

By the Committee on Ethics and Elections; and Senator Grall

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A bill to be entitled  
An act relating to elections; amending s. 97.021,  
F.S.; revising definitions; amending s. 97.052, F.S.;  
revising the information the statewide voter  
registration application is designed to elicit from an  
applicant to include a certain acknowledgment;  
amending s. 97.0525, F.S.; requiring that the online  
voter registration system transmit specified  
information to the supervisor of elections under  
specified circumstances; requiring that the  
applicant's legal status as a United States citizen be  
recorded in the statewide voter registration system;  
requiring that if the records of the Department of  
Highway Safety and Motor Vehicles indicate that an  
applicant is not a United States citizen or has not  
submitted evidence of citizenship, the online voter  
registration system must notify the supervisor of the  
applicant's legal status and transmit the application  
to the supervisor; providing that an applicant's  
digital signature satisfies a certain requirement;  
providing that if an applicant's name and date of  
birth cannot be verified, the system must populate  
certain information into a printable version of the  
registration application; requiring the applicant to  
print, complete, sign, date, and deliver such  
application to the supervisor; requiring that the  
online voter registration system populate an  
applicant's information and direct the applicant to  
perform specified actions under specified conditions;

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conforming a cross-reference; amending s. 97.053, F.S.; providing that applications to update a voter's record are retroactive under a specified condition; requiring supervisors to verify a voter's legal status as a United States citizen using specified sources and initiate a certain notice if applicable; amending s. 97.057, F.S.; requiring that an agreement between the Department of Highway Safety and Motor Vehicles and the Department of State match information regarding the legal status as a United States citizen of applicants applying to vote; requiring the Department of State to include specified information in the statewide voter registration system; requiring the Department of Highway Safety and Motor Vehicles to assist the Department of State in identifying certain changes in information for persons who may be voters; deleting a provision requiring the Department of State to report certain changes to supervisors; amending s. 98.015, F.S.; authorizing the office of the supervisor of elections to close to observe certain holidays under a specified condition; amending s. 98.045, F.S.; requiring supervisors to verify the current eligibility of certain applicants within a specified timeframe by reviewing specified information provided by governmental entities to make a determination under specified conditions; requiring the supervisor to deny the application and notify the applicant if a certain determination is made; amending s. 98.075, F.S.; requiring the Department of State to identify certain

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voters by comparing or receiving information from specified sources; requiring the Department of State to review such information and make an initial determination; requiring the department to notify the supervisor if certain information is credible and reliable and provide a copy of specified documentation to the supervisor; requiring the supervisor to adhere to specified procedures to remove the voter's name from the statewide voter registration system; specifying acceptable documents or evidence of United States citizenship which must be recorded in the statewide voter registration system; amending s. 98.093, F.S.; revising the information that the Department of Highway Safety and Motor Vehicles is required to furnish weekly to the Department of State; specifying documents acceptable as evidence of United States citizenship; requiring the Department of State to report certain information to supervisors within a specified timeframe and for supervisors to update the voter registration records; requiring that the Department of State use certain information from federal jury coordinators to identify voters and applicants who are potentially ineligible; amending s. 99.012, F.S.; prohibiting a person from qualifying for nomination as a candidate of a political party if the person has not been a registered member of such party for a specified timeframe; prohibiting a person from qualifying for specified public office if the person has changed his or her name within a specified

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timeframe; providing applicability; amending s.  
99.021, F.S.; revising the form of candidate oath to  
conform to changes made by the act; amending ss.  
101.151 and 101.5606, F.S.; conforming provisions to  
changes made by the act; amending s. 101.56075, F.S.;  
requiring that all voting be done by official ballot  
using certain pens; providing an exception; amending  
s. 101.5608, F.S.; deleting the requirement that the  
stub be removed from the ballot and placed in an  
envelope; conforming provisions to changes made by the  
act; amending s. 101.5612, F.S.; conforming provisions  
to changes made by the act; amending s. 102.111, F.S.;  
revising the meeting times of the Elections Canvassing  
Commission to certify elections returns; amending s.  
102.141, F.S.; requiring that supervisors upload  
certain results by a specified local time; requiring  
the supervisors, on behalf of the canvassing boards,  
to report all early voting and all tabulated vote-by-  
mail ballots to the department; requiring canvassing  
boards to periodically report updated precinct  
election results by uploading the results to the  
department; conforming provisions to changes made by  
the act; amending s. 102.166, F.S.; conforming  
provisions to changes made by the act; creating s.  
104.51, F.S.; requiring that certain prosecutions be  
commenced within a specified timeframe after a  
specified violation is committed; creating s. 322.034,  
F.S.; requiring, by a specified date, that Florida  
driver licenses and Florida identification cards

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issued to qualified applicants include the legal citizenship status of the applicant on the license or card; requiring the Department of Highway Safety and Motor Vehicles to issue, at no charge, Florida driver licenses and Florida identification cards to certain licensees and cardholders; amending s. 121.121, F.S.; conforming a cross-reference; reenacting s. 98.065(6), F.S., relating to registration list maintenance programs, to incorporate the amendment made to s. 98.075, F.S., in a reference thereto; reenacting s. 101.69(2)(a), F.S., relating to the offices of the supervisor of elections being open during elections to receive vote-by-mail ballots in secure ballot intake stations, to incorporate the amendment made to s. 98.015, F.S., in a reference thereto; providing an effective date.

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

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

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

(6) “Ballot” or “official ballot” means a printed sheet of paper containing contests, including offices and candidates, constitutional amendments, and other public measures, upon which a voter’s selections will be marked by using a pen compatible with or recommended for use with the voting system, for tabulation by automatic tabulating equipment or data processing

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146 equipment that is part of the voting system. The term includes a  
147 voter-verifiable paper output upon which a voter's selections  
148 are marked by a voter interface device that meets voter  
149 accessibility requirements for individuals with disabilities  
150 under s. 301 of the federal Help America Vote Act of 2002 and s.  
151 101.56062 ~~when used in reference to:~~

152 ~~(a) "Electronic or electromechanical devices" means a~~  
153 ~~ballot that is voted by the process of electronically~~  
154 ~~designating, including by touchscreen, or marking with a marking~~  
155 ~~device for tabulation by automatic tabulating equipment or data~~  
156 ~~processing equipment.~~

157 ~~(b) "Marksense ballots" means that printed sheet of paper,~~  
158 ~~used in conjunction with an electronic or electromechanical vote~~  
159 ~~tabulation voting system, containing the names of candidates, or~~  
160 ~~a statement of proposed constitutional amendments or other~~  
161 ~~questions or propositions submitted to the electorate at any~~  
162 ~~election, on which sheet of paper an elector casts his or her~~  
163 ~~vote.~~

164 (43) "Voter interface device" means any device that  
165 communicates voting instructions and ballot information to a  
166 voter and allows the voter to select and vote for candidates and  
167 issues. A voter interface device may not be used to tabulate  
168 votes. Any vote tabulation must be based upon a subsequent scan  
169 of the marked ~~marksense~~ ballot or the voter-verifiable paper  
170 output after the voter interface device process has been  
171 completed.

172 (47) "Voting system" means a method of casting and  
173 processing votes which ~~that functions wholly or partly by use of~~  
174 ~~electromechanical or electronic apparatus or by use of marksense~~

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175 ~~ballots and~~ includes, but is not limited to, the equipment,  
176 hardware, firmware, and software; the ballots; the procedures  
177 for casting and processing votes; and the programs, operating  
178 manuals, and supplies; and the reports, printouts, and other  
179 documentation ~~software~~ necessary for the system's operation.

180 Section 2. Present paragraphs (q) through (u) of subsection  
181 (2) of section 97.052, Florida Statutes, are redesignated as  
182 paragraphs (r) through (v), respectively, and a new paragraph  
183 (q) is added to that subsection, to read:

184 97.052 Uniform statewide voter registration application.—

185 (2) The uniform statewide voter registration application  
186 must be designed to elicit the following information from the  
187 applicant:

188 (q) Acknowledgment, by providing a box for the applicant to  
189 check, that it is a third degree felony under state and federal  
190 law to falsely swear or affirm or otherwise submit false  
191 information on a voter registration application.

192 Section 3. Subsection (4) of section 97.0525, Florida  
193 Statutes, is amended to read:

194 97.0525 Online voter registration.—

195 (4)(a) The online voter registration system must ~~shall~~  
196 compare the Florida driver license number or Florida  
197 identification number submitted pursuant to s. 97.052(2)(n) with  
198 information maintained by the Department of Highway Safety and  
199 Motor Vehicles to confirm that the name and date of birth on the  
200 application are consistent with the records of the Department of  
201 Highway Safety and Motor Vehicles.

202 (b) If the applicant's name and date of birth are  
203 consistent with the records of the Department of Highway Safety

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and Motor Vehicles and the records of the Department of Highway Safety and Motor Vehicles indicate that the applicant has provided documents acceptable as evidence of United States citizenship, the online voter registration system must ~~shall~~ transmit, using the statewide voter registration system maintained pursuant to s. 98.035, the applicant's registration application, along with the digital signature of the applicant on file with the Department of Highway Safety and Motor Vehicles, to the supervisor of elections. The applicant's digital signature satisfies the signature requirement of s. 97.052(2)(r) ~~s. 97.052(2)(a)~~. The applicant's legal status as a United States citizen must be recorded in the statewide voter registration system.

(c) If the applicant's name and date of birth match the records of the Department of Highway Safety and Motor Vehicles, but the records of the Department of Highway Safety and Motor Vehicles indicate the applicant is not a United States citizen or has not provided documents acceptable as evidence of United States citizenship, the online voter registration system must notify the supervisor of elections that the applicant's legal status as a United States citizen could not be verified and transmit, using the statewide voter registration system maintained pursuant to s. 98.035, the applicant's registration application, along with the digital signature of the applicant on file with the Department of Highway Safety and Motor Vehicles, to the supervisor of elections. The applicant's digital signature satisfies the signature requirement of s. 97.052(2)(r).

(d) If the applicant's name and date of birth cannot be



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verified by the records of the Department of Highway Safety and Motor Vehicles, ~~or if the applicant indicated that he or she has not been issued a Florida driver license or Florida identification card,~~ the online voter registration system must ~~shall~~ populate the applicant's information, except for the applicant's Florida driver license number, Florida identification card number, or social security number, into a printable voter registration application pursuant to s. 97.052(2) which ~~and direct~~ the applicant may ~~to~~ print, complete, sign, and date, ~~the application~~ and deliver ~~the application~~ to the supervisor of elections for disposition pursuant to s. 97.073.

(e) If the applicant indicates that he or she has not been issued a Florida driver license or identification card, or chooses to use the system to prepopulate an application to print, sign, date, and deliver to the supervisor, the online voter registration system must populate the applicant's information into a printable voter registration application pursuant to s. 97.052(2) and direct the applicant to print, sign, and date the application and deliver the application to the supervisor for disposition under s. 97.073.

Section 4. Subsections (2), (4), and (6) of section 97.053, Florida Statutes, are amended to read:

97.053 Acceptance of voter registration applications.—

(2) A voter registration application is complete and becomes the official voter registration record of that applicant when all information necessary to establish the applicant's eligibility pursuant to s. 97.041 is received by a voter registration official and verified pursuant to subsection (6).

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262 Except as provided in subsection (6), if the applicant fails to  
263 complete his or her voter registration application on or before  
264 ~~prior to~~ the date of book closing for an election, ~~then~~ such  
265 applicant is ~~shall~~ not ~~be~~ eligible to vote in that election.

266 (4) (a) The registration date for a valid initial voter  
267 registration application that has been mailed to a driver  
268 license office, a voter registration agency, an armed forces  
269 recruitment office, the division, or the office of any  
270 supervisor in the state and bears a clear postmark is the date  
271 of that postmark. If an initial voter registration application  
272 that has been mailed does not bear a postmark or if the postmark  
273 is unclear, the registration date is the date the application is  
274 received by any supervisor or the division, unless it is  
275 received within 5 days after the closing of the books for an  
276 election, excluding Saturdays, Sundays, and legal holidays, in  
277 which case the registration date is the book-closing date.

278 (b) The registration date for a valid application to update  
279 the voter's record with a change of address, name, or party  
280 affiliation is retroactive to the date the application was  
281 initially received once the required sufficient evidence is  
282 verified.

283 (6) (a) A voter registration application, including an  
284 application with a change in name, address, or party  
285 affiliation, may be accepted as valid only after the department  
286 has verified the authenticity or nonexistence of the Florida  
287 driver license number, the Florida identification card number,  
288 or the last four digits of the social security number provided  
289 by the applicant. If a completed voter registration application  
290 has been received by the book-closing deadline but the Florida

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291 driver license number, the Florida identification card number,  
292 or the last four digits of the social security number provided  
293 by the applicant cannot be verified, or if the records of the  
294 Department of Highway Safety and Motor Vehicles indicate that  
295 the applicant is not a United States citizen or has not provided  
296 documents acceptable as evidence of United States citizenship,  
297 the applicant must ~~shall~~ be notified and ~~that the number cannot~~  
298 ~~be verified and that the applicant~~ must provide evidence to the  
299 supervisor sufficient to verify the authenticity of the  
300 applicant's Florida driver license number, Florida  
301 identification card number, or last four digits of the social  
302 security number or, if applicable, must provide documents  
303 acceptable as evidence of United States citizenship. If the  
304 applicant provides the necessary evidence, the supervisor must  
305 ~~shall~~ place the applicant's name on the registration rolls as an  
306 active voter. If the applicant has not provided the necessary  
307 evidence or the number has not otherwise been verified prior to  
308 the applicant presenting himself or herself to vote, the  
309 applicant must ~~shall~~ be provided a provisional ballot. The  
310 provisional ballot must ~~shall~~ be counted only if the number is  
311 verified by the end of the canvassing period or if the applicant  
312 presents evidence to the supervisor of elections sufficient to  
313 verify the authenticity of the applicant's Florida driver  
314 license number, Florida identification card number, or last four  
315 digits of the social security number or, if applicable, presents  
316 documents acceptable as evidence of United States citizenship no  
317 later than 5 p.m. of the second day following the election.

318 (b) Upon receipt of a voter registration application,  
319 including an application with a change in name, address, or

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party affiliation, which indicates that the applicant has not been issued a current and valid Florida driver license, Florida identification card, or social security number, or if the records of the Department of Highway Safety and Motor Vehicles indicate that the applicant is not a United States citizen or has not provided documents acceptable as evidence of United States citizenship, the supervisor of elections shall verify the voter's legal status as a United States citizen using available state and federal governmental sources and, if applicable, initiate notice pursuant to s. 98.075(7).

Section 5. Subsections (11) and (13) of section 97.057, Florida Statutes, are amended to read:

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

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

(13) Notwithstanding declinations to register or to update a voter registration pursuant to paragraph (2)(b), the

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Department of Highway Safety and Motor Vehicles, in accordance  
with s. 98.093(8), shall ~~must~~ assist the Department of State in  
~~regularly~~ identifying changes in residence address on the  
Florida driver license or Florida identification card or changes  
in the Florida driver license or Florida identification card  
number of such persons who may be voters of a voter. The  
~~Department of State must report each such change to the~~  
~~appropriate supervisor of elections who must change the voter's~~  
~~registration records in accordance with s. 98.065(4).~~

Section 6. Subsection (4) of section 98.015, Florida  
Statutes, is amended to read:

98.015 Supervisor of elections; election, tenure of office,  
compensation, custody of registration-related documents, office  
hours, successor, seal; appointment of deputy supervisors;  
duties.—

(4)(a) At a minimum, the office of the supervisor must be  
open Monday through Friday, ~~excluding legal holidays~~, for a  
period of not less than 8 hours per day, beginning no later than  
9 a.m.

(b) The office of the supervisor may close to observe legal  
holidays and other federal, state, or county-approved holidays,  
if the office is not otherwise required to be open to fulfill  
official duties under the Florida Election Code.

Section 7. Subsection (1) of section 98.045, Florida  
Statutes, is amended to read:

98.045 Administration of voter registration.—

(1) ELIGIBILITY OF APPLICANT.—

(a) The supervisor shall ~~must~~ ensure that any eligible  
applicant for voter registration is registered to vote and that

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each application for voter registration is processed in accordance with law. The supervisor shall determine whether a voter registration applicant is ineligible based on any of the following:

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

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

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

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

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

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

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

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

~~9.(i)~~ The applicant has provided a Florida driver license number, Florida identification card number, or the last four digits of a social security number that is not verifiable by the department.

(b) If the latest voter registration records show that a new applicant was previously registered but subsequently removed for ineligibility pursuant to s. 98.075(7), the supervisor must verify the current eligibility of the applicant to register within 13 days after receipt of such records by reviewing the information provided by a governmental entity listed in s. 98.075 or s. 98.093 to determine whether the applicant remains

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ineligible. If the supervisor determines that the applicant is ineligible, the supervisor must deny the application and notify the applicant pursuant to s. 97.073.

Section 8. Subsection (6) and paragraph (a) of subsection (7) of section 98.075, Florida Statutes, are amended to read:

98.075 Registration records maintenance activities; ineligibility determinations.—

(6) ELIGIBILITY.—

(a) Citizenship.—The department shall identify those registered voters who are potentially ineligible based on their legal status regarding United States citizenship by comparing or receiving information from the Department of Highway Safety and Motor Vehicles, clerks of state and federal courts, and the United States Department of Homeland Security, as provided in s. 98.093. The department shall review such information and make an initial determination as to whether the information is credible and reliable. If the department determines that the information is credible and reliable, the department must notify the supervisor and provide a copy of the supporting documentation indicating potential ineligibility of the voter to be registered. Upon receipt of the notice that the department has made a determination of initial credibility and reliability, the supervisor must adhere to the procedures set forth in subsection (7) before the removal of a registered voter's name from the statewide voter registration system.

(b) Other bases for ineligibility ~~OTHER BASES FOR INELIGIBILITY.—~~Subsections (2)-(6) ~~(2)-(5)~~ do not limit or restrict the department or the supervisor in his or her duty to act upon direct receipt of, access to, or knowledge of

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information from any governmental entity that identifies a registered voter as potentially ineligible. If the department or supervisor receives information from any governmental entity other than those identified in subsections (2)-(6) ~~(2)-(5)~~ that a registered voter is ineligible because the voter is deceased, adjudicated a convicted felon without having had his or her voting rights restored, adjudicated mentally incapacitated without having had his or her voting rights restored, does not meet the age requirement pursuant to s. 97.041, is not a United States citizen, is a fictitious person, or has listed an address that is not his or her address of legal residence, the supervisor must adhere to the procedures set forth in subsection (7) before the removal of the name of a registered voter who is determined to be ineligible from the statewide voter registration system.

(7) PROCEDURES FOR REMOVAL.—

(a) If the supervisor receives notice or information pursuant to subsections (4)-(6), the supervisor of the county in which the voter is registered must:

1. Notify the registered voter of his or her potential ineligibility by mail within 7 days after receipt of notice or information. The notice must include:

a. A statement of the basis for the registered voter's potential ineligibility and a copy of any documentation upon which the potential ineligibility is based. Such documentation must include any conviction from another jurisdiction determined to be a similar offense to murder or a felony sexual offense, as those terms are defined in s. 98.0751.

b. A statement that failure to respond within 30 days after



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receipt of the notice may result in a determination of ineligibility and in removal of the registered voter's name from the statewide voter registration system.

c. A return form that requires the registered voter to admit or deny the accuracy of the information underlying the potential ineligibility for purposes of a final determination by the supervisor.

d. A statement that, if the voter is denying the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.

e. Instructions for the registered voter to contact the supervisor of elections of the county in which the voter is registered if assistance is needed in resolving the matter.

f. Instructions for seeking restoration of civil rights pursuant to s. 8, Art. IV of the State Constitution and information explaining voting rights restoration pursuant to s. 4, Art. VI of the State Constitution following a felony conviction, if applicable.

g. A list of the following acceptable documents or evidence of United States citizenship which, if provided or used to verify the voter as a United States citizen, must be recorded in the statewide voter registration system:

(I) An original or certified copy of a United States birth certificate.

(II) A valid, unexpired United States passport.

(III) A naturalization certificate issued by the United States Department of Homeland Security.

(IV) A Consular Report of Birth Abroad provided by the

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494 United States Department of State.

495 (V) A current and valid Florida driver license or Florida  
496 identification card issued by the Department of Highway Safety  
497 and Motor Vehicles, if such driver license or identification  
498 card indicates United States citizenship.

499 (VI) A current and valid photo identification issued by the  
500 Federal Government or the state which indicates United States  
501 citizenship.

502 (VII) An order from a federal court granting United States  
503 citizenship.

504 (VIII) If the applicant's legal name is different from the  
505 name that appears on one of the documents specified in this sub-  
506 paragraph, official legal documentation providing proof of  
507 legal name change.

508 h. The following statement: "If you attempt to vote at an  
509 early voting site or your normal election day polling place, you  
510 will be required to vote a provisional ballot. If you vote by  
511 mail, your ballot will be treated as a provisional ballot. In  
512 either case, your ballot may not be counted until a final  
513 determination of eligibility is made. If you wish for your  
514 ballot to be counted, you must contact the supervisor of  
515 elections office within 2 days after the election and present  
516 evidence that you are eligible to vote."

517 2. If the mailed notice is returned as undeliverable, the  
518 supervisor must, within 14 days after receiving the returned  
519 notice, either publish notice once in a newspaper of general  
520 circulation in the county in which the voter was last registered  
521 or publish notice on the county's website as provided in s.  
522 50.0311 or on the supervisor's website, as deemed appropriate by

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the supervisor. The notice must contain the following:

a. The voter's name and address.

b. A statement that the voter is potentially ineligible to be registered to vote.

c. A statement that failure to respond within 30 days after the notice is published may result in a determination of ineligibility by the supervisor and removal of the registered voter's name from the statewide voter registration system.

d. An instruction for the voter to contact the supervisor no later than 30 days after the date of the published notice to receive information regarding the basis for the potential ineligibility and the procedure to resolve the matter.

e. An instruction to the voter that, if further assistance is needed, the voter should contact the supervisor of elections of the county in which the voter is registered.

f. A statement that, if the voter denies the accuracy of the information underlying the potential ineligibility, the voter has a right to request a hearing for the purpose of determining eligibility.

g. The following statement: "If you attempt to vote at an early voting site or your normal election day polling place, you will be required to vote a provisional ballot. If you vote by mail, your ballot will be treated as a provisional ballot. In either case, your ballot may not be counted until a final determination of eligibility is made. If you wish for your ballot to be counted, you must contact the supervisor of elections office within 2 days after the election and present evidence that you are eligible to vote."

3. If a registered voter fails to respond to a notice

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552 pursuant to subparagraph 1. or subparagraph 2., the supervisor  
553 must make a final determination of the voter's eligibility  
554 within 7 days after expiration of the voter's timeframe to  
555 respond. If the supervisor determines that the voter is  
556 ineligible, the supervisor must remove the name of the  
557 registered voter from the statewide voter registration system  
558 within 7 days. The supervisor shall notify the registered voter  
559 of the supervisor's determination and action.

560 4. If a registered voter responds to the notice pursuant to  
561 subparagraph 1. or subparagraph 2. and admits the accuracy of  
562 the information underlying the potential ineligibility, the  
563 supervisor must, as soon as practicable, make a final  
564 determination of ineligibility and remove the voter's name from  
565 the statewide voter registration system. The supervisor shall  
566 notify the registered voter of the supervisor's determination  
567 and action.

568 5. If a registered voter responds to the notice issued  
569 pursuant to subparagraph 1. or subparagraph 2. and denies the  
570 accuracy of the information underlying the potential  
571 ineligibility but does not request a hearing, the supervisor  
572 must review the evidence and make a determination of eligibility  
573 no later than 30 days after receiving the response from the  
574 voter. If the supervisor determines that the registered voter is  
575 ineligible, the supervisor must remove the voter's name from the  
576 statewide voter registration system upon such determination and  
577 notify the registered voter of the supervisor's determination  
578 and action and that the removed voter has a right to appeal a  
579 determination of ineligibility pursuant to s. 98.0755. If such  
580 registered voter requests a hearing, the supervisor must send

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581 notice to the registered voter to attend a hearing at a time and  
582 place specified in the notice. The supervisor shall schedule and  
583 issue notice for the hearing within 7 days after receiving the  
584 voter's request for a hearing and shall hold the hearing no  
585 later than 30 days after issuing the notice of the hearing. A  
586 voter may request an extension upon showing good cause by  
587 submitting an affidavit to the supervisor as to why he or she is  
588 unable to attend the scheduled hearing. Upon hearing all  
589 evidence presented at the hearing, the supervisor shall make a  
590 determination of eligibility within 7 days. If the supervisor  
591 determines that the registered voter is ineligible, the  
592 supervisor must remove the voter's name from the statewide voter  
593 registration system and notify the registered voter of the  
594 supervisor's determination and action and that the removed voter  
595 has a right to appeal a determination of ineligibility pursuant  
596 to s. 98.0755.

597 Section 9. Present subsection (9) of section 98.093,  
598 Florida Statutes, is redesignated as subsection (10), a new  
599 subsection (9) is added to that section, and subsection (8) of  
600 that section is amended, to read:

601 98.093 Duty of officials to furnish information relating to  
602 deceased persons, persons adjudicated mentally incapacitated,  
603 persons convicted of a felony, and persons who are not United  
604 States citizens.—

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

608 (a) Information identifying those persons whose names have  
609 been removed from the Florida driver license or Florida

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610 identification card database during the preceding week because  
611 they have been licensed or been issued an identification card in  
612 another state. The information must contain the person's name,  
613 last known Florida address, date of birth, sex, last four digits  
614 of his or her social security number, and Florida driver license  
615 number or Florida identification card number and, if available,  
616 the address and the state in which the person is now licensed.

617 (b) Information identifying those persons who during the  
618 preceding week presented evidence of non-United States  
619 citizenship upon being issued a new or renewed Florida driver  
620 license or Florida identification card. The information must  
621 contain the person's name; address; date of birth; last four  
622 digits of the social security number, if applicable; Florida  
623 driver license number or Florida identification card number, as  
624 available; and alien registration number or other legal status  
625 identifier.

626 (c) Information identifying those persons who during the  
627 preceding week presented documents acceptable as evidence of  
628 United States citizenship upon being issued a new, renewed, or  
629 replacement Florida driver license or Florida identification  
630 card. The information must contain the person's name; address;  
631 date of birth; last four digits of the social security number,  
632 if applicable; Florida driver license number or Florida  
633 identification card number, as available; the type of  
634 documentary proof provided in support of citizenship; and, if  
635 applicable, the alien registration number or other legal status  
636 identifier. Any of the following documents are acceptable as  
637 evidence of United States citizenship:

638 1. An original or certified copy of a United States birth

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639 certificate.

640 2. A valid, unexpired United States passport.

641 3. A naturalization certificate issued by the United States  
642 Department of Homeland Security.

643 4. A Consular Report of Birth Abroad provided by the United  
644 States Department of State.

645 5. A current and valid Florida driver license or Florida  
646 identification card issued by the Department of Highway Safety  
647 and Motor Vehicles, if such driver license or identification  
648 card indicates United States citizenship.

649 6. A current and valid photo identification issued by the  
650 Federal Government or the state which indicates United States  
651 citizenship.

652 7. An order from a federal court granting United States  
653 citizenship.

654 8. If the applicant's legal name is different from the name  
655 that appears on one of the documents specified in this  
656 paragraph, official legal documentation providing for proof of  
657 legal name change.

658 (d) Information identifying a change in residence address  
659 on the Florida driver license or Florida identification card of  
660 any person who declined pursuant to s. 97.057(2) to register or  
661 update his or her voter record. The information must contain the  
662 person's name; date of birth; sex; last four digits of the  
663 social security number, if available; and Florida driver license  
664 or Florida identification card number, as available, in order to  
665 identify a voter's registration record. The Department of State  
666 must report each such change in residence address to the  
667 appropriate supervisor, who must change the voter's registration

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records in accordance with s. 98.065(4).

(e) Information identifying new, renewed, or replacement Florida driver license or Florida identification card numbers issued to persons who declined pursuant to s. 97.057(2) to register or update their voter record. The information must contain the person's name; date of birth; last four digits of the social security number, if available; and the prior, if applicable, and current Florida driver license or Florida identification card number in order to identify a voter's registration record. Within 7 days, the Department of State shall report such information to the appropriate supervisor, who must update the voter registration records.

(f) Information identifying those persons for which it has received official information during the preceding week that the person is deceased. The information must contain the name, address, date of birth, last four digits of the social security number, Florida driver license number or Florida identification card number, and date of death of each such person.

(9) FEDERAL COURTS.—Upon receipt of information from a jury coordinator that a person was disqualified or potentially disqualified as a prospective juror from jury service due to not having United States citizenship, being convicted of a felony, being deceased, being a nonresident of this state, or being a nonresident of the county, the department shall use such information to identify registered voters or applicants for voter registration who may be potentially ineligible based on information provided in accordance with s. 98.075.

Section 10. Present subsections (5) through (8) of section 99.012, Florida Statutes, are redesignated as subsections (7)



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through (10), respectively, and new subsections (5) and (6) are added to that section, to read:

99.012 Restrictions on individuals qualifying for public office.—

(5) A person may not qualify for nomination as a candidate of a political party if he or she has not been a registered member of that party for the 365-day period preceding the beginning of qualifying; or as a candidate with no party affiliation if he or she has not been registered without party affiliation, or has been a registered member of any political party, for the 365-day period preceding the beginning of qualifying.

(6) A person may not qualify as a candidate for public office, whether federal, state, district, county, or municipal, if he or she has legally changed his or her name through a petition pursuant to s. 68.07 during the 365-day period preceding the beginning of qualifying. This subsection does not apply to any change of name in proceedings for dissolution of marriage or adoption of children or based on a change of name conducted with a marriage certificate.

Section 11. Paragraphs (b) and (c) of subsection (1) of section 99.021, Florida Statutes, are amended to read:

99.021 Form of candidate oath.—

(1)

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

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

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

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

734           (c) In addition, any person seeking to qualify for office  
735 as a candidate with no party affiliation shall, at the time of  
736 subscribing to the oath or affirmation, state in writing that he  
737 or she is registered without any party affiliation and that he  
738 or she has not been a registered member of any political party  
739 for at least 365 consecutive days preceding ~~before~~ the beginning  
740 of qualifying before ~~preceding~~ the general election for which  
741 the person seeks to qualify.

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

744           101.151 Specifications for ballots.—

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

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

754           Section 13. Subsection (4) of section 101.5606, Florida

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Statutes, is amended to read:

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

(4) ~~For systems using marksense ballots,~~ It accepts a rejected ballot pursuant to subsection (3) if a voter chooses to cast the ballot, but records no vote for any office that has been overvoted or undervoted.

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

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

Section 15. Section 101.5608, Florida Statutes, is amended to read:

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

(1) Each voter ~~elector~~ desiring to vote must ~~shall~~ be identified to the clerk or inspector of the election as a duly qualified voter ~~elector~~ of such election and must ~~shall~~ sign his or her name on the precinct register or other form or device provided by the supervisor. The inspector shall compare the signature with the signature on the identification provided by the voter ~~elector~~. If the inspector is reasonably sure that the

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person is entitled to vote, the inspector must ~~shall~~ provide the person with a ballot.

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

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

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

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

(3) The Department of State shall promulgate rules

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813 regarding voting procedures to be used when an electronic or  
814 electromechanical voting system is of a type which does not use  
815 ~~utilize~~ a ballot card ~~or marksense~~ ballot.

816 (4) In any election in which a write-in candidate has  
817 qualified for office, the supervisor of elections shall provide  
818 for write-in voting pursuant to rules adopted by the Division of  
819 Elections.

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

822 101.5612 Testing of tabulating equipment.—

823 (5) Any tests involving ~~marksense~~ ballots pursuant to this  
824 section must ~~shall~~ employ test ballots created by the supervisor  
825 of elections using actual ballots that have been printed for the  
826 election. If ballot-on-demand ballots will be used in the  
827 election, the supervisor must ~~shall~~ also create test ballots  
828 using the ballot-on-demand technology that will be used to  
829 produce ballots in the election, using the same paper stock as  
830 will be used for ballots in the election.

831 Section 17. Subsection (2) of section 102.111, Florida  
832 Statutes, is amended to read:

833 102.111 Elections Canvassing Commission.—

834 (2) The Elections Canvassing Commission shall meet ~~at 8~~  
835 ~~a.m.~~ on the 9th day after a primary election and ~~at 8 a.m.~~ on  
836 the 14th day after a general election to certify the returns of  
837 the election for each federal, state, and multicounty office and  
838 for each constitutional amendment. The meeting must be at 9  
839 a.m., except for days the Legislature convenes for organization  
840 session pursuant to s. 3(a), Art. III of the State Constitution,  
841 on which days the meeting must be at 8 a.m. If a member of a

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county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 18. Subsections (3) through (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(3) The canvass, except the canvass of absent voters' ~~electors'~~ returns and the canvass of provisional ballots, must ~~shall~~ be made from the returns and certificates of the inspectors as signed and filed by them with the supervisor, and the county canvassing board may ~~shall~~ not change the number of votes cast for a candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, respectively, in any polling place, as shown by the returns. All returns must ~~shall~~ be made to the board on or before 2 a.m. of the day following any primary, general, or other election. If the returns from any precinct are missing, if there are any omissions on the returns from any precinct, or if there is an obvious error on any such returns, the canvassing board must ~~shall~~ order a retabulation of the returns from such precinct. Before canvassing such returns, the canvassing board shall examine the tabulation of the ballots cast in such precinct and determine whether the returns correctly reflect the votes cast.

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871 If there is a discrepancy between the returns and the tabulation  
872 of the ballots cast, the tabulation of the ballots cast must  
873 ~~shall~~ be presumed correct and such votes must ~~shall~~ be canvassed  
874 accordingly.

875 (4) (a) The supervisor of elections shall upload into the  
876 county's election management system by 7 p.m. local time on the  
877 day before the election the results of all early voting and  
878 vote-by-mail ballots that have been canvassed and tabulated by  
879 the end of the early voting period. Pursuant to ss. 101.5614(8),  
880 101.657, and 101.68(2), the tabulation of votes cast or the  
881 results of such uploads may not be made public before the close  
882 of the polls on election day.

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

894 (5) The canvassing board shall submit on forms or in  
895 formats provided by the division unofficial returns to the  
896 Department of State for each federal, statewide, state, or  
897 multicounty office or ballot measure no later than noon on the  
898 third day after any primary election and no later than noon on  
899 the fourth day after any general or other election. Such returns

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900 ~~must shall~~ include the canvass of all ballots, including write-  
901 in votes, as required by subsection (2).

902 (6) If the county canvassing board determines that the  
903 unofficial returns may contain a counting error in which the  
904 vote tabulation system failed to count votes that were properly  
905 marked in accordance with the instructions on the ballot, the  
906 county canvassing board must shall:

907 (a) Correct the error and retabulate the affected ballots  
908 with the vote tabulation system; or

909 (b) Request that the Department of State verify the  
910 tabulation software. When the Department of State verifies such  
911 software, the department shall compare the software used to  
912 tabulate the votes with the software filed with the department  
913 pursuant to s. 101.5607 and check the election parameters.

914 (7) If the unofficial returns reflect that a candidate for  
915 any office was defeated or eliminated by one-half of a percent  
916 or less of the votes cast for such office, that a candidate for  
917 retention to a judicial office was retained or not retained by  
918 one-half of a percent or less of the votes cast on the question  
919 of retention, or that a measure appearing on the ballot was  
920 approved or rejected by one-half of a percent or less of the  
921 votes cast on such measure, a recount shall be ordered of the  
922 votes cast with respect to such office or measure. The Secretary  
923 of State is responsible for ordering recounts in races that are  
924 federal or, state races that are, ~~and~~ multicounty and any other  
925 multicounty races. The county canvassing board or the local  
926 board responsible for certifying the election is responsible for  
927 ordering recounts in all other races. A recount need not be  
928 ordered with respect to the returns for any office, however, if



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the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(a) Each canvassing board responsible for conducting a recount shall put each ~~marksense~~ ballot through automatic tabulating equipment and determine whether the returns correctly reflect the votes cast. If any ~~marksense~~ ballot is physically damaged so that it cannot be properly counted by the automatic tabulating equipment during the recount, a true duplicate shall be made of the damaged ballot pursuant to the procedures in s. 101.5614(4). Immediately before the start of the recount, a test of the tabulating equipment shall be conducted as provided in s. 101.5612. If the test indicates no error, the recount tabulation of the ballots cast shall be presumed correct and such votes shall be canvassed accordingly. If an error is detected, the cause therefor shall be ascertained and corrected and the recount repeated, as necessary. The canvassing board shall immediately report the error, along with the cause of the error and the corrective measures being taken, to the Department of State. No later than 11 days after the election, the canvassing board shall file a separate incident report with the Department of State, detailing the resolution of the matter and identifying any measures that will avoid a future recurrence of the error. If the automatic tabulating equipment used in a recount is not part of the voting system and the ballots have already been processed through such equipment, the canvassing board is not required to put each ballot through any automatic tabulating equipment again.

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

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure. The returns shall be filed no later than 3 p.m. on the 5th day after any primary election and no later than 3 p.m. on the 9th day after any general election in which a recount was ordered by the Secretary of State. If the canvassing board is unable to complete the recount prescribed in this subsection by the deadline, the second set of unofficial returns submitted by the canvassing board shall be identical to the initial unofficial returns and the submission shall also include a detailed explanation of why it was unable to timely complete the recount. However, the canvassing board shall complete the recount prescribed in this subsection, along with any manual recount prescribed in s. 102.166, and certify election returns in accordance with the requirements of this chapter.

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

Section 19. Section 102.166, Florida Statutes, is amended

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to read:

102.166 Manual recounts of overvotes and undervotes.—

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

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

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

The Secretary of State is responsible for ordering a manual recount for federal or, state races that are multicounty, and any other multicounty races. The county canvassing board or local board responsible for certifying the election is responsible for ordering a manual recount for all other races. A manual recount consists of a recount of ~~marksense~~ ballots or of digital images of those ballots by a person.

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1016 Section 20. Section 104.51, Florida Statutes, is created to  
1017 read:

1018 104.51 Time limitation; election fraud.—A prosecution for a  
1019 felony violation under the Florida Election Code must be  
1020 commenced within 5 years after the date the violation is  
1021 committed.

1022 Section 21. Section 322.034, Florida Statutes, is created  
1023 to read:

1024 322.034 Legal status designation on state-issued driver  
1025 licenses and identification cards.—

1026 (1) By July 1, 2027, a Florida driver license or Florida  
1027 identification card issued to a qualified applicant who is a  
1028 United States citizen as last recorded in the system must  
1029 include his or her legal citizenship status at the time of new  
1030 issuance, renewal, or replacement.

1031 (2) Notwithstanding any other law, the department must, at  
1032 no charge, issue a renewal or replacement driver license or  
1033 identification card if a licensee or cardholder timely updates  
1034 his or her legal status upon becoming a citizen of the United  
1035 States as required in s. 322.19.

1036 Section 22. Subsection (2) of section 121.121, Florida  
1037 Statutes, is amended to read:

1038 121.121 Authorized leaves of absence.—

1039 (2) A member who is required to resign his or her office as  
1040 a subordinate officer, deputy sheriff, or police officer because  
1041 he or she is a candidate for a public office which is currently  
1042 held by his or her superior officer who is also a candidate for  
1043 reelection to the same office, in accordance with s. 99.012(7)  
1044 ~~s. 99.012(5)~~, shall, upon return to covered employment, be

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1045 eligible to purchase retirement credit for the period between  
1046 his or her date of resignation and the beginning of the term of  
1047 office for which he or she was a candidate as a leave of absence  
1048 without pay, as provided in subsection (1).

1049 Section 23. For the purpose of incorporating the amendment  
1050 made by this act to section 98.075, Florida Statutes, in a  
1051 reference thereto, subsection (6) of section 98.065, Florida  
1052 Statutes, is reenacted to read:

1053 98.065 Registration list maintenance programs.—

1054 (6) The supervisor shall, at a minimum, conduct an annual  
1055 review of voter registration records to identify registration  
1056 records in which a voter is registered at an address that may  
1057 not be an address of legal residence for the voter. For those  
1058 registration records with such addresses that the supervisor has  
1059 reasonable belief are not legal residential addresses, the  
1060 supervisor shall initiate list maintenance activities pursuant  
1061 to s. 98.075(6) and (7).

1062 Section 24. For the purpose of incorporating the amendment  
1063 made by this act to section 98.015, Florida Statutes, in a  
1064 reference thereto, paragraph (a) of subsection (2) of section  
1065 101.69, Florida Statutes, is reenacted to read:

1066 101.69 Voting in person; return of vote-by-mail ballot.—

1067 (2)(a) The supervisor shall allow an elector who has  
1068 received a vote-by-mail ballot to physically return a voted  
1069 vote-by-mail ballot to the supervisor by placing the return mail  
1070 envelope containing his or her marked ballot in a secure ballot  
1071 intake station. Secure ballot intake stations shall be placed at  
1072 the main office of the supervisor, at each permanent branch  
1073 office of the supervisor which meets the criteria set forth in

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s. 101.657(1)(a) for branch offices used for early voting and which is open for at least the minimum number of hours prescribed by s. 98.015(4), and at each early voting site. Secure ballot intake stations may also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1). Secure ballot intake stations must be geographically located so as to provide all voters in the county with an equal opportunity to cast a ballot, insofar as is practicable. Except for secure ballot intake stations at an office of the supervisor, a secure ballot intake station may only be used during the county's early voting hours of operation and must be monitored in person by an employee of the supervisor's office. A secure ballot intake station at an office of the supervisor must be continuously monitored in person by an employee of the supervisor's office when the secure ballot intake station is accessible for deposit of ballots.

Section 25. This act shall take effect July 1, 2026.