
621 ~~receipt from a printer or manufacturer until such time as they~~
622 ~~are destroyed.~~

623 ~~2. Transport of ballots, including a description of the~~
624 ~~method and equipment used and a detailed list of the names of~~
625 ~~all individuals involved in such transport.~~

626 ~~3. Ballot security, including a requirement that all~~
627 ~~ballots be kept in a locked room in the supervisor's office, a~~
628 ~~facility controlled by the supervisor or county canvassing~~
629 ~~board, or a public place in which the county canvassing board is~~
630 ~~canvassing votes until needed for canvassing and returned~~
631 ~~thereafter.~~

632 (8) (a) ~~(b)~~ 1. Each supervisor shall establish written
633 procedures to assure accuracy and security in his or her county,
634 including procedures related to early voting pursuant to s.
635 101.657. Such procedures shall be reviewed in each odd-numbered
636 year by the department.

637 (b) 2. Each supervisor shall submit any revisions to the
638 security procedures to the department at least 45 days before

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639 early voting commences pursuant to s. 101.657 in an election in
640 which they are to take effect.

641 ~~(10)(6)~~ All electronic and electromechanical voting systems
642 purchased on or after January 1, 1990, must meet the minimum
643 standards established under subsection (1). All electronic and
644 electromechanical voting systems in use on or after July 1,
645 1993, must meet the minimum standards established under
646 subsection (1) or subsection (9) ~~(5)~~.

647 Section 3. Subsections (1), (2), and (5) of section
648 101.131, Florida Statutes, are amended to read:

649 101.131 Watchers at polls.—

650 (1) Each political party, political action committee,
651 political committee, and ~~each~~ candidate may have one watcher in
652 each polling room or early voting area at any one time during
653 the election. A political committee formed for the specific
654 purpose of expressly advocating the passage or defeat of an
655 issue on the ballot may have one watcher for each polling room
656 or early voting area at any one time during the election. A ~~No~~
657 watcher ~~may shall be permitted to come as close~~ closer to the
658 officials' table, tabulator, secure ballot intake station, or
659 ~~the~~ voting booths as ~~than~~ is reasonably necessary to properly
660 perform his or her functions, and must ~~but each shall~~ be allowed
661 within the polling room or early voting area to watch and
662 observe the conduct of electors and officials. The poll watchers
663 shall furnish their own materials and necessities and may ~~shall~~
664 not obstruct the orderly conduct of any election. The poll
665 watchers shall pose any questions regarding polling place
666 procedures directly to the clerk for resolution. Poll watchers
667 ~~They~~ may not interact with voters. Each poll watcher must ~~shall~~

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668 be a qualified and registered elector of the county in which he
669 or she serves.

670 (2) Each political party, political action committee, ~~each~~
671 ~~political committee,~~ and ~~each~~ candidate requesting to have poll
672 watchers shall designate, in writing to the supervisors of
673 elections, on a form prescribed by the division, before noon of
674 the second Tuesday preceding the election poll watchers for each
675 polling room on election day. Designations of poll watchers for
676 early voting areas must ~~shall~~ be submitted in writing to the
677 supervisor of elections, on a form prescribed by the division,
678 before noon on the 5th business day ~~at least 14 days~~ before
679 early voting begins. The poll watchers for polling rooms must
680 ~~shall~~ be approved by the supervisor of elections on or before
681 the Tuesday before the election. Poll watchers for early voting
682 areas must ~~shall~~ be approved by the supervisor of elections no
683 later than 7 days before early voting begins. The supervisor
684 shall furnish to each election board a list of the poll watchers
685 designated and approved for such polling rooms or early voting
686 areas. Designation of poll watchers shall be made by the chair
687 of the county executive committee of a political party, the
688 chair of a political action committee, the chair of a political
689 committee, or the candidate requesting to have poll watchers.

690 (5) The supervisor of elections shall provide to each
691 designated poll watcher an identification badge which identifies
692 the poll watcher by first name and last initial. Each poll
693 watcher must wear his or her identification badge while
694 performing his or her duties. A poll watcher may not wear
695 another poll watcher's identification badge. A poll watcher who
696 wears another poll watcher's identification badge must be

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697 reported to the supervisor and may be removed from the premises
698 for the day.

699 Section 4. Section 101.132, Florida Statutes, is created to
700 read:

701 101.132 Watchers at absentee vote processing locations.—

702 (1) Each political party, political action committee,
703 political committee, and candidate may designate one absentee
704 vote processing watcher to observe in each of the following work
705 areas of the absentee vote counting location or any other
706 location at any time during the election process where the
707 following functions are performed:

708 (a) Outgoing ballot assembly, sorting, and mailing.

709 (b) Securing of secure ballot intake stations.

710 (c) Loading and unloading of transport vehicles.

711 (d) Receiving and sorting of incoming ballots.

712 (e) Verifying voter certificate envelope signatures by an
713 automated process.

714 (f) Manual review of voter certificate envelopes.

715 (g) Review of staff signatures of cure affidavits.

716 (h) Opening of voter certificate envelopes.

717 (i) Duplication.

718 (j) Tabulation.

719 (2) (a) Each work area must be designed and arranged in
720 advance by the supervisor to provide adequate space for at least
721 four watchers at any given time. Different watchers may observe
722 simultaneously on behalf of a candidate, political party,
723 political action committee, or political committee in different
724 work areas.

725 (b) If more than two political party, political action

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726 committee, political committee, or candidate watchers are
727 designated to observe in a specified work area with limited
728 space in the same time period, the first two watchers from each
729 major party for which designations are received must be allowed
730 to observe.

731 (c) Two public watchers may also be present in each work
732 area at any given time. If more than two public watchers request
733 to observe in a specified work area with limited space in the
734 same time period, the first two watchers from different major
735 political parties for which requests are received shall be
736 allowed to observe.

737 (d) If a work area is not large enough to accommodate at
738 least four watchers, the supervisor may employ alternate methods
739 to enable meaningful observation by a watcher, including the use
740 of video, mirrored displays, catwalks, or viewing windows. The
741 department must provide criteria for determining whether an
742 alternate observation method enables meaningful observation.

743 (e) When direct observation of manual processes or machine
744 operators is conducted, each work area is limited to one watcher
745 for each staff member conducting operations.

746 (f) Work area watchers may come as close as is reasonably
747 necessary to properly observe workers and technology without
748 impeding workflow. The absentee vote processing location
749 watchers shall furnish their own materials and necessities and
750 may not obstruct the orderly conduct of any election. Watchers
751 shall pose any questions regarding absentee vote processing
752 procedures directly to the work area supervisor for resolution.
753 Watchers may not provide work direction to absentee vote
754 processing personnel but may ask questions for understanding and

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755 offer personal greetings. Each watcher must be a qualified and
756 registered elector of the county in which he or she serves. The
757 department must establish a telephone hotline through which a
758 watcher may report violations of law, including required
759 security standards, and submit a work ticket to a state
760 official.

761 (g) The department shall adopt by rule an absentee vote
762 processing manual that includes guidelines for meaningful
763 observation and reporting for all methods of observation.

764 (3) (a) The department shall prescribe an absentee vote
765 processing watcher request form that allows a person to request
766 to serve as an absentee vote processing watcher at any given
767 location and an absentee vote processing watcher designation
768 form that allows a political party, political action committee,
769 political committee, or candidate to designate a watcher for a
770 specific work area.

771 (b) A request to serve as a watcher for a political party,
772 political action committee, political committee, or candidate
773 must be accepted by the supervisor if received at least 5 days,
774 including weekends, before the first day of requested
775 observation. A watcher may complete a form for multiple
776 political parties, political action committees, political
777 committees, or candidates. A watcher is not required to be a
778 member of or align with a political party to observe vote
779 processing activities.

780 (c) Public requests to be absentee vote processing watchers
781 must be accepted by the supervisor if received at least 5 days,
782 including weekends, before the first day of requested
783 observation. A watcher may alternate between work areas and

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784 participate on any day of the absentee vote counting process
785 without notice.

786 (d) Different watchers may observe election activities
787 occurring simultaneously on behalf of any candidate, political
788 party, political action committee, or political committee. A
789 watcher who has previously completed an absentee vote processing
790 watcher request form that is filed with the supervisor may
791 substitute for another watcher without prior notice.

792 (e) A watcher may be relieved by another watcher designated
793 for the same political party, political action committee,
794 political committee, or candidate whenever necessary.

795 (f) The supervisor shall furnish to each canvassing board
796 member a list of watchers for whom an absentee vote processing
797 watcher request form has been approved and for whom an absentee
798 vote processing watcher designation form has been received.
799 Designation forms must be completed by the chair of the county
800 executive committee of each political party, chair of a
801 political action committee, chair of a political committee, or
802 candidate.

803 (4) A candidate or a sheriff, a deputy sheriff, a police
804 officer, or another law enforcement officer may not be
805 designated as an absentee vote processing watcher.

806 (5) An absentee vote processing watcher may enter into and
807 watch operations in any work area listed in subsection (1) if
808 the number of watchers in the work area does not exceed the
809 number recommended by the department or the voting center
810 capacity safety recommendations by the local fire department.

811 (6) The supervisor shall provide to each designated
812 absentee vote processing watcher an identification badge that

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813 identifies the watcher by first name and last initial. Each
814 watcher must wear his or her identification badge while
815 performing his or her duties. The designated absentee vote
816 processing watcher badge must be surrendered to the supervisor
817 at the end of the day.

818 Section 5. Section 101.21, Florida Statutes, is amended to
819 read:

820 101.21 Official ballots; number; printing; payment.—

821 (1) ~~Where applicable,~~ The supervisor of elections shall
822 determine the actual number of ballots and voter certificate
823 envelopes to be printed for each election. The ballots and voter
824 certificate envelopes must be sourced from different vendors,
825 and the voter certificate envelopes must have serial numbers or
826 other markings that may be used to detect unauthorized printing
827 or submission of illegal envelopes.

828 (2) The supervisor of elections shall complete a ballot,
829 envelope, and seal accounting report before an election may be
830 certified. The ballot, envelope, and seal accounting report must
831 reconcile the number of ballots printed by an official printer
832 or in-house with the number of ballots:

833 (a) Distributed to absentee voters.

834 (b) Distributed to in-person voting sites.

835 (c) Completed and received from absentee voters.

836 (d) Completed and received from in-person voting sites.

837 (e) Distributed but not returned by absentee voters.

838 (f) Distributed and returned unvoted from in-person voting
839 sites.

840 (g) Not distributed.

841 (h) Spoiled.

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842 (i) Used for duplication.

843 (j) Placed in storage at the end of the election as voted
844 or unvoted.

845 (3) Review and approval of the ballot, envelope, and seal
846 accounting report must be completed and reconciled by the county
847 canvassing board before the election is certified and by a state
848 or county auditing team after the election is certified.

849 Purchase order records of marksense paper, ballots, and
850 envelopes as well as print-on-demand and facsimile records must
851 be made available to auditors and the public at no charge.

852 (4) The printing and delivery of ballots and cards of
853 instruction shall, in a municipal election, be paid for by the
854 municipality, and in all other elections by the county.

855 Section 6. Section 101.545, Florida Statutes, is amended to
856 read:

857 101.545 Retention and destruction of certain election
858 materials.—All ballots, envelopes, seals, video recordings,
859 forms, and other election materials shall be retained in the
860 custody of the supervisor of elections for a minimum of 22
861 months after an election and in accordance with the schedule
862 approved by the Division of Library and Information Services of
863 the Department of State. All unused ballots, envelopes, seals,
864 forms, and other election materials may, with the approval of
865 the Department of State, be destroyed by the supervisor after
866 ~~the election for which such ballots, forms, or other election~~
867 ~~materials were to be used~~ a postcertification audit is completed
868 and published on the supervisor's website.

869 Section 7. Section 101.5614, Florida Statutes, is amended
870 to read:

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871 101.5614 Canvass of returns.-

872 (1) As soon as the polls are closed, the election board
873 shall secure the voting devices against further voting. The
874 election board shall thereafter, in the presence of members of
875 the public desiring to witness the proceedings, verify the
876 number of voted ballots, unused ballots, provisional ballots,
877 and spoiled ballots to ascertain whether such number corresponds
878 with the number of ballots issued by the supervisor. If there is
879 a difference, this fact shall be reported in writing to the
880 county canvassing board with the reasons therefor if known. The
881 total number of voted ballots shall be entered on the forms
882 provided. The number of ballots processed through the tabulator
883 on election day, the number of blank ballots processed through
884 the tabulator, and the number of persons checking in at the
885 precinct shall also be entered on the forms provided. Precinct
886 poll workers shall conduct a hand count audit of a randomly
887 chosen race. Ballots must be placed in stacks according to the
888 candidate chosen on the ballots for that race. Those ballots
889 must be hand counted by two poll workers from different major
890 political parties, and candidate choice must be verified in the
891 process. Totals must be noted and compared to the machine count.
892 Any discrepancies must be flagged and reported to the supervisor
893 of elections office and noted on the poll tape posted for the
894 public. The supervisor shall verify any discrepancies over the
895 next 3 days with interested members of the public and a member
896 of each party present. If the supervisor determines that there
897 is a discrepancy, all ballots for the entire precinct must be
898 hand counted using the original paper ballots, and those
899 results, once verified, override the machine counts. The number

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900 of tickets printed to receive ballots must be compared with the
901 number of persons noted by the electronic precinct register
902 system as checked in, and any discrepancies must be resolved or
903 documented. The proceedings of the election board at the
904 precinct after the polls have closed must ~~shall~~ be open to the
905 public; however, ~~no person~~ except for a member of the election
906 board, a person may not ~~shall~~ touch any ballot or ballot
907 container or interfere with or obstruct the orderly count of the
908 ballots.

909 (2) The results of ballots tabulated at precinct locations
910 may be provided to the county canvassing board ~~transmitted to~~
911 ~~the main computer system~~ for the purpose of reconciliation of
912 chain of custody and compilation of complete returns. The
913 tabulator may not use networking communication hardware.
914 However, the supervisor may collect preliminary precinct
915 election results data from tabulators using a portable storage
916 device secure from manipulation, such as a write once, read
917 many, or "WORM," device, and insert the data into a secure
918 computer dedicated to transmitting such data to the elections
919 office. The security guidelines for transmission of returns
920 shall conform to rules adopted by the Department of State
921 pursuant to s. 101.015.

922 (3) For each ballot or ballot image on which write-in votes
923 have been cast, the canvassing board shall compare the write-in
924 votes with the votes cast on the ballot; if the total number of
925 votes for any office exceeds the number allowed by law, such
926 votes may ~~shall~~ not be counted. All valid votes shall be tallied
927 by the canvassing board.

928 (4) (a) If any vote-by-mail ballot is physically damaged so

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929 that it cannot properly be counted by the voting system's
930 automatic tabulating equipment, a true duplicate copy shall be
931 made of the damaged ballot in an open and accessible room in the
932 presence of watchers from at least two different political
933 parties ~~witnesses~~ and substituted for the damaged ballot.
934 Likewise, a duplicate ballot must ~~shall~~ be made of a vote-by-
935 mail ballot containing an overvoted race if there is a clear
936 indication on the ballot that the voter has made a definite
937 choice in the overvoted race or ballot measure. A duplicate must
938 ~~shall~~ include all valid votes as determined by the canvassing
939 board based on rules adopted by the division pursuant to s.
940 102.166(8) ~~s. 102.166(4)~~. A duplicate may be made of a ballot
941 containing an undervoted race or ballot measure if there is a
942 clear indication on the ballot that the voter has made a
943 definite choice in the undervoted race or ballot measure. A
944 duplicate may not include a vote if the voter's intent in such
945 race or on such measure is not clear. Upon request, candidates,
946 political party officials, and political committee officials,
947 and authorized designees thereof, and public watchers ~~a~~
948 ~~physically present candidate, a political party official, a~~
949 ~~political committee official, or an authorized designee thereof,~~
950 must be allowed to observe the duplication of ballots upon
951 signing an affidavit affirming his or her acknowledgment that
952 disclosure of election results discerned from observing the
953 ballot duplication process while the election is ongoing is a
954 felony, as provided under subsection (8). The observer must be
955 allowed to observe the duplication of ballots in such a way that
956 the observer is able to see the markings on each ballot and the
957 duplication taking place. All duplicate ballots must be clearly

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958 labeled "duplicate," bear a serial number which must ~~shall~~ be
959 recorded on the defective ballot, and be counted in lieu of the
960 defective ballot. The duplication of ballots must happen in the
961 presence of at least one canvassing board member and watchers
962 from at least two different political parties. After a ballot
963 has been duplicated, the defective ballot must ~~shall~~ be placed
964 in an envelope provided for that purpose, and the duplicate
965 ballot must ~~shall~~ be tallied with the other ballots for that
966 precinct. If any observer makes a reasonable objection to a
967 duplicate of a ballot, the ballot must be presented to the
968 canvassing board for a determination of the validity of the
969 duplicate. The canvassing board must document the serial number
970 of the ballot in the canvassing board's minutes. The canvassing
971 board must decide whether the duplication is valid. If the
972 duplicate ballot is determined to be valid, the duplicate ballot
973 must be counted. If the duplicate ballot is determined to be
974 invalid, the duplicate ballot must be rejected and a proper
975 duplicate ballot must be made and counted in lieu of the
976 original.

977 (b) A true duplicate copy shall be made of each federal
978 write-in absentee ballot in the presence of watchers ~~witnesses~~
979 and substituted for the federal write-in absentee ballot. A
980 duplicate may be made by hand duplication observed by watchers
981 of both major political parties. The duplicate ballot must
982 include all valid votes as determined by the canvassing board
983 based on rules adopted by the division pursuant to s. 102.166(8)
984 ~~s. 102.166(4)~~. All duplicate ballots must ~~shall~~ be clearly
985 labeled "duplicate," bear a serial number that must ~~shall~~ be
986 recorded on the federal write-in absentee ballot, and be counted

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987 in lieu of the federal write-in absentee ballot. After a ballot
988 has been duplicated, the federal write-in absentee ballot must
989 ~~shall~~ be placed in an envelope provided for that purpose, and
990 the duplicate ballot must ~~shall~~ be tallied with other ballots
991 for that precinct.

992 (5) If there is no clear indication on the ballot that the
993 voter has made a definite choice for an office or ballot
994 measure, the elector's ballot may ~~shall~~ not be counted for that
995 office or measure, but the ballot may ~~shall~~ not be invalidated
996 as to those names or measures which are properly marked.

997 (6) Vote-by-mail ballots may be counted by the voting
998 system's automatic tabulating equipment if they have been marked
999 in a manner which will enable them to be properly counted by
1000 such equipment.

1001 (7) The return printed by the voting system's automatic
1002 tabulating equipment, to which has been added the return of
1003 write-in, vote-by-mail, and manually counted votes and votes
1004 from provisional ballots, constitutes ~~shall constitute~~ the
1005 official return of the election upon certification by the
1006 canvassing board. Upon completion of the count, the returns must
1007 ~~shall~~ be open to the public. A copy of the returns may be posted
1008 at the central counting place or at the office of the supervisor
1009 of elections in lieu of the posting of returns at individual
1010 precincts.

1011 (8) Any supervisor of elections, deputy supervisor of
1012 elections, canvassing board member, election board member,
1013 election employee, or other person authorized to observe,
1014 review, or inspect ballot materials or observe canvassing who
1015 releases any information about votes cast for or against any

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1016 candidate or ballot measure or any results of any election
1017 before the closing of the polls in that county on election day
1018 commits a felony of the third degree, punishable as provided in
1019 s. 775.082, s. 775.083, or s. 775.084.

1020 (9) The county canvassing board shall officially convene in
1021 the presence of candidates, designees of political action
1022 committees, political committees, or political parties, and the
1023 public to discuss all election results and the necessary next
1024 steps required to officially determine election results,
1025 including recounts, runoffs, hand counts, audits, or any other
1026 activities necessary before certification of the election.

1027 Section 8. Subsection (4) is added to section 101.595,
1028 Florida Statutes, to read:

1029 101.595 Analysis and reports of voting problems.-

1030 (4) A postcertification procedural audit must be conducted
1031 after each election. The department shall adopt rules for the
1032 conduct of such audit, which must include the audit of each of
1033 the following:

1034 (a) Chain of custody forms and procedures.

1035 (b) Signature verification on vote-by-mail ballot requests,
1036 voter certificate envelopes, and curing.

1037 (c) Handling of public inspector protests and challenges.

1038 (d) Canvassing board duties.

1039 (e) Physical security.

1040 (f) All blank ballots, undervoted ballots, overvoted
1041 ballots, provisional ballots, and all other ballots that were
1042 separated from the main bin by the tabulator or that require
1043 separate adjudication or handling for any reason. Such ballots
1044 must be hand counted to ensure the number of ballots equals the

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1045 number shown on the reports.

1046 (g) Seal accounting and management.

1047 Section 9. Section 101.6103, Florida Statutes, is amended
1048 to read:

1049 101.6103 Mail ballot election procedure.—

1050 (1) Except as otherwise provided in subsection (7), the
1051 supervisor of elections shall mail all official ballots with a
1052 voter certificate envelope, an identification ~~secrecy~~ envelope,
1053 a return mailing envelope, and instructions sufficient to
1054 describe the voting process to each elector entitled to vote in
1055 the election within the timeframes specified in s. 101.62(3).
1056 All such ballots must be mailed by first-class mail. If the
1057 supervisor of election pays return ballot postage, two United
1058 States Postal Service permit billing accounts must be used, with
1059 one account used solely for outbound ballots and the other
1060 account used solely for returned ballots. Ballots must be
1061 addressed to each elector at the address appearing in the
1062 registration records and placed in an envelope which is
1063 prominently marked "Return Service Requested ~~Do Not Forward.~~"

1064 (2) Upon receipt of the ballot, the elector shall read the
1065 instructions, mark the ballot, place only the completed ballot
1066 in the voter certificate ~~it in the secrecy~~ envelope, sign his or
1067 her name as it appears in the voter registration system on the
1068 signature line on the return mailing envelope supplied with the
1069 ballot, and comply with the instructions provided with the
1070 ballot. The elector shall place a copy of the required
1071 identification into the identification envelope and place the
1072 voter certificate envelope and the identification envelope into
1073 the return mailing envelope. Alternatively, the voter may place

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1074 the voter certificate envelope in a voter-provided envelope and
 1075 send it by registered mail at the voter's expense to the office
 1076 of the supervisor of elections or the address listed on the
 1077 return envelope. The elector shall mail, deliver, or have
 1078 delivered the marked ballot so that it reaches the supervisor of
 1079 elections no later than 7 p.m. on the day of the election. The
 1080 ballot must be returned in the sealed and signed voter
 1081 certificate ~~return mailing~~ envelope.

1082 (3) The voter's certificate ~~return mailing~~ envelope shall
 1083 contain a statement in substantially the following form:

1084
 1085 VOTER'S CERTIFICATE

1086 I, ...(Print Name)..., do solemnly swear (or affirm) that I
 1087 am a qualified voter in this election and that I have not and
 1088 will not vote more than one ballot in this election.

1089 I understand that failure to sign this certificate and give
 1090 my residence address will invalidate my ballot.

1091 ...(Date)...
 1092 ...(Printed Name)...
 1093 ...(Signature)...
 1094 ...(Residence Address)...
 1095 ...(E-mail Address[Optional])...
 1096 ...(Home Telephone Number [Optional])...
 1097 ...(Mobile Telephone Number [Optional])...

1098
 1099 (4) If the ballot is destroyed, spoiled, lost, or not
 1100 received by the elector, the elector may obtain a replacement
 1101 ballot from the supervisor of elections as provided in this
 1102 subsection. An elector seeking a replacement ballot shall

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1103 provide Tier 1 identification and sign a sworn statement that
1104 the ballot was destroyed, spoiled, lost, or not received and
1105 present such statement to the supervisor of elections before
1106 ~~prior to~~ 7 p.m. on the day of the election. The supervisor of
1107 elections shall verify the signature on the sworn statement and
1108 keep a record of each replacement ballot provided under this
1109 subsection.

1110 (5) A ballot shall be counted only if:

1111 (a) It is returned in the voter certificate ~~return mailing~~
1112 envelope bearing the elector's signature;

1113 (b) A copy of a photo identification is placed into the
1114 identification envelope and, if the voter is required to provide
1115 additional documentation under s. 101.68, such documentation is
1116 placed into the identification envelope;

1117 (c) The voter certificate envelope and the identification
1118 envelope are placed into the return mailing envelope or a voter-
1119 provided envelope that is sent by registered mail to the office
1120 of the supervisor of election or the address listed on the
1121 return mailing envelope;

1122 (d) ~~(b)~~ The elector's signature has been verified as
1123 provided in this subsection; and

1124 (e) ~~(c)~~ It is received by the supervisor of elections not
1125 later than 7 p.m. on the day of the election.

1126

1127 The supervisor of elections shall verify the signature of each
1128 elector on the voter certificate ~~return mailing~~ envelope with
1129 the signature on the elector's registration records. Such
1130 verification may commence at any time before ~~prior to~~ the
1131 canvass of votes. The supervisor of elections shall safely keep

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1132 the ballot stored in a secure area accessible only by electronic
1133 badge and under video surveillance ~~unopened in his or her office~~
1134 until the county canvassing board canvasses the vote. If the
1135 supervisor of elections determines that an elector to whom a
1136 replacement ballot has been issued under subsection (4) has
1137 voted more than once, the canvassing board shall determine which
1138 ballot, if any, is to be counted.

1139 (6) The canvassing board may begin the canvassing of mail
1140 ballots as provided by s. 101.68(2)(a). The criminal penalty
1141 specified in that paragraph for the release of results before 7
1142 p.m. on election day is also applicable to canvassing conducted
1143 under this act. The canvassing of mail ballots must be open for
1144 public observation.

1145 (7) With respect to absent electors overseas entitled to
1146 vote in the election, the supervisor of elections shall mail an
1147 official ballot with a voter certificate ~~secrecy~~ envelope, a
1148 return mailing envelope, and instructions sufficient to describe
1149 the voting process to each such elector on a date sufficient to
1150 allow such elector time to vote in the election and to have his
1151 or her marked ballot reach the supervisor by 7 p.m. on the day
1152 of the election.

1153 (8) A ballot that otherwise satisfies the requirements of
1154 subsection (5) shall be counted even if the elector dies after
1155 mailing the ballot but before election day, as long as, before
1156 ~~prior to~~ the death of the voter, the ballot was:

1157 (a) Postmarked by the United States Postal Service;

1158 (b) Date-stamped with a verifiable tracking number by
1159 common carrier; or

1160 (c) Already in the possession of the supervisor of

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1161 elections.

1162 Section 10. Section 101.6104, Florida Statutes, is amended
1163 to read:

1164 101.6104 Challenge of votes.—If any elector present for the
1165 canvass of votes believes that any ballot is illegal due to any
1166 defect apparent on the voter's certificate, the elector may, at
1167 any time before the ballot is removed from the envelope, file
1168 with the canvassing board a protest against the canvass of such
1169 ballot, specifying the reason he or she believes the ballot to
1170 be illegal. No challenge based upon any defect on the voter's
1171 certificate shall be accepted after the ballot has been removed
1172 from the return mailing envelope. When a challenge of a voter
1173 certificate envelope or cure affidavit signature is received,
1174 the ballot must be segregated; left uncounted and, if
1175 applicable, unopened; logged; and treated as provisional to be
1176 reviewed before the end of canvassing. A challenger must be
1177 given an identification number for the challenged ballot or
1178 envelope, as applicable. The identification number and the final
1179 disposition of the ballot must be logged for use in procedural
1180 audits.

1181 Section 11. Paragraphs (a) and (b) of subsection (1),
1182 subsection (2), and paragraph (d) of subsection (3) of section
1183 101.62, Florida Statutes, are amended to read:

1184 101.62 Request for vote-by-mail ballots.—

1185 (1) REQUEST.—

1186 (a) The supervisor shall accept a request for a vote-by-
1187 mail ballot only from a voter or, if directly instructed by the
1188 voter, a member of the voter's immediate family or the voter's
1189 legal guardian. A request may be made in person, in writing, by

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1190 telephone, or through the supervisor's website. The department
1191 shall prescribe by rule by October 1, 2023, a uniform statewide
1192 application to make a written request for a vote-by-mail ballot
1193 which includes fields for all information required in this
1194 subsection. A voter may request a vote-by-mail ballot if one of
1195 the following applies to the voter:

1196 1. The voter is confined to his or her home or otherwise
1197 physically unable to vote in person, which the voter must attest
1198 to by presenting an affidavit provided by a medical doctor.

1199 2. The voter will be out of state during the entire voting
1200 period, which the voter must attest to by providing proof of his
1201 or her out-of-state location.

1202 3. The voter is 80 years of age or older.

1203 4. The voter is enrolled in an educational institution
1204 outside of the county in which he or she is registered, which
1205 the voter must attest to by providing proof of enrollment.

1206
1207 One request is deemed sufficient to receive a vote-by-mail
1208 ballot for all elections through the end of the calendar year of
1209 the next regularly scheduled general election, unless the voter
1210 or the voter's designee indicates at the time the request is
1211 made the elections within such period for which the voter
1212 desires to receive a vote-by-mail ballot. The supervisor must
1213 cancel a request for a vote-by-mail ballot when any first-class
1214 return-service-requested mail or nonforwardable mail sent by the
1215 supervisor to the voter is returned as undeliverable. If the
1216 voter requests a vote-by-mail ballot thereafter, the voter must
1217 provide or confirm his or her current residential address in a
1218 written request that includes the voter's signature and the

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1219 voter's Florida driver license number, the voter's Florida
1220 identification card number, or the last four digits of the
1221 voter's social security number.

1222 (b) If the voter's request meets the criteria under
1223 paragraph (a), the supervisor may accept a request for a vote-
1224 by-mail ballot to be mailed to a voter's address on file in the
1225 Florida Voter Registration System from the voter, or, if
1226 directly instructed by the voter, a member of the voter's
1227 immediate family or the voter's legal guardian. If an in-person
1228 or a telephonic request is made, the voter must provide the
1229 voter's Florida driver license number, the voter's Florida
1230 identification card number, or the last four digits of the
1231 voter's social security number, whichever may be verified in the
1232 supervisor's records. If the ballot is requested to be mailed to
1233 an address other than the voter's address on file in the Florida
1234 Voter Registration System, the request must be made in writing.
1235 A written request must be signed by the voter and include the
1236 voter's Florida driver license number, the voter's Florida
1237 identification card number, or the last four digits of the
1238 voter's social security number. ~~However, an absent uniformed~~
1239 ~~services voter or an overseas voter seeking a vote by mail~~
1240 ~~ballot is not required to submit a signed, written request for a~~
1241 ~~vote by mail ballot that is being mailed to an address other~~
1242 ~~than the voter's address on file in the Florida Voter~~
1243 ~~Registration System.~~ The person making the request must
1244 disclose:

- 1245 1. The name of the voter for whom the ballot is requested.
- 1246 2. The voter's address.
- 1247 3. The voter's date of birth.

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1248 4. The voter's Florida driver license number, the voter's
1249 Florida identification card number, or the last four digits of
1250 the voter's social security number, whichever may be verified in
1251 the supervisor's records. If the voter's registration record
1252 does not already include the voter's Florida driver license
1253 number or Florida identification card number or the last four
1254 digits of the voter's social security number, the number
1255 provided must be recorded in the voter's registration record.

1256 5. The requester's name.

1257 6. The requester's address.

1258 7. The requester's driver license number, the requester's
1259 identification card number, or the last four digits of the
1260 requester's social security number, if available.

1261 8. The requester's relationship to the voter.

1262 9. The requester's signature (written requests only).

1263 (2) ACCESS TO VOTE-BY-MAIL REQUEST INFORMATION.—For each
1264 request for a vote-by-mail ballot received, the supervisor shall
1265 record the following information: the date the request was made;
1266 the identity of the voter's designee making the request, if any;
1267 the Florida driver license number, Florida identification card
1268 number, or last four digits of the social security number of the
1269 voter provided with a written request; the date the vote-by-mail
1270 ballot was delivered to the voter or the voter's designee or the
1271 date the vote-by-mail ballot was delivered to the post office or
1272 other carrier; the address to which the ballot was mailed or the
1273 identity of the voter's designee to whom the ballot was
1274 delivered; the date the ballot was received by the supervisor;
1275 the absence of the voter's signature on the voter's certificate,
1276 if applicable; whether the voter's certificate contains a

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1277 signature that does not match the voter's signature in the
1278 registration books or precinct register; in the case of a
1279 signature mismatch, whether the voter was notified of the
1280 signature mismatch and sent instructions to complete a cure
1281 affidavit; and such other information he or she may deem
1282 necessary. This information must be provided in electronic
1283 format as provided by division rule. The information must be
1284 updated and made available no later than 8 a.m. of each day,
1285 including weekends, beginning 60 days before the primary until
1286 15 days after the general election and shall be
1287 contemporaneously provided to the division. This information is
1288 confidential and exempt from s. 119.07(1) and shall be made
1289 available to or reproduced only for the voter requesting the
1290 ballot, a canvassing board, an election official, a political
1291 party or official thereof, a candidate who has filed
1292 qualification papers and is opposed in an upcoming election, and
1293 registered political committees for political purposes only.

1294 (3) DELIVERY OF VOTE-BY-MAIL BALLOTS.—

1295 (d) Upon a request for a vote-by-mail ballot, the
1296 supervisor shall provide a vote-by-mail ballot to each voter by
1297 whom a request for that ballot has been made, by one of the
1298 following means:

1299 1. By nonforwardable, return-if-undeliverable mail to the
1300 voter's current mailing address on file with the supervisor or
1301 any other address the voter specifies in the request. The
1302 envelopes must be prominently marked "Return Service Requested
1303 ~~Do Not Forward.~~"

1304 2. By forwardable mail, e-mail, or facsimile machine
1305 transmission to absent uniformed services voters and overseas

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1306 voters. The absent uniformed services voter or overseas voter
1307 may designate in the vote-by-mail ballot request the preferred
1308 method of transmission. If the voter does not designate the
1309 method of transmission, the vote-by-mail ballot must be mailed.

1310 3. By personal delivery to the voter after vote-by-mail
1311 ballots have been mailed and up to 7 p.m. on election day upon
1312 presentation of the identification required in s. 101.043.

1313 4. By delivery to the voter's designee after vote-by-mail
1314 ballots have been mailed and up to 7 p.m. on election day. Any
1315 voter may designate in writing a person to pick up the ballot
1316 for the voter; however, the person designated may not pick up
1317 more than two vote-by-mail ballots per election, other than the
1318 designee's own ballot, except that additional ballots may be
1319 picked up for members of the designee's immediate family. The
1320 designee shall provide to the supervisor the written
1321 authorization by the voter and a picture identification of the
1322 designee and must complete an affidavit. The designee shall
1323 state in the affidavit that the designee is authorized by the
1324 voter to pick up that ballot and shall indicate if the voter is
1325 a member of the designee's immediate family and, if so, the
1326 relationship. The department shall prescribe the form of the
1327 affidavit. If the supervisor is satisfied that the designee is
1328 authorized to pick up the ballot and that the signature of the
1329 voter on the written authorization matches the signature of the
1330 voter on file, the supervisor must give the ballot to that
1331 designee for delivery to the voter.

1332 5. Except as provided in s. 101.655, the supervisor may not
1333 deliver a vote-by-mail ballot to a voter or a voter's designee
1334 pursuant to subparagraph 3. or subparagraph 4., respectively,

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1335 during the mandatory early voting period and up to 7 p.m. on
1336 election day, unless there is an emergency, to the extent that
1337 the voter will be unable to go to a designated early voting site
1338 in his or her county or to his or her assigned polling place on
1339 election day. If a vote-by-mail ballot is delivered, the voter
1340 or his or her designee must execute an affidavit affirming to
1341 the facts which allow for delivery of the vote-by-mail ballot.
1342 The department shall adopt a rule providing for the form of the
1343 affidavit.

1344 Section 12. Paragraphs (a) and (c) of subsection (1) and
1345 subsection (5) of section 101.64, Florida Statutes, are amended
1346 to read:

1347 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

1348 (1)(a) The supervisor shall enclose with each vote-by-mail
1349 ballot instructions on completing and returning a ballot, a
1350 voter certificate envelope, an identification envelope, and a
1351 return ~~two envelopes: a secrecy envelope, into which the absent~~
1352 ~~elector shall enclose his or her marked ballot; and a mailing~~
1353 envelope, into which the absent elector shall then place the
1354 voter's certificate ~~secrecy~~ envelope, which shall be addressed
1355 to the supervisor and also bear on the back side a certificate
1356 in substantially the following form:

1357

1358 Note: Please Read Instructions Carefully Before
1359 Marking Ballot and Completing Voter's Certificate.

1360

1361 VOTER'S CERTIFICATE

1362 I,, do solemnly swear or affirm that I am a qualified
1363 and registered voter of County, Florida, and that I have

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1364 not and will not vote more than one ballot in this election. I
1365 understand that if I commit or attempt to commit any fraud in
1366 connection with voting, vote a fraudulent ballot, or vote more
1367 than once in an election, I can be convicted of a felony of the
1368 third degree and fined up to \$5,000 and/or imprisoned for up to
1369 5 years. I also understand that failure to sign this certificate
1370 will invalidate my ballot.

1371 ... (Date) ...

1372 ... (Voter's Printed Name) ...

1373 ... (Voter's Signature) ...

1374 ... (E-Mail Address) [Optional] ...

1375 ... (Home Telephone Number) [Optional] ...

1376 ... (Mobile Telephone Number) [Optional] ...

1377

1378 (c) A mailing envelope or voter certificate ~~secrecy~~
1379 envelope may not bear any indication of the political
1380 affiliation of an absent elector.

1381 (5) The voter certificate ~~secrecy~~ envelope must include, in
1382 bold font, substantially the following message:

1383

1384 IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR
1385 OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY.
1386 IF YOU WAIT TO MAIL YOUR BALLOT, YOUR VOTE MIGHT NOT COUNT. TO
1387 PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT
1388 AS SOON AS POSSIBLE.

1389 Section 13. Section 101.65, Florida Statutes, is amended to
1390 read:

1391 101.65 Instructions to absent electors.—The supervisor
1392 shall enclose with each vote-by-mail ballot separate printed

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1393 instructions in substantially the following form; however, where
1394 the instructions appear in capitalized text, the text of the
1395 printed instructions must be in bold font:

1396

1397 READ THESE INSTRUCTIONS CAREFULLY

1398 BEFORE MARKING BALLOT.

1399

1400 1. VERY IMPORTANT. In order to ensure that your vote-by-
1401 mail ballot will be counted, it should be completed and returned
1402 as soon as possible so that it can reach the supervisor of
1403 elections of the county in which your precinct is located no
1404 later than 7 p.m. on the day of the election. However, if you
1405 are an overseas voter casting a ballot in a presidential
1406 preference primary or general election, your vote-by-mail ballot
1407 must be postmarked or dated no later than the date of the
1408 election and received by the supervisor of elections of the
1409 county in which you are registered to vote no later than 10 days
1410 after the date of the election. Note that the later you return
1411 your ballot, the less time you will have to cure any signature
1412 deficiencies, which is authorized until 5 p.m. on the 2nd day
1413 after the election.

1414 2. Mark your ballot in secret as instructed on the ballot.
1415 You must mark your own ballot unless you are unable to do so
1416 because of blindness, disability, or inability to read or write.

1417 3. Mark only the number of candidates or issue choices for
1418 a race as indicated on the ballot. If you are allowed to "Vote
1419 for One" candidate and you vote for more than one candidate,
1420 your vote in that race will not be counted.

1421 4. Place your marked ballot in the enclosed voter

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1422 certificate ~~secrecy~~ envelope. Completely fill out the voter's
1423 certificate on the back of the voter certificate envelope.

1424 5. Insert a copy of your photo identification in the
1425 identification envelope. The following photo identifications are
1426 acceptable if you are not a first-time voter: Florida driver
1427 license; Florida identification card issued by the Department of
1428 Highway Safety and Motor Vehicles; United States passport; debit
1429 or credit card; military identification; student identification;
1430 public assistance identification; veteran health identification
1431 card issued by the United States Department of Veterans Affairs;
1432 a license to carry a concealed weapon or firearm issued pursuant
1433 to s. 790.06, Florida Statutes; or an employee identification
1434 card issued by any branch, department, agency, or entity of the
1435 Federal Government, the state, a county, or a municipality.

1436 ~~6.5.~~ Insert the voter certificate envelope and the
1437 identification ~~secrecy~~ envelope into the enclosed mailing
1438 envelope which is addressed to the supervisor.

1439 ~~7.6.~~ Seal the mailing envelope and ~~completely fill out the~~
1440 ~~Voter's Certificate on the back of the mailing envelope.~~

1441 ~~8.7.~~ VERY IMPORTANT. In order for your vote-by-mail ballot
1442 to be counted, you must sign your name on the line above
1443 (Voter's Signature). If your signature does not appear on the
1444 designated signature line adjacent to the voter certificate oath
1445 on the voter's certificate, you are required to complete a cure
1446 affidavit to validate your signature. A vote-by-mail ballot will
1447 be considered illegal and not be counted if the signature on the
1448 voter's certificate does not match the signature on record. The
1449 signature on file at the time the supervisor of elections in the
1450 county in which your precinct is located receives your vote-by-

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1451 mail ballot is the signature that will be used to verify your
1452 signature on the voter's certificate. If you need to update your
1453 signature for this election, send your signature update on a
1454 voter registration application to your supervisor of elections
1455 so that it is received before your vote-by-mail ballot is
1456 received.

1457 ~~9.8.~~ VERY IMPORTANT. If you are an overseas voter, you must
1458 include the date you signed the Voter's Certificate on the line
1459 above (Date) or your ballot may not be counted.

1460 ~~10.9.~~ Mail, deliver, or have delivered the completed
1461 mailing envelope. Be sure there is sufficient postage if mailed.
1462 THE COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF
1463 THE SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT
1464 IS LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE BALLOT INTAKE
1465 STATION, AVAILABLE AT EACH EARLY VOTING LOCATION.

1466 ~~11.10.~~ FELONY NOTICE. It is a felony under Florida law to
1467 accept any gift, payment, or gratuity in exchange for your vote
1468 for a candidate. It is also a felony under Florida law to vote
1469 in an election using a false identity or false address, or under
1470 any other circumstances making your ballot false or fraudulent.

1471 Section 14. Section 101.655, Florida Statutes, is amended
1472 to read:

1473 101.655 Supervised voting by absent electors in certain
1474 facilities.—

1475 (1) The supervisor of elections of a county shall provide
1476 bipartisan supervised voting for absent electors residing in any
1477 assisted living facility, as defined in s. 429.02, or nursing
1478 home facility, as defined in s. 400.021, within that county at
1479 the request of an elector living in the facility or the power of

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1480 attorney for an elector living in the ~~of any administrator of~~
1481 ~~such a~~ facility. Such request for supervised voting in the
1482 facility shall be made by submitting a written request to the
1483 supervisor of elections no later than 28 days before ~~prior to~~
1484 the election for which that request is submitted. The request
1485 shall specify the name and address of the facility and the name
1486 of the electors who wish to vote by mail in that election. If
1487 the request contains the names of fewer than five voters, the
1488 supervisor of elections is not required to provide supervised
1489 voting.

1490 (2) The supervisor of elections may, ~~in the absence of a~~
1491 ~~request from the administrator of a facility,~~ provide for
1492 supervised voting in the facility for those persons who have
1493 requested vote-by-mail ballots and voting assistance. The
1494 supervisor of elections shall notify the administrator of the
1495 facility that supervised voting will occur.

1496 (3) The supervisor of elections shall, in cooperation with
1497 the administrator of the facility, select a date and time when
1498 the supervised voting will occur.

1499 (4) The supervisor of elections shall designate supervised
1500 voting teams to provide the services prescribed by this section.
1501 Each supervised voting team shall include at least two persons.
1502 Each supervised voting team must include representatives of more
1503 than one political party; however, in any primary election to
1504 nominate party nominees in which only one party has candidates
1505 appearing on the ballot, all supervised voting team members may
1506 be of that party. No candidate may provide supervised voting
1507 services.

1508 (5) Ballots must be placed in a sealed envelope for

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1509 transport to the facility to be delivered to respective absent
1510 electors. Chain of custody forms must include fields for the
1511 name of the facility, the date, the time, the printed names and
1512 signatures of each person on the supervised voting team assigned
1513 to the facility, the number of ballots delivered to the
1514 facility, the envelope seal number, and the printed names and
1515 signatures of each person on the supervised voting team who
1516 opens the envelope.

1517 (6) The seal on the envelope must be maintained until the
1518 supervised voting team is in the facility.

1519 (7)~~(5)~~ The supervised voting team shall deliver the ballots
1520 to the respective absent electors, and each member of the team
1521 shall jointly supervise the voting of the ballots. If any
1522 elector requests assistance in voting, the oath prescribed in s.
1523 101.051 shall be completed and the elector may receive the
1524 assistance of two members of the supervised voting team or some
1525 other person of the elector's choice to assist the elector in
1526 casting the elector's ballot.

1527 (8)~~(6)~~ Before providing assistance, the supervised voting
1528 team must ~~shall~~ disclose to the elector that the ballot may be
1529 retained by the elector to vote at a later time and that the
1530 elector has the right to seek assistance in voting from some
1531 other person of the elector's choice without the presence of the
1532 supervised voting team.

1533 (9) Before providing assistance, the supervised voting team
1534 must verify the identity of the elector by photo identification
1535 and attestation by a facility administrator.

1536 (10)~~(7)~~ If any elector declines to vote a ballot or is
1537 unable to vote a ballot, the supervised voting team must ~~shall~~

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1538 mark the ballot "refused to vote" or "unable to vote."

1539 (11)~~(8)~~ After the ballots have been voted or marked in
1540 accordance with the provisions of this section, the supervised
1541 voting team shall place the completed and remaining blank
1542 ballots in a sealable envelope and deliver the ballots to the
1543 supervisor of elections, who shall retain them pursuant to s.
1544 101.67.

1545 (12) The chain of custody forms for ballots transported by
1546 supervised voting teams and completed by absent electors in the
1547 facilities must include fields for the printed names and
1548 signatures of two supervised voting team members, the date, the
1549 time, the number of absentee ballots transported to the facility
1550 in which the elector lives, the number of absentee ballots
1551 completed and returned to the supervisor, the number of absentee
1552 ballots retained by electors to be cast at a later date, the
1553 voter identifications of electors who retained ballots, and seal
1554 numbers.

1555 (13) The names of electors living in the facility who
1556 complete ballots, the names of electors living in the facility
1557 who refuse to vote, and the names of electors living in the
1558 facility who retain ballots to be cast at a later date must be
1559 logged and reported to the supervisor of elections by the
1560 supervised voting team.

1561 (14) Cast ballots in sealed envelopes from supervised
1562 voting for absent electors residing in an assisted living
1563 facility or a nursing home facility must be returned to the
1564 supervisor of elections for tabulation and retention pursuant to
1565 s. 101.67.

1566 (15) The chain of custody forms for ballots transported by

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1567 supervised voting teams and completed by absent electors in the
1568 facilities must include fields for the name of the facility, the
1569 printed names and signatures of two members of the vote counting
1570 center who accept custody of the cast ballots, the date, the
1571 time, the seal number, a checkbox to confirm that the seal is
1572 intact, and the number of absentee ballots received by the vote
1573 counting center from the facility.

1574 (16) The county canvassing board shall validate chain of
1575 custody records for ballots received from supervised voting by
1576 absent electors in the facilities as the ballots are returned.

1577 Section 15. Paragraph (a) of subsection (1) and subsections
1578 (2) and (4) of section 101.68, Florida Statutes, are amended to
1579 read:

1580 101.68 Canvassing of vote-by-mail ballot.—

1581 (1) (a) The supervisor of the county in which ~~where~~ the
1582 absent elector resides shall receive the voted ballot, verify
1583 that the certificate signature is a personal and manual
1584 signature that was not created by a rubber stamp or an
1585 electronic machine, verify that the voter certificate envelope
1586 and ballot material are consistent with the quality and serial
1587 number sequence issued, and ~~at which time the supervisor shall~~
1588 compare the signature of the elector on the voter's certificate
1589 with the signature of the elector in the registration books or
1590 the precinct register to determine whether the elector is duly
1591 registered in the county and must record on the elector's
1592 registration record that the elector has voted. The supervisor
1593 shall also evaluate whether the photo identification provided is
1594 consistent with any Department of Highway Safety and Motor
1595 Vehicles photographs of the elector available. During the

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1596 signature comparison process, the supervisor may not use any
1597 knowledge of the political affiliation of the elector whose
1598 signature is subject to verification.

1599 (2) (a) The county canvassing board may begin the canvassing
1600 of vote-by-mail ballots upon the completion of the public
1601 testing of automatic tabulating equipment pursuant to s.
1602 101.5612(2), but must complete canvassing of all ballots
1603 received at the end of election day ~~begin such canvassing~~ by no
1604 later than the end of the following ~~noon on the day following~~
1605 ~~the election~~. However, notwithstanding any such authorization to
1606 begin canvassing or otherwise processing vote-by-mail ballots
1607 early, no result shall be released to the state or to the public
1608 until after the closing of the polls in that county on election
1609 day. Any supervisor, deputy supervisor, canvassing board member,
1610 election board member, or election employee who releases the
1611 results of a canvassing or processing of vote-by-mail ballots
1612 before ~~prior to~~ the closing of the polls in that county on
1613 election day commits a felony of the third degree, punishable as
1614 provided in s. 775.082, s. 775.083, or s. 775.084.

1615 (b) To ensure that all vote-by-mail ballots to be counted
1616 by the canvassing board are accounted for, the canvassing board
1617 shall compare the number of ballots in its possession with the
1618 number of requests for ballots received to be counted according
1619 to the ballot chain of custody records and ballot reconciliation
1620 report, the supervisor's ballot accounting report, and the
1621 supervisor's file or list.

1622 (c)1. The canvassing board must, if the supervisor has not
1623 already done so, compare the signature of the elector on the
1624 voter's certificate or on the vote-by-mail ballot cure affidavit

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1625 as provided in subsection (4) with the signature of the elector
1626 in the registration books or the precinct register to see that
1627 the elector is duly registered in the county and to determine
1628 the legality of that vote-by-mail ballot. A vote-by-mail ballot
1629 may only be counted if:

1630 a. The signature on the voter's certificate or the cure
1631 affidavit matches the elector's signature in the registration
1632 books or precinct register; however, in the case of a cure
1633 affidavit, the supporting identification listed in subsection
1634 (4) must also confirm the identity of the elector; or

1635 b. The cure affidavit contains a signature that does not
1636 match the elector's signature in the registration books or
1637 precinct register, but the elector has submitted a current and
1638 valid Tier 1 identification pursuant to subsection (4) which
1639 confirms the identity of the elector. Tier 1 or Tier 2
1640 identification is considered ballot material for purposes of s.
1641 101.572 and must be presented to any candidates, political party
1642 officials, political committee officials, and political action
1643 committee officials, or authorized designees thereof, conducting
1644 a cure affidavit review.

1645
1646 For purposes of this subparagraph, any canvassing board finding
1647 that an elector's signatures do not match must be by majority
1648 vote and beyond a reasonable doubt.

1649 2. The ballot of an elector who casts a vote-by-mail ballot
1650 shall be counted even if the elector dies on or before election
1651 day, as long as, before the death of the voter, the ballot was
1652 postmarked by the United States Postal Service, date-stamped
1653 with a verifiable tracking number by a common carrier, or

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1654 already in the possession of the supervisor.

1655 3. A vote-by-mail ballot is not considered illegal if the
1656 signature of the elector does not cross the seal of the mailing
1657 envelope. However, an envelope that appears to have been opened
1658 and resealed or that displays an unauthorized serial number
1659 instead of an authorized serial number is considered illegal.

1660 4. If any elector or candidate present believes that a
1661 vote-by-mail ballot is illegal due to a defect apparent on the
1662 voter's certificate or the cure affidavit, he or she may, at any
1663 time before the ballot is removed from the envelope, file with
1664 the canvassing board a protest against the canvass of that
1665 ballot, specifying the precinct, the voter's certificate or the
1666 cure affidavit, and the reason he or she believes the ballot to
1667 be illegal. A challenge based upon a defect in the voter's
1668 certificate or cure affidavit may not be accepted after the
1669 ballot has been removed from the mailing envelope. A log must be
1670 kept of all challenges, the voter identification, the
1671 resolution, and the signatures compared. The log, the cure
1672 affidavit with accompanying Tier 1 or Tier 2 identification, if
1673 applicable, the envelope, and the ballot, if rejected, therein
1674 must be preserved in the manner that official ballots are
1675 preserved as election materials. The log and decisions must be
1676 reviewed as part of a postelection process audit.

1677 5. If the canvassing board determines that a ballot is
1678 illegal, a member of the board must, without opening the
1679 envelope, mark across the face of the envelope: "rejected as
1680 illegal." The cure affidavit with accompanying Tier 1 or Tier 2
1681 identification, if applicable, the envelope, and the ballot
1682 therein shall be preserved in the manner that official ballots

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1683 are preserved as election materials.

1684 (d) The canvassing board shall record the ballot upon the
1685 proper record, unless the ballot has been previously recorded by
1686 the supervisor. The mailing envelopes shall be opened and the
1687 voter certificate ~~secrecy~~ envelopes shall be mixed so as to make
1688 it impossible to determine which voter certificate ~~secrecy~~
1689 envelope came out of which signed mailing envelope; however, in
1690 any county in which an electronic or electromechanical voting
1691 system is used, the ballots may be sorted by ballot styles and
1692 the mailing envelopes may be opened and the voter certificate
1693 ~~secrecy~~ envelopes mixed separately for each ballot style. The
1694 votes on vote-by-mail ballots shall be included in the total
1695 vote of the county.

1696 (4) (a) As soon as practicable, the supervisor shall, on
1697 behalf of the county canvassing board, attempt to notify an
1698 elector who has returned a vote-by-mail ballot that does not
1699 include the elector's signature or contains a signature that
1700 does not match the elector's signature in the registration books
1701 or precinct register by:

1702 1. Notifying the elector of the signature deficiency by e-
1703 mail with a direct link to the supervisor's website ~~and~~
1704 directing the elector to the cure affidavit and instructions ~~on~~
1705 ~~the supervisor's website;~~

1706 2. Notifying the elector of the signature deficiency by
1707 text message with a direct link to the supervisor's website ~~and~~
1708 directing the elector to the cure affidavit and instructions ~~on~~
1709 ~~the supervisor's website;~~ or

1710 3. Notifying the elector of the signature deficiency by
1711 telephone and directing the elector to the cure affidavit and

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1712 instructions on the supervisor's website.

1713

1714 In addition to the notification required under subparagraph 1.,
1715 subparagraph 2., or subparagraph 3., the supervisor must notify
1716 the elector of the signature deficiency by first-class mail and
1717 direct the elector to the cure affidavit and instructions on the
1718 supervisor's website. Beginning the day before the election, the
1719 supervisor is not required to provide notice of the signature
1720 deficiency by first-class mail, but shall continue to provide
1721 notice as required under subparagraph 1., subparagraph 2., or
1722 subparagraph 3.

1723 (b) The supervisor shall allow such an elector to complete
1724 and submit an affidavit in order to cure the vote-by-mail ballot
1725 until 5 p.m. on the 2nd day after the election.

1726 (c) The elector must complete a cure affidavit in
1727 substantially the following form:

1728

1729 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

1730

1731 I,, am a qualified voter in this election and
1732 registered voter of County, Florida. I do solemnly swear or
1733 affirm that I requested and returned the vote-by-mail ballot and
1734 that I have not and will not vote more than one ballot in this
1735 election. I understand that if I commit or attempt any fraud in
1736 connection with voting, vote a fraudulent ballot, or vote more
1737 than once in an election, I may be convicted of a felony of the
1738 third degree and fined up to \$5,000 and imprisoned for up to 5
1739 years. I understand that my failure to sign this affidavit means
1740 that my vote-by-mail ballot will be invalidated.

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- 1741 ... (Date)...
- 1742 ... (Voter's Printed Name)...
- 1743 ... (Voter's Signature)...
- 1744 ... (Voter's E-mail Address) [Optional]...
- 1745 ... (Voter's Home Telephone Number) [Optional]...
- 1746 ... (Voter's Mobile Telephone Number) [Optional]...
- 1747 ... (Address)...

1748

1749 (d) Instructions must accompany the cure affidavit in

1750 substantially the following form:

1751

1752 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE

1753 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR

1754 BALLOT NOT TO COUNT.

1755

1756 1. In order to ensure that your vote-by-mail ballot will be

1757 counted, your affidavit should be completed and returned as soon

1758 as possible so that it can reach the supervisor of elections of

1759 the county in which your precinct is located no later than 5

1760 p.m. on the 2nd day after the election.

1761 2. You must sign your name on the line above (Voter's

1762 Signature).

1763 3. You must make a copy of one of the following forms of

1764 identification:

1765 a. Tier 1 identification.—Current and valid identification

1766 that includes your name and photograph: Florida driver license;

1767 Florida identification card issued by the Department of Highway

1768 Safety and Motor Vehicles; United States passport; debit or

1769 credit card; military identification; student identification;

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1770 ~~retirement center identification; neighborhood association~~
 1771 ~~identification;~~ public assistance identification; veteran health
 1772 identification card issued by the United States Department of
 1773 Veterans Affairs; a Florida license to carry a concealed weapon
 1774 or firearm; or an employee identification card issued by any
 1775 branch, department, agency, or entity of the Federal Government,
 1776 the state, a county, or a municipality; or

1777 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
 1778 FORM OF IDENTIFICATION, identification that shows your name and
 1779 current residence address: current utility bill, bank statement,
 1780 government check, paycheck, or government document (excluding
 1781 voter information card).

1782 4. Place the envelope bearing the affidavit into a mailing
 1783 envelope addressed to the supervisor. Insert a copy of your
 1784 identification in the mailing envelope. Mail (if time permits),
 1785 deliver, or have delivered the completed affidavit along with
 1786 the copy of your identification to your county supervisor of
 1787 elections. Be sure there is sufficient postage if mailed and
 1788 that the supervisor's address is correct. Remember, your
 1789 information MUST reach your county supervisor of elections no
 1790 later than 5 p.m. on the 2nd day after the election, or your
 1791 ballot will not count.

1792 5. Alternatively, you may fax or e-mail your completed
 1793 affidavit and a copy of your identification to the supervisor of
 1794 elections. If e-mailing, please provide these documents as
 1795 attachments.

1796

1797 (e) The department and each supervisor shall include the
 1798 affidavit and instructions on their respective websites. The

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1799 supervisor must include his or her office's mailing address, e-
1800 mail address, and fax number on the page containing the
1801 affidavit instructions, and the department's instruction page
1802 must include the office mailing addresses, e-mail addresses, and
1803 fax numbers of all supervisors of elections or provide a
1804 conspicuous link to such addresses.

1805 (f) The supervisor shall attach each affidavit and Tier 1
1806 or Tier 2 identification document received to the appropriate
1807 voter certificate ~~vote-by-mail ballot mailing~~ envelope.

1808 (g) A designee for a candidate, a political committee, a
1809 political action committee, or a political party may inspect all
1810 ballot materials in accordance with s. 101.572, including Tier 1
1811 and Tier 2 forms of identification necessary to accept or reject
1812 a ballot certificate signature match.

1813 (h) A voter signature mismatch on a voter certificate
1814 envelope that is rejected by the county canvassing board must be
1815 cured by the elector before his or her signature may be accepted
1816 and vote counted. The elector shall complete a cure affidavit
1817 and return to the county canvassing board the affidavit and Tier
1818 1 or Tier 2 forms of identification.

1819 (i) The voter certificate envelope, the cure affidavit, and
1820 the Tier 1 or Tier 2 forms of identification are considered
1821 ballot materials under s. 101.572. These ballot materials
1822 provide supporting evidence to accept or reject a signature on a
1823 certificate and shall be reviewed by the canvassing board and
1824 made available to a designee for a candidate, a political
1825 committee, a political action committee, or a political party.

1826 (j) The supervisor shall provide to the designee for a
1827 candidate, political committee, political action committee, or

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1828 political party access to any materials considered ballot
1829 materials under s. 101.572 which are necessary to complete the
1830 task of cure affidavit review. A time must be arranged each day
1831 and made open to the public for a designee for a candidate,
1832 political committee, political action committee, or political
1833 party to complete a cure affidavit review of unique returned
1834 cure affidavits that have been returned since the previous day.
1835 As long as the vote counting center is open to the public, the
1836 supervisor may not limit the time necessary for a designee for a
1837 candidate, a political committee, a political action committee,
1838 or a political party to complete a cure affidavit review of
1839 ballot materials.

1840 (k) ~~(g)~~ If a vote-by-mail ballot is validated following the
1841 submission of a cure affidavit, the supervisor shall make a copy
1842 of the affidavit, affix it to a voter registration application,
1843 and immediately process it as a valid request for a signature
1844 update pursuant to s. 98.077.

1845 (l) A log must be kept of cure challenges levied by public
1846 inspectors, including the voter name, the voter identification,
1847 the voter precinct, the reason for the cure affidavit, the
1848 reason the voter certificate envelope was initially rejected,
1849 the reason for any challenges made to the cure affidavit
1850 signature, Tier 1 or Tier 2 identification, and the final
1851 disposition of the cure affidavit.

1852 1. The log, the cure affidavit, if applicable, the
1853 envelope, and the ballot, if rejected, must be preserved in the
1854 same manner that official ballots are preserved. The log and
1855 decisions must be reviewed as part of a postelection process
1856 audit, and cure reports must be made available to the public by

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1857 precinct.

1858 2. If a designee protests a cure affidavit and the protest
1859 is subsequently rejected by the county canvassing board, the
1860 ballot must be counted as a cast vote and entered into the final
1861 vote count. The county canvassing board shall record in the log
1862 the reason for the protest, the reason for the protest
1863 rejection, the voter identification, the voter precinct, the
1864 reason the cure affidavit was required, and the voter
1865 certificate envelope that was originally rejected.

1866 3. Daily county canvassing board minutes must contain board
1867 decisions relating to cure affidavits, including the voter
1868 identification and precinct discussed.

1869 (m) ~~(h)~~ After all election results on the ballot have been
1870 certified, the supervisor shall, on behalf of the county
1871 canvassing board, notify each elector whose ballot has been
1872 rejected as illegal and provide the specific reason the ballot
1873 was rejected. The supervisor shall research the elector whose
1874 ballot was rejected as illegal using all available resources to
1875 determine whether the elector is still eligible to vote. If the
1876 elector is determined to be eligible to vote ~~In addition~~, unless
1877 processed as a signature update pursuant to paragraph (k) ~~(g)~~,
1878 the supervisor shall mail a voter registration application to
1879 the elector to be completed indicating the elector's current
1880 signature if the signature on the voter's certificate or cure
1881 affidavit did not match the elector's signature in the
1882 registration books or precinct register.

1883 (n) Any information not confidential or exempt from s.
1884 119.07(1) must be made available to candidate, political party,
1885 or political committee designees, including information on

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1886 electors who are notified of a signature mismatch and provided
1887 instructions to complete a cure affidavit by the supervisor.

1888 Section 16. Section 101.69, Florida Statutes, is amended to
1889 read:

1890 101.69 Voting in person; return of vote-by-mail ballot.—

1891 (1) The provisions of this code shall not be construed to
1892 prohibit any elector from voting in person at the elector's
1893 precinct on the day of an election or at an early voting site,
1894 notwithstanding that the elector has requested a vote-by-mail
1895 ballot for that election. An elector who has returned a voted
1896 vote-by-mail ballot to the supervisor, however, is deemed to
1897 have cast his or her ballot and is not entitled to vote another
1898 ballot or to have a provisional ballot counted by the county
1899 canvassing board. An elector who has received a vote-by-mail
1900 ballot and has not returned the voted ballot to the supervisor,
1901 but desires to vote in person, shall return the ballot, whether
1902 voted or not, to the election board in the elector's precinct or
1903 to an early voting site. The returned ballot voter certificate
1904 envelope containing an uncast ballot must be marked "canceled"
1905 with a permanent marker. In the presence of the elector and a
1906 second poll worker, a member of the board shall open the voter
1907 certificate envelope and mark "canceled" with a permanent marker
1908 across the ballot and place the ballot ~~shall be marked~~
1909 ~~"canceled" by the board and placed~~ with other canceled ballots.
1910 However, if the elector does not return the ballot and the
1911 election official:

1912 (a) Confirms that the supervisor has received the elector's
1913 vote-by-mail ballot, the elector shall not be allowed to vote in
1914 person. If the elector maintains that he or she has not returned

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1915 the vote-by-mail ballot or remains eligible to vote, the elector
1916 shall be provided a provisional ballot as provided in s.
1917 101.048.

1918 (b) Confirms that the supervisor has not received the
1919 elector's vote-by-mail ballot, the elector shall be allowed to
1920 vote in person as provided in this code. The elector's vote-by-
1921 mail ballot, if subsequently received, shall not be counted and
1922 shall remain in the mailing envelope, and the envelope shall be
1923 marked "Rejected as Illegal 2nd Ballot." If it is determined
1924 that the signature on the voter certificate envelope does not
1925 match the voter's signature, the vote-by-mail ballot and voter
1926 certificate envelope must be submitted to the Office of Election
1927 Crimes and Security for investigation.

1928 (c) Cannot determine whether the supervisor has received
1929 the elector's vote-by-mail ballot, the elector may vote a
1930 provisional ballot as provided in s. 101.048.

1931 (2) (a) The supervisor shall allow an elector who has
1932 received a vote-by-mail ballot to physically return a voted
1933 vote-by-mail ballot to the supervisor by placing the return mail
1934 envelope containing his or her marked ballot in a secure ballot
1935 intake station. Secure ballot intake stations shall be placed at
1936 the main office of the supervisor, at each permanent branch
1937 office of the supervisor which meets the criteria set forth in
1938 s. 101.657(1) (a) for branch offices used for early voting and
1939 which is open for at least the minimum number of hours
1940 prescribed by s. 98.015(4), and inside ~~at~~ each early voting
1941 site. ~~Secure ballot intake stations may also be placed at any~~
1942 ~~other site that would otherwise qualify as an early voting site~~
1943 ~~under s. 101.657(1). Secure ballot intake stations must be~~

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1944 ~~geographically located so as to provide all voters in the county~~
1945 ~~with an equal opportunity to cast a ballot, insofar as is~~
1946 ~~practicable. Except for secure ballot intake stations at an~~
1947 ~~office of the supervisor,~~ A secure ballot intake station may
1948 only be used during the county's early voting hours of operation
1949 if it is located inside an early voting site or inside an office
1950 of the supervisor and must be monitored in person by an employee
1951 of the supervisor's office. A secure ballot intake station at an
1952 office of the supervisor must be continuously monitored in
1953 person by an employee of the supervisor's office when the secure
1954 ballot intake station is accessible for deposit of ballots.

1955 (b) A supervisor shall designate each secure ballot intake
1956 station location at least 30 days before an election. The
1957 supervisor shall provide the address of each secure ballot
1958 intake station location to the division at least 30 days before
1959 an election. After a secure ballot intake station location has
1960 been designated, it may not be moved or changed except as
1961 approved by the division to correct a violation of this
1962 subsection.

1963 (c)1. On each day of early voting, all secure ballot intake
1964 stations must be inspected to verify that no ballots are present
1965 at the start of early voting hours and must be emptied at the
1966 end of early voting hours. ~~and~~ All ballots retrieved from the
1967 secure ballot intake stations must be returned to the
1968 supervisor's office using the chain of custody standards
1969 required under s. 101.015.

1970 2. For secure ballot intake stations located at an office
1971 of the supervisor, all ballots must be retrieved before the
1972 secure ballot intake station is no longer monitored by an

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1973 employee of the supervisor.

1974 3. Employees of the supervisor must comply with procedures
1975 for the chain of custody of ballots as required by s.
1976 101.015(4).

1977 (3) If any secure ballot intake station is left accessible
1978 for ballot receipt other than as authorized by this section or a
1979 secure intake station is deployed which does not meet department
1980 standards, the supervisor is subject to a civil penalty of
1981 \$25,000. The division is authorized to enforce this provision.

1982 Section 17. Subsections (2) and (3) of section 101.6921,
1983 Florida Statutes, are amended to read:

1984 101.6921 Delivery of special vote-by-mail ballot to certain
1985 first-time voters.—

1986 (2) The supervisor shall enclose with each vote-by-mail
1987 ballot three envelopes: ~~a secrecy envelope, into which the~~
1988 ~~absent elector will enclose his or her marked ballot;~~ an
1989 envelope containing the Voter's Certificate; an identification
1990 envelope, into which the absent elector shall place the secrecy
1991 envelope; and a mailing envelope, which shall be addressed to
1992 the supervisor and into which the absent elector will place the
1993 envelope containing the Voter's Certificate and the
1994 identification envelope containing a copy of the required
1995 identification.

1996 (3) The Voter's Certificate shall be in substantially the
1997 following form:

1998
1999 Note: Please Read Instructions Carefully Before
2000 Marking Ballot and Completing Voter's Certificate.
2001

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VOTER'S CERTIFICATE

I,, do solemnly swear or affirm that I am a qualified and registered voter of County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to \$5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate will invalidate my ballot. I understand that unless I meet one of the exemptions below, I must provide a copy of a current and valid identification as provided in the instruction sheet to the supervisor of elections in order for my ballot to count.

I further certify that I am exempt from the requirements to furnish a copy of a current and valid identification with my ballot because of one or more of the following (check all that apply):

~~I am 65 years of age or older.~~

I have a permanent or temporary physical disability and have included a copy of a doctor's note or social security disability document.

I am a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day and have included a copy of my current military identification.

I am a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day and have included a copy of my current Merchant

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2031 Marine identification.

2032 I am the spouse or dependent of a member of the uniformed
 2033 service or Merchant Marine who, by reason of the active duty or
 2034 service of the member, will be absent from the county on
 2035 election day and have included a copy of my uniformed services
 2036 dependent identification.

2037 I am currently residing outside the United States and
 2038 have included a copy of one of the following that show my name
 2039 and my former Florida address and the address at which I reside
 2040 outside the United States:

- 2041 1. Utility bill.
- 2042 2. Bank statement.
- 2043 3. Government-issued check.
- 2044 4. Paycheck.
- 2045 5. Other government document, excluding a voter
 2046 identification card.

- 2047
- 2048 ...(Date)...
- 2049 ...(Voter's Printed Name)...
- 2050 ...(Voter's Signature)...
- 2051 ...(Voter's E-mail Address) [Optional]...
- 2052 ...(Voter's Home Telephone Number) [Optional]...
- 2053 ...(Voter's Mobile Telephone Number) [Optional]...

2054 Section 18. Subsection (2) of section 101.6923, Florida
 2055 Statutes, is amended to read:

2056 101.6923 Special vote-by-mail ballot instructions for
 2057 certain first-time voters.-

2058 (2) A voter covered by this section must be provided with
 2059 printed instructions with his or her vote-by-mail ballot in

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2060 substantially the following form:

2061
2062 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
2063 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
2064 YOUR BALLOT NOT TO COUNT.

2065
2066 1. In order to ensure that your vote-by-mail ballot will be
2067 counted, it should be completed and returned as soon as possible
2068 so that it can reach the supervisor of elections of the county
2069 in which your precinct is located no later than 7 p.m. on the
2070 date of the election. However, if you are an overseas voter
2071 casting a ballot in a presidential preference primary or general
2072 election, your vote-by-mail ballot must be postmarked or dated
2073 no later than the date of the election and received by the
2074 supervisor of elections of the county in which you are
2075 registered to vote no later than 10 days after the date of the
2076 election. Note that the later you return your ballot, the less
2077 time you will have to cure signature deficiencies, which is
2078 authorized until 5 p.m. local time on the 2nd day after the
2079 election.

2080 2. Mark your ballot in secret as instructed on the ballot.
2081 You must mark your own ballot unless you are unable to do so
2082 because of blindness, disability, or inability to read or write.

2083 3. Mark only the number of candidates or issue choices for
2084 a race as indicated on the ballot. If you are allowed to "Vote
2085 for One" candidate and you vote for more than one, your vote in
2086 that race will not be counted.

2087 4. Place your marked ballot ~~in the enclosed secrecy~~
2088 ~~envelope and seal the envelope.~~

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2089 ~~5. Insert the secrecy envelope~~ into the enclosed envelope
2090 bearing the Voter's Certificate. Seal the envelope and
2091 completely fill out the Voter's Certificate on the back of the
2092 envelope.

2093 a. You must sign your name on the line above (Voter's
2094 Signature).

2095 b. If you are an overseas voter, you must include the date
2096 you signed the Voter's Certificate on the line above (Date) or
2097 your ballot may not be counted.

2098 c. A vote-by-mail ballot will be considered illegal and
2099 will not be counted if the signature on the Voter's Certificate
2100 does not match the signature on record. The signature on file at
2101 the start of the canvass of the vote-by-mail ballots is the
2102 signature that will be used to verify your signature on the
2103 Voter's Certificate. If you need to update your signature for
2104 this election, send your signature update on a voter
2105 registration application to your supervisor of elections so that
2106 it is received before your vote-by-mail ballot is received.

2107 5.a. If you have registered to vote without a driver
2108 license or Florida identification card and have not previously
2109 provided one of the following forms of identification to an
2110 election official ~~6. Unless you meet one of the exemptions in~~
2111 ~~Item 7.~~, you must make a copy of one of the following forms of
2112 identification:

2113 (I) A United States passport; or

2114 (II) (A) A United States birth certificate, United States
2115 naturalization papers, a consular report of birth abroad
2116 provided by the United States Department of State, or a social
2117 security card; and

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2118 (B) An acceptable, current photo identification that
 2119 includes your name and photograph. Acceptable photo
 2120 identification includes a ~~a. identification which must include~~
 2121 ~~your name and photograph: United States passport;~~ debit or
 2122 credit card; military identification; ~~student identification;~~
 2123 ~~retirement center identification; neighborhood association~~
 2124 ~~identification;~~ public assistance identification; a veteran
 2125 health identification card issued by the United States
 2126 Department of Veterans Affairs; a Florida license to carry a
 2127 concealed weapon or firearm; or an employee identification card
 2128 issued by any branch, department, agency, or entity of the
 2129 Federal Government, the state, a county, or a municipality. ~~;~~ ~~or~~

2130 b. If you have registered to vote without a driver license
 2131 or Florida identification card, you must also make a copy of an
 2132 identification document dated within the last 2 months which
 2133 contains the name and residence address listed on your voter
 2134 registration application. Acceptable identification that ~~which~~
 2135 ~~shows your name and current~~ residence address includes a
 2136 ~~current~~ utility bill, bank statement, government check,
 2137 paycheck, or government document (excluding voter information
 2138 card).

2139 c. If you have registered to vote without a driver license
 2140 or Florida identification card and meet the requirements of Item
 2141 6., you may provide the following as proof of prior Florida
 2142 residence:

2143 (I) Documents listed in Item 5.b. that are not current plus
 2144 a current equivalent document listing your non-United States
 2145 residence.

2146 (II) A consular report of birth abroad provided by the

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2147 United States Department of State and proof that your parents
2148 previously resided in the State of Florida.

2149 d. Documents provided under this item may be submitted
2150 using the same methods allowed under s. 101.68.

2151 ~~6.7.~~ The identification requirements of Item ~~5.6.~~ do not
2152 apply if you meet one of the following requirements:

2153 a. You are 65 years of age or older as documented by a copy
2154 of a birth certificate proving your age.

2155 b. You have a temporary or permanent physical disability as
2156 documented by a copy of a doctor's affidavit stating your
2157 disability status or a social security disability document
2158 provided to a voter registration official.

2159 c. You are a member of a uniformed service on active duty
2160 as documented by a current military identification provided to a
2161 voter registration official who, by reason of such active duty,
2162 will be absent from the county on election day.

2163 d. You are a member of the Merchant Marine as documented by
2164 a current Merchant Marine identification who, by reason of
2165 service in the Merchant Marine, will be absent from the county
2166 on election day.

2167 e. You are the spouse or dependent of a member referred to
2168 in paragraph c. or paragraph d. as documented by a uniformed
2169 services dependent identification who, by reason of the active
2170 duty or service of the member, will be absent from the county on
2171 election day.

2172 f. You are currently residing outside the United States and
2173 provide one of the following:

2174 (I) Documents listed in Item 5.b. that are not current and
2175 a current equivalent document listing your non-United States

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2176 residence.

2177 (II) A consular report of birth abroad provided by the
 2178 United States Department of State and proof that your parents
 2179 previously resided in the state of Florida.

2180
 2181 Documents provided under Item 6. may be provided to election
 2182 officials using mail, e-mail, or fax.

2183 ~~7.8. Place the envelope bearing the Voter's Certificate~~
 2184 ~~into the mailing envelope addressed to the supervisor. Insert a~~
 2185 ~~copy of your identification in the identification mailing~~
 2186 ~~envelope. DO NOT PUT YOUR IDENTIFICATION INSIDE THE ~~SECURITY~~~~
 2187 ~~ENVELOPE WITH THE BALLOT OR INSIDE THE ENVELOPE WHICH BEARS THE~~
 2188 ~~VOTER'S CERTIFICATE OR YOUR BALLOT WILL NOT COUNT.~~

2189 8. Place both the envelope bearing the Voter's Certificate
 2190 and the identification envelope into the mailing envelope
 2191 addressed to the supervisor.

2192 9. Mail, deliver, or have delivered the completed mailing
 2193 envelope. Be sure there is sufficient postage if mailed.

2194 10. FELONY NOTICE. It is a felony under Florida law to
 2195 accept any gift, payment, or gratuity in exchange for your vote
 2196 for a candidate. It is also a felony under Florida law to vote
 2197 in an election using a false identity or false address, or under
 2198 any other circumstances making your ballot false or fraudulent.

2199 Section 19. Paragraph (a) of subsection (1) and subsection
 2200 (2) of section 102.012, Florida Statutes, are amended to read:

2201 102.012 Inspectors, ~~and~~ clerks, and absentee vote
 2202 processing workers to conduct elections.-

2203 (1)(a) The supervisor of elections of each county, at least
 2204 20 days before ~~prior to~~ the holding of any election, shall

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2205 appoint an election board comprised of poll workers who serve as
2206 clerks or inspectors for each precinct in the county and shall
2207 recruit absentee vote processing workers. The clerk shall be in
2208 charge of, and responsible for, seeing that the election board
2209 carries out its duties and responsibilities. Each inspector,
2210 absentee vote processing worker, and ~~each~~ clerk shall take and
2211 subscribe to an oath or affirmation, which shall be written or
2212 printed, to the effect that he or she will perform the duties of
2213 inspector, absentee vote processing worker, or clerk of
2214 election, respectively, according to law and will endeavor to
2215 prevent all fraud, deceit, or abuse in conducting the election.
2216 The oath may be taken before an officer authorized to administer
2217 oaths or before any of the persons who are to act as inspectors,
2218 one of them to swear the others, and one of the others sworn
2219 thus, in turn, to administer the oath to the one who has not
2220 been sworn. The oaths shall be returned with the poll list and
2221 the returns of the election to the supervisor. In all questions
2222 that may arise before the members of an election board, the
2223 decision of a majority of them shall decide the question. The
2224 supervisor of elections of each county shall be responsible for
2225 the attendance and diligent performance of his or her duties by
2226 each clerk, absentee vote processing worker, and inspector.

2227 (2) Each member of the election board and each absentee
2228 vote processing worker must ~~shall~~ be able to read and write the
2229 English language and ~~shall~~ be a registered qualified elector of
2230 the county in which the member is appointed or a person who has
2231 preregistered to vote, pursuant to s. 97.041(1)(b), in the
2232 county in which the member is appointed. An ~~No~~ election board or
2233 a work area of an absentee vote counting location may not ~~shall~~

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2234 be composed solely of members of one political party, except
2235 that, ~~however~~, in any primary in which only one party has
2236 candidates appearing on the ballot, all clerks and inspectors
2237 may be of that party. Any person whose name appears as an
2238 opposed candidate for any office shall not be eligible to serve
2239 on an election board.

2240 Section 20. Section 102.014, Florida Statutes, is amended
2241 to read:

2242 102.014 Poll worker recruitment and training.—

2243 (1) The supervisor of elections shall conduct training for
2244 inspectors, clerks, absentee vote processing workers, and deputy
2245 sheriffs before ~~prior to~~ each primary, general, and special
2246 election for the purpose of instructing such persons in their
2247 duties and responsibilities as election officials. The Division
2248 of Elections shall develop a statewide uniform training
2249 curriculum for poll workers, and each supervisor shall use such
2250 curriculum in training poll workers. The Department of State
2251 shall develop a statewide uniform training curriculum for
2252 absentee vote processing workers, and each supervisor shall use
2253 such curriculum in training absentee vote processing workers. A
2254 certificate may be issued by the supervisor of elections to each
2255 person completing such training. A ~~No~~ person may not ~~shall~~ serve
2256 as an inspector, clerk, absentee vote processing worker, or
2257 deputy sheriff for an election unless such person has completed
2258 the training as required. A clerk may not work at the polls
2259 unless he or she demonstrates a working knowledge of the laws
2260 and procedures relating to voter registration, voting system
2261 operation, balloting and polling place procedures, and problem-
2262 solving and conflict-resolution skills. An absentee vote

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2263 processing worker may not work in the vote processing center
2264 unless he or she demonstrates a working knowledge of the laws
2265 and procedures relating to chain of custody, the work areas to
2266 which he or she may be assigned, physical security requirements,
2267 and problem-solving and conflict-resolution skills.

2268 (2) A person who has attended previous training conducted
2269 within 2 years before the election may be appointed by the
2270 supervisor to fill a vacancy on an election board or at an
2271 absentee vote processing location. If no person with prior
2272 training is available to fill such vacancy, the supervisor of
2273 elections may fill such vacancy in accordance with the
2274 provisions of subsection (3) from among persons who have not
2275 received the training required by this section.

2276 (3) In the case of absence or refusal to act on the part of
2277 any absentee vote processing worker, inspector, or clerk, the
2278 supervisor shall appoint a replacement who meets the
2279 qualifications prescribed in s. 102.012(2). The absentee vote
2280 processing worker, inspector, or clerk so appointed shall be a
2281 member of the same political party as the absentee vote
2282 processing worker, clerk, or inspector whom he or she replaces.

2283 (4) Each supervisor of elections shall be responsible for
2284 training absentee vote processing workers, inspectors, and
2285 clerks, subject to the following minimum requirements:

2286 (a) A ~~No~~ clerk may not ~~shall be entitled to~~ work at the
2287 polls unless he or she has had a minimum of 3 hours of training
2288 before ~~prior to~~ each election.

2289 (b) An ~~No~~ inspector may not ~~shall~~ work at the polls unless
2290 he or she has had a minimum of 2 hours of training before ~~prior~~
2291 ~~to~~ each election.

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2292 (c) An absentee vote processing worker may not work in a
2293 work area unless he or she has had a minimum of 2 hours of
2294 training before each election, including training for the work
2295 area to which he or she is assigned.

2296 (5) The Department of State shall create a uniform polling
2297 place procedures manual and an absentee vote processing
2298 procedures manual and adopt the manuals ~~manual~~ by rule. Each
2299 supervisor of elections shall ensure that the appropriate manual
2300 is available in hard copy or electronic form in every polling
2301 place and absentee vote processing location. The manuals ~~manual~~
2302 shall guide absentee vote processing workers, inspectors,
2303 clerks, and deputy sheriffs in the proper implementation of
2304 election procedures and laws. The manuals ~~manual~~ shall be
2305 indexed by subject, and written in plain, clear, unambiguous
2306 language. The manual shall provide specific examples of common
2307 problems encountered at the polls and detail specific procedures
2308 for resolving those problems.

2309 (a) The polling place procedures manual shall include,
2310 without limitation:

2311 1.(a) Regulations governing solicitation by individuals and
2312 groups at the polling place.†

2313 2.(b) Procedures to be followed with respect to voters
2314 whose names are not on the precinct register.†

2315 3.(c) Proper operation of the voting system.†

2316 4.(d) Ballot handling procedures.†

2317 5.(e) Procedures governing spoiled ballots;

2318 6.(f) Procedures to be followed after the polls close.†

2319 7.(g) Rights of voters at the polls.†

2320 8.(h) Procedures for handling emergency situations.†

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- 2321 9.~~(i)~~ Procedures for dealing with irate voters.~~†~~
- 2322 10.~~(j)~~ The handling and processing of provisional ballots.~~†~~
- 2323 and
- 2324 11.~~(k)~~ Security procedures.
- 2325 12. Chain of custody procedures.
- 2326 13. Communications device policy.
- 2327 14. Rights and responsibilities of poll watchers at the
- 2328 polls.
- 2329 (b) The absentee vote processing manual shall include, but
- 2330 not be limited to:
- 2331 1. Regulations governing use of cell phones and wireless
- 2332 networking at the vote counting location.
- 2333 2. Proper communication settings and operation of vote
- 2334 counting location technologies.
- 2335 3. Procedures for management and use of portable storage
- 2336 media.
- 2337 4. Procedures for chain of custody between work areas and
- 2338 storage.
- 2339 5. Procedures for curing of ballots.
- 2340 6. Access to and control of ballots in storage or within
- 2341 work areas during working and nonworking hours.
- 2342 7. Rights and responsibilities of public watchers at the
- 2343 absentee vote processing location.
- 2344 8. Security procedures, including building security,
- 2345 physical port security, and system cybersecurity.
- 2346 9. Beginning of shift procedures.
- 2347 10. End of shift procedures.
- 2348 11. Rights and responsibilities of public watchers at the
- 2349 absentee vote processing location.

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2350 12. Ballot accounting and reconciliation reports.

2351
2352 The Department of State shall revise the manuals ~~manual~~ as
2353 necessary to address new procedures in law or problems
2354 encountered by voters and poll workers at the precincts and by
2355 absentee vote processing workers at absentee vote counting
2356 locations.

2357 (6) Supervisors of elections shall work with the business
2358 and local community to develop public-private programs to ensure
2359 the recruitment of skilled absentee vote processing workers,
2360 inspectors, and clerks.

2361 (7) The Department of State shall develop a mandatory,
2362 statewide, and uniform program for training poll workers on
2363 issues of etiquette and sensitivity with respect to voters
2364 having a disability. The program must be conducted locally by
2365 each supervisor of elections, and each poll worker must complete
2366 the program before working during the current election cycle.
2367 The supervisor of elections shall contract with a recognized
2368 disability-related organization, such as a center for
2369 independent living, family network on disabilities, deaf service
2370 bureau, or other such organization, to develop and assist with
2371 training the trainers in the disability sensitivity programs.
2372 The program must include actual demonstrations of obstacles
2373 confronted by disabled persons during the voting process,
2374 including obtaining access to the polling place, traveling
2375 through the polling area, and using the voting system.

2376 Section 21. Present subsections (3) through (11) of section
2377 102.141, Florida Statutes, are redesignated as subsections (5)
2378 through (13), respectively, new subsections (3) and (4) are

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2379 added to that section, and subsection (1), paragraph (a) of
2380 subsection (2), and present subsection (7) of that section are
2381 amended, to read:

2382 102.141 County canvassing board; duties.—

2383 (1) The county canvassing board shall be composed of the
2384 supervisor of elections; a county court judge, who shall act as
2385 chair; ~~and~~ the chair of the board of county commissioners; and
2386 two elected municipal officials. The elected municipal officials
2387 assigned to the canvassing board shall rotate amongst the
2388 municipalities within the county so that the elected municipal
2389 official is different every election cycle. The canvassing board
2390 must have at least two members from each major political party.
2391 The names of the canvassing board members must be published on
2392 the supervisor's website upon completion of the logic and
2393 accuracy test. At least two alternate canvassing board members
2394 must be appointed pursuant to paragraph (e). In the event any
2395 member of the county canvassing board is unable to serve, is a
2396 candidate who has opposition in the election being canvassed, or
2397 is an active participant in the campaign or candidacy of any
2398 candidate who has opposition in the election being canvassed,
2399 such member shall be replaced as follows:

2400 (a) If a county court judge is unable to serve or if all
2401 are disqualified, the chief judge of the judicial circuit in
2402 which the county is located must appoint as a substitute member
2403 a qualified elector of the county who is not a candidate with
2404 opposition in the election being canvassed and who is not an
2405 active participant in the campaign or candidacy of any candidate
2406 with opposition in the election being canvassed. In such event,
2407 the members of the county canvassing board shall meet and elect

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2408 a chair.

2409 (b) If the supervisor of elections is unable to serve or is
2410 disqualified, the chair of the board of county commissioners
2411 must appoint as a substitute member a member of the board of
2412 county commissioners or a municipal official who is not a
2413 candidate with opposition in the election being canvassed and
2414 who is not an active participant in the campaign or candidacy of
2415 any candidate with opposition in the election being canvassed.
2416 The supervisor, however, shall act in an advisory capacity to
2417 the canvassing board.

2418 (c) If the chair of the board of county commissioners is
2419 unable to serve or is disqualified, the board of county
2420 commissioners must appoint as a substitute member one of its
2421 members who is not a candidate with opposition in the election
2422 being canvassed and who is not an active participant in the
2423 campaign or candidacy of any candidate with opposition in the
2424 election being canvassed.

2425 (d) If a substitute member or alternate member cannot be
2426 appointed as provided elsewhere in this subsection, or in the
2427 event of a vacancy in such office, the chief judge of the
2428 judicial circuit in which the county is located must appoint as
2429 a substitute member or alternate member a qualified elector of
2430 the county who is not a candidate with opposition in the
2431 election being canvassed and who is not an active participant in
2432 the campaign or candidacy of any candidate with opposition in
2433 the election being canvassed.

2434 (e)1. The chief judge of the judicial circuit in which the
2435 county is located shall appoint a county court judge as an
2436 alternate member of the county canvassing board or, if each

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2437 county court judge is unable to serve or is disqualified, shall
2438 appoint an alternate member who is qualified to serve as a
2439 substitute member under paragraph (a). Any alternate may serve
2440 in any seat.

2441 2. The chair of the board of county commissioners shall
2442 appoint a member of the board of county commissioners as an
2443 alternate member of the county canvassing board or, if each
2444 member of the board of county commissioners is unable to serve
2445 or is disqualified, shall appoint an alternate member who is
2446 qualified to serve as a substitute member under paragraph (d).

2447 3. A quorum of at least three members of the county
2448 canvassing board is required for all signature and provisional
2449 ballot review proceedings. If a quorum cannot be established a
2450 ~~member of the county canvassing board is unable to participate~~
2451 ~~in a meeting of the board,~~ the chair of the county canvassing
2452 board or his or her designee must designate which alternate
2453 member will serve as a member of the board in the place of the
2454 member who is unable to participate at that meeting.

2455 4. If not serving as one of the three members of the county
2456 canvassing board, an alternate member may be present, observe,
2457 and communicate with the three members constituting the county
2458 canvassing board, but may not vote in the board's decisions or
2459 determinations.

2460 (2) (a) The county canvassing board shall meet in a building
2461 accessible to the public in the county where the election
2462 occurred at a time and place to be designated by the supervisor
2463 to publicly canvass the absent electors' ballots as provided for
2464 in s. 101.68 and provisional ballots as provided by ss. 101.048,
2465 101.049, and 101.6925. During each meeting of the county

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2466 canvassing board, each political party and each candidate may
2467 have one watcher able to view directly or on a display screen
2468 ballots being examined for signature matching and other
2469 processes. Each county canvassing board meeting must be
2470 monitored by real-time video available for public viewing, and
2471 meeting minutes for each meeting must be published on the
2472 supervisor's website. Provisional ballots cast pursuant to s.
2473 101.049 shall be canvassed in a manner that votes for candidates
2474 and issues on those ballots can be segregated from other votes.
2475 As soon as the absent electors' ballots and the provisional
2476 ballots are canvassed, the board shall proceed to publicly
2477 canvass the vote given each candidate, nominee, constitutional
2478 amendment, or other measure submitted to the electorate of the
2479 county, as shown by the returns then on file in the office of
2480 the supervisor.

2481 (3) (a) Each day during an election, the county canvassing
2482 board shall review all of the following reports:

2483 1. Exception reports on ballot chain of custody
2484 documentation, including missing quantities, seals, and
2485 excessive transport times.

2486 2. Daily precinct and vote-by-mail ballot reconciliation
2487 reports.

2488 3. Daily manual cross-check reports in accordance with s.
2489 101.015(7).

2490 4. Portable data storage device chain of custody reports.

2491 5. Physical building and ballot storage area exception
2492 reports.

2493 (b) Upon completing the review required under paragraph
2494 (a), the county canvassing board shall take corrective actions

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2495 as necessary and report to the department any issue that cannot
2496 be resolved.

2497 (4) (a) Before certifying an election, the county canvassing
2498 board shall review all of the following:

2499 1. The vote-by-mail reconciliation reports outlined in s
2500 101.015(4) (c) .

2501 2. The ballot, envelope, and seal accounting report
2502 required under s. 101.21(2) .

2503 3. Ballot chain of custody reports from precincts,
2504 including reports on the transport of vote-by-mail ballots to
2505 permanent storage.

2506 (b) Any discrepancies identified in the review must be
2507 reported to the department. If a discrepancy involves a number
2508 of ballots that exceeds the margin of victory in any local race,
2509 the race may not be certified unless the discrepancy is
2510 resolved. If the discrepancy is not resolved, the race must be
2511 deemed invalid and a special election must be held to fill the
2512 office in accordance with chapter 100. If the discrepancy is
2513 determined to be due to chain of custody mismanagement, the
2514 supervisor may be removed from office.

2515 (9)~~(7)~~ If the unofficial returns reflect that a candidate
2516 for any office was defeated or eliminated by one-half of a
2517 percent or less of the votes cast for such office, that a
2518 candidate for retention to a judicial office was retained or not
2519 retained by one-half of a percent or less of the votes cast on
2520 the question of retention, or that a measure appearing on the
2521 ballot was approved or rejected by one-half of a percent or less
2522 of the votes cast on such measure, a manual recount using
2523 original paper ballots and voter certificate envelopes shall be

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2524 ordered of the votes cast with respect to such office or
2525 measure. The Secretary of State is responsible for ordering
2526 recounts in federal, state, and multicounty races. The county
2527 canvassing board or the local board responsible for certifying
2528 the election is responsible for ordering recounts in all other
2529 races. A recount need not be ordered with respect to the returns
2530 for any office, however, if the candidate or candidates defeated
2531 or eliminated from contention for such office by one-half of a
2532 percent or less of the votes cast for such office request in
2533 writing that a recount not be made.

2534 (a) Each canvassing board responsible for conducting a
2535 recount shall oversee a manual recount using original handmarked
2536 paper ballots and voter certificate envelopes and determine
2537 whether the returns correctly reflect the votes cast. The
2538 recount must include undervotes, overvotes, and blank ballots
2539 ~~put each marksense ballot through automatic tabulating equipment~~
2540 ~~and determine whether the returns correctly reflect the votes~~
2541 ~~east. If any marksense ballot is physically damaged so that it~~
2542 ~~cannot be properly counted by the automatic tabulating equipment~~
2543 ~~during the recount, a true duplicate shall be made of the~~
2544 ~~damaged ballot pursuant to the procedures in s. 101.5614(4).~~
2545 ~~Immediately before the start of the recount, a test of the~~
2546 ~~tabulating equipment shall be conducted as provided in s.~~
2547 ~~101.5612. If the test indicates no error, the recount tabulation~~
2548 ~~of the ballots cast shall be presumed correct and such votes~~
2549 ~~shall be canvassed accordingly. If an error is detected, the~~
2550 ~~cause therefor shall be ascertained and corrected and the~~
2551 ~~recount repeated, as necessary. The canvassing board shall~~
2552 ~~immediately report the error, along with the cause of the error~~

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2553 ~~and the corrective measures being taken, to the Department of~~
2554 ~~State. No later than 11 days after the election, the canvassing~~
2555 ~~board shall file a separate incident report with the Department~~
2556 ~~of State, detailing the resolution of the matter and identifying~~
2557 ~~any measures that will avoid a future recurrence of the error.~~
2558 ~~If the automatic tabulating equipment used in a recount is not~~
2559 ~~part of the voting system and the ballots have already been~~
2560 ~~processed through such equipment, the canvassing board is not~~
2561 ~~required to put each ballot through any automatic tabulating~~
2562 ~~equipment again.~~

2563 (b) Each canvassing board responsible for conducting a
2564 recount where touchscreen ballots were used shall manually
2565 recount the paper output from each device ~~examine the counters~~
2566 ~~on the precinct tabulators to ensure that the total of the~~
2567 ~~returns on the precinct tabulators equals the overall election~~
2568 ~~return. If there is a discrepancy between the overall election~~
2569 ~~return and the counters of the precinct tabulators, the counters~~
2570 ~~of the precinct tabulators shall be presumed correct and such~~
2571 ~~votes shall be canvassed accordingly.~~

2572 (c) The canvassing board shall submit on forms or in
2573 formats provided by the division a second set of unofficial
2574 returns to the Department of State for each federal, statewide,
2575 state, or multicounty office or ballot measure. The returns
2576 shall be filed no later than 3 p.m. on the 5th day after any
2577 primary election and no later than 3 p.m. on the 9th day after
2578 any general election in which a recount was ordered by the
2579 Secretary of State. If the canvassing board is unable to
2580 complete the recount prescribed in this subsection by the
2581 deadline, the second set of unofficial returns submitted by the

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2582 canvassing board shall be identical to the initial unofficial
2583 returns and the submission shall also include a detailed
2584 explanation of why it was unable to timely complete the recount.
2585 However, the canvassing board shall complete the recount
2586 prescribed in this subsection, along with any manual recount
2587 prescribed in s. 102.166, and certify election returns in
2588 accordance with the requirements of this chapter.

2589 (d) The Department of State shall adopt detailed rules
2590 prescribing additional recount procedures for each certified
2591 voting system, which shall be uniform to the extent practicable.

2592 Section 22. Present subsections (1) and (2) through (6) of
2593 section 102.166, Florida Statutes, are redesignated as
2594 subsection (2) and subsections (6) through (10), respectively,
2595 new subsections (1), (3), (4), and (5) are added to that
2596 section, and present subsections (1) and (5) of that section are
2597 amended, to read:

2598 102.166 Manual recounts of overvotes and undervotes.—

2599 (1) Notwithstanding any provision of this section to the
2600 contrary, if the first set of unofficial returns pursuant to s.
2601 102.141 indicates that a candidate for any office was defeated
2602 or eliminated by 2 percent or less of the votes cast for such
2603 office, or if a candidate for retention to a judicial office was
2604 retained or not retained by 3 percent or less of the votes cast
2605 on the question of retention, the candidate may request a full
2606 manual recount of the original handmarked paper ballots cast in
2607 the entire geographic jurisdiction of such office in view of the
2608 public. Voting equipment, including tabulators, may not be used
2609 to sort or count ballots in the manual recount process. Ballot
2610 images may not be used as a substitute for the original

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2611 handmarked paper ballots. Only original handmarked ballots and
2612 paper output from voter interface devices may be used in the
2613 manual recount process. Candidates and candidates' designees
2614 must immediately be provided all requested reports, chain of
2615 custody forms, data, and log files and any other requested
2616 information from any system used during the election, including
2617 voting systems and other election systems.

2618 (2)~~(1)~~ If the second set of unofficial returns pursuant to
2619 s. 102.141 indicates that a candidate for any office was
2620 defeated or eliminated by 1 ~~one-quarter of a~~ percent or less of
2621 the votes cast for such office, that a candidate for retention
2622 to a judicial office was retained or not retained by 1 ~~one-~~
2623 ~~quarter of a~~ percent or less of the votes cast on the question
2624 of retention, or that a measure appearing on the ballot was
2625 approved or rejected by one-quarter of a percent or less of the
2626 votes cast on such measure, a manual recount of the overvotes
2627 and undervotes cast in the entire geographic jurisdiction of
2628 such office or ballot measure shall be ordered and conducted
2629 using original handmarked ballots and paper output from voter
2630 interface devices in view of the public, unless:

2631 (a) The candidate or candidates defeated or eliminated from
2632 contention by ~~one-quarter of~~ 1 percent or fewer of the votes
2633 cast for such office request in writing that a recount not be
2634 made; or

2635 (b) The number of overvotes and undervotes is fewer than
2636 the number of votes needed to change the outcome of the
2637 election.

2638
2639 The Secretary of State is responsible for ordering a manual

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2640 recount for federal, state, and multicounty races. The county
2641 canvassing board or local board responsible for certifying the
2642 election is responsible for ordering a manual recount for all
2643 other races. A manual recount consists of a recount of marksense
2644 ballots or of digital images of those ballots by a person.

2645 (3) Notwithstanding any provision of this section to the
2646 contrary, if a measure appearing on the ballot was approved or
2647 rejected by 2 percent or less of the votes cast on such measure,
2648 the Secretary of State or a county canvassing board or local
2649 board responsible for certifying the election in a county that
2650 is in the geographic jurisdiction of such measure may request a
2651 full manual recount of the original handmarked paper ballots
2652 cast in the entire geographic jurisdiction of such ballot
2653 measure in view of the public. Voting equipment, including
2654 tabulators, may not be used to sort or count ballots in the
2655 manual recount process. Ballot images may not be used as a
2656 substitute for the original handmarked paper ballots. Only
2657 original handmarked paper ballots may be used in the manual
2658 recount process. The Secretary of State or the county canvassing
2659 board or local board must immediately be provided all requested
2660 reports, chain of custody forms, data, and log files and any
2661 other requested information from any equipment used during the
2662 election, including voting systems and other election systems.

2663 (4) Notwithstanding any provision of this section to the
2664 contrary, upon delivery of a petition signed by at least 5
2665 percent of county voters, a comprehensive audit must be
2666 conducted and include all paper ballots, vote-by-mail voter
2667 certificate envelopes, digital ballots, digital signatures in
2668 voter roll file alongside the corresponding digital signatures

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2669 of vote-by-mail voter certificate envelopes, voter rolls, and
2670 other equipment used in the given precinct election being
2671 audited. The auditors for such audit must be chosen by the
2672 petitioning voters, and the audit must be completed in view of
2673 the public.

2674 (a) If the electors' petition concerns a single race, a
2675 manual audit must consist of a public manual tally of the votes
2676 cast in that race appearing on the ballot. The tally sheet must
2677 include election day, vote-by-mail, early voting, provisional,
2678 and overseas paper ballots. In addition, the audit must include
2679 data collection and signature comparison, whether in paper or
2680 electronic form, of all vote-by-mail voter certificate
2681 envelopes; paper ballots; signatures, including all signatures
2682 in voter registration files; voter roll files; and other
2683 equipment used in the voting district being audited.

2684 (b) If the electors' petition concerns the votes cast
2685 across every race that appears on the ballot, a manual audit of
2686 the votes cast across every race appearing on the ballot must be
2687 conducted. The tally sheet must include election day, vote-by-
2688 mail, early voting, provisional, and overseas paper ballots. In
2689 addition, the audit must include data collection and signature
2690 comparison, whether in paper or electronic form, of all vote-by-
2691 mail voter certificate envelopes; ballots; signatures, including
2692 all signatures in voter registration files; voter roll files;
2693 and other equipment used in the voting district being audited.

2694 (5) Notwithstanding any provision of this section to the
2695 contrary, if there is a discrepancy of more than the margin of
2696 victory in any race on the ballot reconciliation report, a
2697 manual audit of original ballots, voter certificate envelopes,

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2698 and chain of custody forms must be completed for that race,
2699 including all paper ballots, vote-by-mail voter certificate
2700 envelopes, digital ballots, digital signatures in voter roll
2701 file alongside the corresponding digital signatures of the vote-
2702 by-mail voter certificate envelopes, voter rolls, and other
2703 equipment used in the given precinct election being audited. The
2704 auditors for such audit must be chosen by the Division of
2705 Elections, and the audit must be completed in view of the
2706 public.

2707 (9)~~(5)~~ Procedures for a manual recount are as follows:

2708 (a) The county canvassing board shall appoint as many
2709 counting teams of at least two electors as is necessary to
2710 manually recount the ballots. A counting team must have, when
2711 possible, members of at least two political parties. A candidate
2712 involved in the race shall not be a member of the counting team.

2713 (b) Each duplicate ballot prepared pursuant to s.
2714 101.5614(4) or s. 102.141(9) ~~s. 102.141(7)~~ shall be compared
2715 with the original ballot to ensure the correctness of the
2716 duplicate.

2717 (c) If a counting team is unable to determine whether the
2718 ballot contains a clear indication that the voter has made a
2719 definite choice, the ballot shall be presented to the county
2720 canvassing board for a determination.

2721 (d) The Department of State shall adopt detailed rules
2722 prescribing additional recount procedures for each certified
2723 voting system which shall be uniform to the extent practicable.
2724 The rules shall address, at a minimum, the following areas:

- 2725 1. Security of ballots during the recount process;
- 2726 2. Time and place of recounts;

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- 2727 3. Public observance of recounts;
- 2728 4. Objections to ballot determinations;
- 2729 5. Record of recount proceedings;
- 2730 6. Procedures relating to candidate and petitioner
- 2731 representatives; and
- 2732 7. Procedures relating to the certification and the use of
- 2733 automatic tabulating equipment that is not part of a voting
- 2734 system.
- 2735 Section 23. Section 104.21, Florida Statutes, is amended to
- 2736 read:
- 2737 104.21 Changing electors' ballots or voter certificate
- 2738 envelopes.—
- 2739 (1) Whoever fraudulently changes or attempts to change the
- 2740 vote or ballot of any elector, by which actions such elector is
- 2741 prevented from voting such ballot or from voting such ballot as
- 2742 the elector intended, is guilty of a felony of the third degree,
- 2743 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.
- 2744 (2) An election worker who changes any information or
- 2745 marking on a voter certificate envelope in an attempt to cure an
- 2746 envelope deficiency commits a misdemeanor of the second degree,
- 2747 punishable as provided in s. 775.082 or s. 775.083.
- 2748 Section 24. Section 104.291, Florida Statutes, is created
- 2749 to read:
- 2750 104.291 False representation of poll watcher
- 2751 identification.—A poll watcher who wears a poll watcher
- 2752 identification badge that belongs to another person commits a
- 2753 misdemeanor of the second degree, punishable as provided in s.
- 2754 775.082 or s. 775.083.
- 2755 Section 25. Section 104.30, Florida Statutes, is amended to

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2756 read:

2757 104.30 Voting system; unlawful possession; tampering.-

2758 (1) Any unauthorized person who unlawfully has possession
2759 of any voting system, components, or key thereof commits ~~is~~
2760 ~~guilty of~~ a misdemeanor of the first degree, punishable as
2761 provided in s. 775.082 or s. 775.083.

2762 (2) Any person who tampers or attempts to tamper with or
2763 destroy any voting system or equipment with the intention of
2764 interfering with the election process or the results thereof
2765 commits ~~is guilty of~~ a felony of the third degree, punishable as
2766 provided in s. 775.082, s. 775.083, or s. 775.084.

2767 (3) Any person who without lawful authorization prints a
2768 ballot or voter certificate envelope that appears to be a valid
2769 ballot or voter certificate envelope in this state commits a
2770 felony of the third degree, punishable as provided in s.
2771 775.082, s. 775.083, or s. 775.084.

2772 Section 26. This act shall take effect July 1, 2025.