

1 A bill to be entitled
2 An act relating to elections; amending s. 97.021,
3 F.S.; revising definitions; amending s. 97.022, F.S.;
4 revising the information the Department of State is
5 required to include in a specified report; amending s.
6 97.051, F.S.; requiring persons to swear or affirm
7 they have reviewed the voter registration
8 instructions, are a United States citizen, and
9 understand the penalties for providing false
10 information; amending s. 97.052, F.S.; requiring the
11 voter registration application to elicit documentation
12 required by the United States Election Assistance
13 Commission or federal law; amending s. 97.0525, F.S.;
14 requiring that an applicant's citizenship status be
15 verified by the records of the Department of Highway
16 Safety and Motor Vehicles; providing that an applicant
17 will be registered as an unverified voter, but may not
18 vote, if his or her legal status as a United States
19 citizen cannot be verified through the Department of
20 Highway Safety and Motor Vehicles; requiring the
21 online voter registration system to transmit certain
22 information to the supervisor of elections and
23 generate certain notices; requiring the supervisor of
24 elections to verify the legal status of certain
25 applicants and provide certain notice; providing that,

26 under specified circumstances, the online voter
27 registration system may populate the applicant's
28 information into a printable voter registration
29 application; amending s. 97.053, F.S.; requiring an
30 applicant's legal status to be verified for a voter
31 registration application to be valid; providing that
32 an applicant will be deemed an unverified voter if his
33 or her application fails to meet specified
34 requirements; requiring an applicant to provide
35 certain evidence to the supervisor of elections to
36 prove the applicant's legal status under specified
37 circumstances; providing for retroactivity; providing
38 certain applicants a provisional ballot and such
39 ballot may only be counted if the applicant can verify
40 his or her legal status within a specified timeframe;
41 amending s. 97.057, F.S.; requiring the Department of
42 Highway Safety and Motor Vehicles to provide the
43 Department of State documentary proof of an
44 applicant's citizenship; amending s. 98.045, F.S.;
45 requiring supervisors to make certain determinations
46 relating to applicants who were previously registered
47 to vote, but later removed for ineligibility, and to
48 follow specified procedures to notify the applicant,
49 if applicable; amending s. 98.075, F.S.; requiring the
50 Department of State to verify the United States

51 citizenship status of any registered voter after a
52 specified date; requiring specified notices regarding
53 an applicant's potential ineligibility to vote;
54 requiring certain applicants to submit specified
55 information to the supervisor of elections; requiring
56 certain documentation be recorded in the statewide
57 voter registration system; amending s. 98.093, F.S.;
58 requiring the Department of Highway Safety and Motor
59 Vehicles to provide the Department of State with
60 information identifying United States citizens who
61 have been issued a new, renewed, or replacement
62 Florida driver license or Florida identification card;
63 requiring the Department of Highway Safety and Motor
64 Vehicles to provide the Department of State with
65 changes in residence address and Florida driver
66 license or identification card numbers of individuals
67 who have declined to register or update their voter
68 registration; creating s. 98.094, F.S.; requiring the
69 Division of Elections to provide a list of registered
70 voters to federal courts for a specified purpose;
71 requiring the jury coordinator to prepare a specified
72 list with certain information and send such list to
73 the division; specifying the manner in which such list
74 may be sent; requiring the division to provide such
75 information to the appropriate supervisor of

76 elections; amending ss. 101.151, 101.5606, 101.5608,
77 and 101.5612, F.S.; conforming provisions to changes
78 made in the act; amending s. 101.56075, F.S.;
79 requiring voting be completed on an official ballot
80 using a pen or marker; amending s. 101.591, F.S.;
81 removing provisions relating to the performance of a
82 manual audit; requiring the county canvassing board or
83 other local board responsible for certifying an
84 election to conduct an automated, independent vote
85 validation of voting systems used in all precincts;
86 providing the process for conducting such automated,
87 independent vote validation; requiring the canvassing
88 board to publish a specified notice on the county's
89 website, the supervisor's website, or in certain
90 newspapers; requiring that the vote validation be
91 completed and made public before the certification of
92 the election; providing reporting requirements for
93 county canvassing boards; requiring the results of the
94 vote validation be included in a specified report
95 submitted to the Governor and Legislature by a
96 specified date each year; amending s. 101.5911, F.S.;
97 requiring the Department of State to adopt certain
98 rules; amending s. 101.595, F.S.; revising certain
99 reporting requirements for the Department of State;
100 amending s. 102.111, F.S.; revising the meeting time

for the Elections Canvassing Commission; amending s.
102.141, F.S.; revising provisions relating to
reporting election results; requiring counties to
conduct an automated independent vote validation
process for a specified purpose within a specified
timeframe after unofficial results are reported;
requiring the county canvassing board to take
specified actions upon making a determination that the
automated independent vote validation process failed
to count votes; requiring the county canvassing board
to conduct a system validation review under specified
circumstances; removing provisions relating to
recounts by the county canvassing board; requiring the
county canvassing board to publish certain notice
containing manual review information through specified
means; requiring the county canvassing board to submit
to the Department of State specified forms containing
a vote validation report; removing the requirement for
the supervisor to file with the Department of State
certain results and statistical information; amending
s. 102.166, F.S.; requiring manual reviews of
overvotes and undervotes unless certain conditions
exist; providing that the Secretary of State is
responsible for ordering such review in specified
races and the county canvassing board, or local board

responsible for certifying the election, is responsible for ordering such reviews in all other races; authorizing political parties to designate a certain expert to be allowed in the central counting room while reviews are being performed; prohibiting such person from interfering with the normal operation of the canvassing board; creating s. 104.042, F.S.; providing a statute of limitations period for election fraud; amending s. 106.08, F.S.; revising the contributions or expenditures that a foreign national is prohibited from making or offering to make; prohibiting political parties, political committees, committees associated with ballot issues or questions, electioneering communications organizations, and candidates from knowingly accepting contributions from foreign nationals; providing penalties; creating s. 322.034, F.S.; requiring that Florida driver licenses and identification cards include certain information by a specified date; requiring the Department of Highway Safety and Motor Vehicles to issue certain replacement or renewal cards at no charge; amending ss. 98.065, 98.0755, 101.048, 101.67, and 104.16, F.S.; conforming cross-references; 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" means a printed sheet of paper containing contests, including offices and candidates, constitutional amendments, and other public measures upon which a voter's selections will be marked by using the pen or marker recommended by the voting system vendor. The term includes a voter-verifiable paper output upon which a voter's selections are marked by a voter interface device that meets voter accessibility requirements for individuals with disabilities under s. 301 of the Help America Vote Act of 2002 and s. 101.56062 ~~or "official ballot" when used in reference to:~~

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

~~(b) "Marksense ballots" means that printed sheet of paper, used in conjunction with an electronic or electromechanical vote tabulation voting system, containing the names of candidates, or a statement of proposed constitutional amendments or other~~

176 ~~questions or propositions submitted to the electorate at any~~
177 ~~election, on which sheet of paper an elector casts his or her~~
178 ~~vote.~~

179 (43) "Voter interface device" means any device that
180 communicates voting instructions and ballot information to a
181 voter and allows the voter to select and vote for candidates and
182 issues. A voter interface device may not be used to tabulate
183 votes. Any vote tabulation must be based upon a subsequent scan
184 of the marked ~~marksense~~ ballot ~~or the voter-verifiable paper~~
185 ~~output~~ after the voter interface device process has been
186 completed.

187 (47) "Voting system" means a method of casting and
188 processing votes that ~~functions wholly or partly by use of~~
189 ~~electromechanical or electronic apparatus or by use of marksense~~
190 ~~ballots and includes, but is not limited to, equipment,~~
191 hardware, firmware, and software; ballots; the procedures for
192 casting and processing votes; and the programs, operating
193 manuals, and supplies; and reports, printouts, and other
194 documentation ~~software~~ necessary for the system's operation.

195 **Section 2. Subsection (7) of section 97.022, Florida**
196 **Statutes, is amended to read:**

197 97.022 Office of Election Crimes and Security; creation;
198 purpose and duties.—

199 (7) By January 15 of each year, the department shall
200 submit a report to the Governor, the President of the Senate,

and the Speaker of the House of Representatives detailing information on investigations of alleged election law violations or election irregularities conducted during the prior calendar year. The report must include the total number of complaints received and independent investigations initiated and the number of complaints referred to another agency for further investigation or prosecution, including the total number of those matters sent to a special officer pursuant to s. 102.091.

The report must include any alleged violations of s. 106.08(12)(b), irregularities involving foreign national influence, and the department's recommendations to the Legislature to mitigate foreign national influence in elections.

For each alleged violation or irregularity investigated, the report must include:

- (a) The source of the alleged violation or irregularity;
- (b) The law allegedly violated or the nature of the irregularity reported;
- (c) The county in which the alleged violation or irregularity occurred;
- (d) Whether the alleged violation or irregularity was referred to another agency for further investigation or prosecution and, if so, to which agency; and
- (e) The current status of the investigation or resulting criminal case.

Section 3. Section 97.051, Florida Statutes, is amended to

226 **read:**

227 97.051 Oath upon registering.—A person registering to vote
228 must subscribe to the following oath: "I do solemnly swear (or
229 affirm) that I am a United States citizen and will protect and
230 defend the Constitution of the United States and the
231 Constitution of the State of Florida, that I am qualified to
232 register as an elector under the Constitution and laws of the
233 State of Florida, and that all information provided in this
234 application is true. I have carefully reviewed the instructions
235 for completing the Florida Voter Registration Application. I
236 understand that if I have provided false information on this
237 application, I could be subject to criminal penalties for
238 perjury, fines, or imprisonment, and deportation from the United
239 States if I am not a United States citizen."

240 **Section 4. Paragraph (v) is added to subsection (2) of**
241 **section 97.052, Florida Statutes, to read:**

242 97.052 Uniform statewide voter registration application.—

243 (2) The uniform statewide voter registration application
244 must be designed to elicit the following information from the
245 applicant:

246 (v) Documentation required by the United States Election
247 Assistance Commission or federal law.

248 **Section 5. Subsection (4) of section 97.0525, Florida**
249 **Statutes, is amended to read:**

250 97.0525 Online voter registration.—

251 (4) (a) The online voter registration system shall compare
252 the Florida driver license number or Florida identification
253 number submitted pursuant to s. 97.052(2)(n) with information
254 maintained by the Department of Highway Safety and Motor
255 Vehicles to confirm that the name and date of birth on the
256 application are consistent with the records of the Department of
257 Highway Safety and Motor Vehicles and the applicant's legal
258 status as a United States citizen can be verified by the records
259 of the Department of Highway Safety and Motor Vehicles.

260 (b) If the applicant's name and date of birth are
261 consistent with the records of the Department of Highway Safety
262 and Motor Vehicles, and the applicant's legal status as a United
263 States citizen can be verified by the records of the Department
264 of Highway Safety and Motor Vehicles, the online voter
265 registration system shall transmit, using the statewide voter
266 registration system maintained pursuant to s. 98.035, the
267 applicant's registration application, along with the digital
268 signature of the applicant on file with the Department of
269 Highway Safety and Motor Vehicles, to the supervisor of
270 elections. The applicant's digital signature satisfies the
271 signature requirement of s. 97.052(2)(q).

272 (c) If the applicant's name and date of birth cannot be
273 verified by the records of the Department of Highway Safety and
274 Motor Vehicles, ~~or if the applicant indicated that he or she has~~
275 ~~not been issued a Florida driver license or Florida~~

276 ~~identification card,~~ the online voter registration system shall
277 populate the applicant's information except for the applicant's
278 personal identifying number into a printable voter registration
279 application pursuant to s. 97.052(2) which ~~and direct~~ the
280 applicant may ~~to~~ print, complete any required field, sign, and
281 date the application and deliver the application to the
282 supervisor of elections for disposition pursuant to s. 97.073.

283 (d)1. If the applicant's legal status as a United States
284 citizen cannot be verified by the records of the Department of
285 Highway Safety and Motor Vehicles, the applicant will be
286 registered as an unverified voter provided all other
287 requirements have been met. The unverified voter will not be
288 allowed to vote until he or she has provided sufficient evidence
289 of citizenship to the supervisor of elections. The online voter
290 registration system must transmit, using the statewide voter
291 registration system maintained under s. 98.035, the applicant's
292 registration application, along with the digital signature of
293 the applicant on file with the Department of Highway Safety and
294 Motor Vehicles, to the supervisor of elections. The applicant's
295 digital signature satisfies the signature requirement of s.
296 97.052(2)(q). The system must generate a notice to the
297 supervisor of elections and to the applicant which states that
298 the applicant's legal status as a United States citizen cannot
299 be verified by the Department of Highway Safety and Motor
300 Vehicles and that the applicant must provide to the supervisor

301 of elections sufficient evidence of his or her United States
302 citizenship and the supervisor of elections must verify the
303 applicant's legal status as a United States citizen before the
304 applicant may vote. Such notice must include a list of documents
305 acceptable as evidence United States citizenship as set forth in
306 s. 98.075(6)(c).

307 2. The supervisor of elections shall verify the legal
308 status of an applicant identified by the Department of Highway
309 Safety and Motor Vehicle as a person who is potentially not a
310 United States citizen. If the supervisor determines based on
311 credible and reliable information that the applicant is
312 potentially ineligible to vote because he or she is not a United
313 States citizen, the supervisor must provide notice to the
314 applicant in accordance with s. 98.075(8). Such notice must
315 include the list of documents acceptable as evidence of United
316 States citizenship as set forth in s. 98.075(6)(c).

317 (e) If the applicant indicates that he or she has not been
318 issued a Florida driver license or Florida identification card,
319 or chooses to use the system to prepopulate an application to
320 print, sign, and deliver, the online voter registration system
321 must populate the applicant's information into a uniform
322 statewide voter registration application under s. 97.052(2) and
323 direct the applicant to print, sign, and date the application
324 and deliver the application to the supervisor of elections for
325 disposition under s. 97.073.

Section 6. Subsections (2) 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 under ~~pursuant to~~ s. 97.041 is received by a voter registration official and verified under ~~pursuant to~~ subsection (6). Except as provided in subsection (6), if the applicant fails to complete his or her voter registration application on or before ~~prior to~~ the date of book closing for an election, ~~then~~ such applicant is ~~shall~~ not be eligible to vote in that election.

(6)(a) A voter registration application, including an application with a change in name, address, or party affiliation, may be accepted as valid only after the department has verified the authenticity or nonexistence of the Florida driver license number, the Florida identification card number, or the last four digits of the social security number provided by the applicant and the applicant's legal status as a United States citizen has been verified or recorded as verified in the statewide voter registration system. If a completed voter registration application has been received by the book-closing deadline but the Florida driver license number, the Florida identification card number, or the last four digits of the

351 social security number provided by the applicant or the
352 applicant's legal status as a United States citizen, whichever
353 is applicable, cannot be verified, the applicant must ~~shall~~ be
354 notified that ~~the number cannot be verified and that the~~
355 applicant must provide ~~evidence~~ to the supervisor evidence
356 sufficient to verify the authenticity of the ~~applicant's driver~~
357 ~~license number, Florida identification card number, or last four~~
358 ~~digits of the social security number~~ or provide one of the
359 documents acceptable as evidence of United States citizenship
360 set forth s. 98.075(6)(c), whichever is applicable. An applicant
361 whose application does not meet the requirements of this
362 subsection is deemed an unverified voter until the requirements
363 have been met.

364 (b) If the applicant provides the necessary evidence, the
365 supervisor shall place the applicant's name on the registration
366 rolls as an active voter.

367 (c) If the application is to update to the voter's record
368 with a change in name, address, or party affiliation, whichever
369 is applicable, the change is retroactive to the date the
370 application was initially received and the necessary
371 documentation is verified.

372 (d) If the applicant has not provided the ~~necessary~~
373 evidence to validate the applicant's number or citizenship as
374 required under paragraph (a) before ~~or the number has not~~
375 ~~otherwise been verified prior to the applicant~~ appears

376 ~~presenting himself or herself~~ to vote, the applicant must ~~shall~~
377 be provided a provisional ballot. The provisional ballot must
378 ~~shall~~ be counted pursuant to s. 101.048, only if the requisite
379 verification occurs ~~number is verified~~ by the end of the
380 canvassing period or if the applicant presents ~~evidence~~ to the
381 supervisor of elections evidence sufficient to verify the
382 authenticity of the applicant's Florida driver license number,
383 Florida identification card number, ~~or~~ last four digits of the
384 social security number, or provides one of the documents
385 acceptable as evidence of United States citizenship set forth s.
386 98.075(6)(c), whichever is applicable, no later than 5 p.m. of
387 the second day following the election.

388 **Section 7. Subsections (11) and (13) of section 97.057,**
389 **Florida Statutes, are amended to read:**

390 97.057 Voter registration by the Department of Highway
391 Safety and Motor Vehicles.—

392 (11) The Department of Highway Safety and Motor Vehicles
393 shall enter into an agreement with the department to match
394 information in the statewide voter registration system with
395 information in the database of the Department of Highway Safety
396 and Motor Vehicles to the extent required to verify the accuracy
397 of a person's Florida ~~the~~ driver license number, Florida
398 identification number, ~~or~~ last four digits of his or her ~~the~~
399 social security number, or legal status as a United States
400 citizen, as applicable, provided on applications for voter

401 registration as required in s. 97.053. The department shall also
402 include the documentary proof that the applicant provided in
403 support of his or her United States citizenship.

404 (13) Notwithstanding a declination to register or to
405 update a voter registration pursuant to subparagraph (2)(b)2.,
406 the Department of Highway Safety and Motor Vehicles shall, in
407 accordance with s. 98.093(8), ~~must~~ assist the Department of
408 State in ~~regularly~~ identifying changes in residence address or
409 number on the Florida driver license or Florida identification
410 card of persons who may be voters ~~of a voter. The Department of~~
411 ~~State must report each such change to the appropriate supervisor~~
412 ~~of elections who must change the voter's registration records in~~
413 ~~accordance with s. 98.065(4).~~

414 **Section 8. Subsection (1) of section 98.045, Florida**
415 **Statutes, is amended to read:**

416 98.045 Administration of voter registration.—

417 (1) ELIGIBILITY OF APPLICANT.—

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

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

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

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

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

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

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

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

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

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

442 (b) If the most updated voter registration records show
443 that a new applicant was previously registered but subsequently
444 removed from the statewide voter registration system under s.
445 98.075(8) for ineligibility by reason of a felony conviction
446 without voting rights restored, adjudication as mentally
447 incapacitated with respect to voting without voting rights
448 restored, death, or legal status as not a United States citizen,
449 the supervisor must, within 10 days after receiving a new
450 application, verify the current eligibility of the applicant to

451 register by reviewing any governmental entity document or source
452 to determine whether the applicant remains ineligible. If the
453 supervisor determines that the applicant is still ineligible to
454 vote, the supervisor must deny the application and notify the
455 applicant pursuant to s. 97.073.

456 **Section 9. Subsections (6), (7), and (8) of section**
457 **98.075, Florida Statutes, are renumbered as subsections (7),**
458 **(8), and (9), respectively, subsections (4) and (5), present**
459 **subsection (6), paragraph (a) of present subsection (7), and**
460 **paragraph (a) of present subsection (8) are amended, and a new**
461 **subsection (6) is added to that section, to read:**

462 98.075 Registration records maintenance activities;
463 ineligibility determinations.—

464 (4) ADJUDICATION OF MENTAL INCAPACITY.—The department
465 shall identify those registered voters who have been adjudicated
466 mentally incapacitated with respect to voting and who have not
467 had their voting rights restored by comparing information
468 received from the clerk of the circuit court as provided in s.
469 98.093. The department shall review such information and make an
470 initial determination as to whether the information is credible
471 and reliable. If the department determines that the information
472 is credible and reliable, the department must notify the
473 supervisor and provide a copy of the supporting documentation
474 indicating the potential ineligibility of the voter to be
475 registered. Upon receipt of the notice that the department has

476 made a determination of initial credibility and reliability, the
477 supervisor shall adhere to the procedures set forth in
478 subsection (8) ~~(7)~~ before the removal of a registered voter from
479 the statewide voter registration system.

480 (5) FELONY CONVICTION.—

481 (a) The department shall identify those registered voters
482 who have been convicted of a felony and whose voting rights have
483 not been restored by comparing information received from, but
484 not limited to, a clerk of the circuit court, the Board of
485 Executive Clemency, the Department of Corrections, the
486 Department of Law Enforcement, or a United States Attorney's
487 Office, as provided in s. 98.093. The department shall review
488 such information and make an initial determination as to whether
489 the information is credible and reliable. If the department
490 determines that the information is credible and reliable, the
491 department must notify the supervisor and provide a copy of the
492 supporting documentation indicating the potential ineligibility
493 of the voter to be registered. Upon receipt of the notice that
494 the department has made a determination of initial credibility
495 and reliability, the supervisor shall adhere to the procedures
496 set forth in subsection (8) ~~(7)~~ before the removal of a
497 registered voter's name from the statewide voter registration
498 system.

499 (b) The supervisors shall coordinate with their respective
500 clerks of the court to obtain information pursuant to s. 98.093

to identify registered voters within their respective jurisdictions who have been convicted of a felony during the preceding week and whose voting rights have not been restored. The supervisor shall adhere to the procedures set forth in subsection (8) ~~(7)~~ before the removal of a registered voter's name from the statewide voter registration system. For purposes of this paragraph, a supervisor's duties under subsection (8) ~~(7)~~ begin upon his or her determination that the information received from the clerk is credible and reliable.

(6) CITIZENSHIP.—

(a) The Department of State shall verify the citizenship status of all voters registered as of September 30, 2026, whose legal status has not already been verified as a United States citizen. If the citizenship status of a registered voter cannot be verified or the voter record does not indicate that the registered voter's citizenship is verified, the department must notify the supervisor of elections who must notify the registered voter.

(b) The department shall review the information received from the Department of Highway Safety under s. 98.093(8) and make an initial determination as to whether the information and any other information regarding citizenship 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

526 the potential ineligibility of the voter.

527 (c) Upon receipt of the notice under paragraph (a) or
528 paragraph (b), the supervisor of elections must notify the
529 registered voter in accordance with subsection (8) that his or
530 her United States citizenship could not be verified and require
531 the registered voter to submit evidence sufficient to verify his
532 or her citizenship status. The notice to the registered voter
533 must include the following list of documents that will be
534 accepted as evidence of United States citizenship:

535 1. A current and valid United States passport.

536 2. A United States birth certificate.

537 3. A Consular Report of Birth Abroad provided by the
538 United States Department of State.

539 4. A current and valid Florida driver license or Florida
540 identification card issued by the Department of Highway Safety
541 and Motor Vehicles if such driver license or identification card
542 indicates United States citizenship.

543 5. A naturalization certificate, a certificate of
544 citizenship, a certificate number, or an alien registration
545 number issued by the United States Department of Homeland
546 Security.

547 6. A current and valid photo identification issued by the
548 Federal Government or the government of this state which
549 indicates United States citizenship.

550 7. An order from a federal court granting United States

551 citizenship.

552 (d) If the registered voter's legal name is different than
553 the name that appears on one of the documents specified in
554 paragraph (c), the applicant must also provide official
555 documentation providing proof of a legal name change.

556 (e) The type of document provided or used to verify
557 citizenship must be recorded in the statewide voter registration
558 system.

559 (7)-(6) OTHER BASES FOR INELIGIBILITY.—Subsections (2)-(6)
560 (2)-(5) do not limit or restrict the department or the
561 supervisor in his or her duty to act upon direct receipt of,
562 access to, or knowledge of information from any governmental
563 entity that identifies a registered voter as potentially
564 ineligible. If the department or supervisor receives information
565 from any governmental entity other than those identified in
566 subsections (2)-(6) (2)-(5) that a registered voter is
567 ineligible because the voter is deceased, adjudicated a
568 convicted felon without having had his or her voting rights
569 restored, adjudicated mentally incapacitated without having had
570 his or her voting rights restored, does not meet the age
571 requirement pursuant to s. 97.041, is not a United States
572 citizen, is a fictitious person, or has listed an address that
573 is not his or her address of legal residence, the supervisor
574 must adhere to the procedures set forth in subsection (8) (7)
575 before the removal of the name of a registered voter who is

determined to be ineligible from the statewide voter registration system.

(8)~~(7)~~ PROCEDURES FOR REMOVAL.—

(a) If the supervisor receives notice or information pursuant to subsections (4)-(7) ~~(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 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

601 voter has a right to request a hearing for the purpose of
602 determining eligibility.

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

606 f. Instructions for seeking restoration of civil rights
607 pursuant to s. 8, Art. IV of the State Constitution and
608 information explaining voting rights restoration pursuant to s.
609 4, Art. VI of the State Constitution following a felony
610 conviction, if applicable.

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

620 2. If the mailed notice is returned as undeliverable, the
621 supervisor must, within 14 days after receiving the returned
622 notice, either publish notice once in a newspaper of general
623 circulation in the county in which the voter was last registered
624 or publish notice on the county's website as provided in s.
625 50.0311 or on the supervisor's website, as deemed appropriate by

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

651 ballot to be counted, you must contact the supervisor of
652 elections office within 2 days after the election and present
653 evidence that you are eligible to vote."

654 3. If a registered voter fails to respond to a notice
655 pursuant to subparagraph 1. or subparagraph 2., the supervisor
656 must make a final determination of the voter's eligibility
657 within 7 days after expiration of the voter's timeframe to
658 respond. If the supervisor determines that the voter is
659 ineligible, the supervisor must remove the name of the
660 registered voter from the statewide voter registration system
661 within 7 days. The supervisor shall notify the registered voter
662 of the supervisor's determination and action.

663 4. If a registered voter responds to the notice pursuant
664 to subparagraph 1. or subparagraph 2. and admits the accuracy of
665 the information underlying the potential ineligibility, the
666 supervisor must, as soon as practicable, make a final
667 determination of ineligibility and remove the voter's name from
668 the statewide voter registration system. The supervisor shall
669 notify the registered voter of the supervisor's determination
670 and action.

671 5. If a registered voter responds to the notice issued
672 pursuant to subparagraph 1. or subparagraph 2. and denies the
673 accuracy of the information underlying the potential
674 ineligibility but does not request a hearing, the supervisor
675 must review the evidence and make a determination of eligibility

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

(9)~~(8)~~ CERTIFICATION.—

(a) No later than July 31 and January 31 of each year, the supervisor shall certify to the department that the supervisor has conducted the activities required pursuant to this section during the first 6 months and the second 6 months of the year, respectively. The certification must include the number of persons to whom notices were sent pursuant to subsection (8) ~~(7)~~; the number of persons who responded to the notices; the number of notices returned as undeliverable; the number of notices published in the newspaper, on the county's website, or on the supervisor's website; the number of hearings conducted; and the number of persons removed from the statewide voter registration system and the reasons for such removals.

Section 10. Subsection (9) of section 98.093, Florida Statutes, is amended, and paragraphs (d), (e), and (f) are added to subsection (8) of that section, to read:

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

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

(d) Information identifying those persons who during the preceding week presented evidence of United States citizenship upon being issued a new, renewed, or replacement Florida driver

726 license or Florida identification card. The information must
727 contain the person's name; address; date of birth; last four
728 digits of his or her social security number, if applicable;
729 Florida driver license number or Florida identification card
730 number, if available; the type of documentary proof the person
731 provided in support of his or her citizenship; and, if
732 applicable, the person's alien registration number or other
733 legal status identifier.

734 (e) Information identifying a change in residence address
735 on the Florida driver license or Florida identification card of
736 any person who declined to register or update his or her voter's
737 registration record under s. 97.057(2)(b)2. The information must
738 contain the person's name; date of birth; sex; last four digits
739 of his or her social security number, if available; and Florida
740 driver license or Florida identification card number in order to
741 identify a voter's registration record. The Department of State
742 must report each such change to the appropriate supervisor of
743 elections who must change the voter's registration records in
744 accordance with s. 98.065(4).

745 (f) Information identifying new, renewed, or replacement
746 Florida driver license or Florida identification card numbers
747 issued to persons who declined to register or update his or her
748 voter's registration record under s. 97.057(2)(b)2. The
749 information must contain the person's name; date of birth; last
750 four digits of his or her social security number, if available;

751 and the person's prior and current Florida driver license or
752 Florida identification card number in order to identify a
753 voter's registration record. The Department of State must report
754 the prior and current Florida driver license or Florida
755 identification card numbers to the appropriate supervisor of
756 elections who must update the voter's registration records and
757 provide notice of the change to the registered voter in the same
758 manner as a change of address made in accordance with s.
759 98.065(4) .

760 (9) CONSTRUCTION.—This section does not limit or restrict
761 the supervisor in his or her duty to act upon direct receipt of,
762 access to, or knowledge of official information from these and
763 other governmental entities that identify a registered voter as
764 potentially ineligible and to initiate removal of the name of
765 the registered voter who is determined to be ineligible from the
766 statewide voter registration system pursuant to s. 98.075(8) ~~s.~~
767 ~~98.075(7)~~.

768 **Section 11. Section 98.094, Florida Statutes, is created**
769 **to read:**

770 98.094 Federal jury notice.—

771 (1) The Division of Elections shall provide a list,
772 monthly, of registered voters to federal courts for purposes of
773 selecting jurors and the jury coordinator must provide the
774 division notice regarding any ineligible or potentially
775 ineligible voters.

776 (2) The jury coordinator shall prepare or cause to be
777 prepared a list of each person disqualified or potentially
778 disqualified as a prospective juror from jury service because
779 the person is not a United States citizen, was convicted of a
780 felony, is deceased, is not a resident of this state, or is not
781 a resident of the county in which such jury service is required.
782 The list must be prepared and sent to the division according to
783 the jury summons cycle used by the clerk of court. This section
784 does not prevent the list from being sent more frequently. The
785 list prepared by the jury coordinator may be provided by mail,
786 e-mail, or other electronic means to the division.

787 (3) The jury coordinator shall provide the division with
788 all of the following information about each disqualified or
789 potentially disqualified juror:

790 (a) The full name of the juror.

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

792 (c) Telephone number, if available.

793 (d) Date of birth.

794 (e) The reason the prospective juror is disqualified.

795 (4) The division shall provide the information received
796 under subsection (3) to the appropriate supervisor of elections
797 in the county of residence of the disqualified juror in order
798 for the supervisor to initiate address list maintenance under s.
799 98.065 or eligibility maintenance under s. 98.075(8), as
800 applicable.

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

803 101.151 Specifications for ballots.—

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

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

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

815 101.5606 Requirements for approval of systems.—No
816 electronic or electromechanical voting system shall be approved
817 by the Department of State unless it is so constructed that:

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

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

824 101.56075 Voting methods.—For the purpose of designating
825 ballot selections, all voting must be by official ~~marksense~~

826 ballot, using a pen or marker recommended by the voting system
827 vendor. Persons with disabilities may vote using marking device
828 ~~or~~ a voter interface device that produces a voter-verifiable
829 paper output and meets the voter accessibility requirements for
830 individuals with disabilities under s. 301 of the federal Help
831 America Vote Act of 2002 and s. 101.56062.

832 **Section 15. Subsections (1), (2), and (3) of section**
833 **101.5608, Florida Statutes, are amended to read:**

834 101.5608 Voting at the polls ~~by electronic or~~
835 ~~electromechanical method~~; procedures.—

836 (1) Each voter ~~elector~~ desiring to vote shall be
837 identified to the clerk or inspector of the election as a duly
838 qualified voter ~~elector~~ of such election and shall sign his or
839 her name on the precinct register or other form or device
840 provided by the supervisor. The inspector shall compare the
841 signature with the signature on the identification provided by
842 the voter ~~elector~~. If the inspector is reasonably sure that the
843 person is entitled to vote, the inspector shall provide the
844 person with a ballot.

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

848 (a) After receiving a ballot from an inspector, the voter
849 ~~elector~~ shall, without leaving the polling place, retire to a
850 booth or compartment and mark the ballot. After marking his or

her ballot, the voter ~~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 must ~~shall~~ be removed from the ballot and placed in an envelope.

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

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

Section 16. Subsection (5) of section 101.5612, Florida

Statutes, is amended to read:

101.5612 Testing of tabulating equipment.—

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

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

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

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

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

901 ~~local board responsible for certifying the election. If 1~~
902 ~~percent of the precincts is less than one entire precinct, the~~
903 ~~audit shall be conducted using at least one precinct chosen at~~
904 ~~random by the county canvassing board or the local board~~
905 ~~responsible for certifying the election. Such precincts shall be~~
906 ~~selected at a publicly noticed canvassing board meeting.~~

907 (2) (a) (b) An automated independent vote validation process
908 must ~~audit shall~~ consist of an a public automated verification
909 of the tally of the votes cast across every race that appears on
910 the ballot. The tally sheet must ~~shall~~ include all valid
911 election day, vote-by-mail, early voting, provisional, and
912 overseas ballots received by the start of the vote validation
913 process in all ~~at least 20 percent of the precincts chosen at~~
914 ~~random by the county canvassing board or the local board~~
915 ~~responsible for certifying the election. Such precincts shall be~~
916 ~~selected at a publicly noticed canvassing board meeting.~~

917 (b) (c) The division shall adopt rules for approval of an
918 automated independent vote validation process ~~audit system~~ which
919 provide that the process ~~system~~, at a minimum, must be:

- 920 1. Completely independent of the primary voting system.
- 921 2. Fast enough to produce final vote validation ~~audit~~
922 results within the timeframe prescribed in subsection (4).
- 923 3. Capable of demonstrating that the ballots of record
924 have been accurately adjudicated by the automated independent
925 vote validation process in agreement with the vote tabulation

926 system and is capable of allowing the canvassing board to
927 manually adjudicate ballots needing review. A canvassing board
928 is not precluded from reviewing a digital image of a ballot
929 corresponding to a physical paper ballot in conducting its
930 review ~~audit system.~~

931 (3) The canvassing board shall publish ~~post~~ a notice of
932 the automated independent vote validation process ~~audit~~,
933 including the date, time, and place such process will occur, on
934 the county website as provided in s. 50.0311, on the supervisor
935 of election's website, or once in one or more newspapers of
936 general circulation in the county in which the process will
937 occur. Such process must be open to the public, ~~in four~~
938 ~~conspicuous places in the county and on the home page of the~~
939 ~~county supervisor of elections website.~~

940 (4) The automated independent vote validation process
941 ~~audit~~ must be completed and the results made public before the
942 certification of the election by each county canvassing board
943 and in accordance with s. 102.141 ~~no later than 11:59 p.m. on~~
944 ~~the 7th day following certification of the election by the~~
945 ~~county canvassing board or the local board responsible for~~
946 ~~certifying the election.~~

947 (5) By December 15 of each general election year, the
948 county canvassing board or the board responsible for certifying
949 the election shall provide a report with the results of the
950 automated independent vote validation process ~~audit~~ to the

Department of State in a standard format as prescribed by the department under s. 101.5911. ~~Each county's~~ The report must be consolidated into one report and included with the overvote and undervote report required under s. 101.595(1). The report must, at a minimum, ~~shall~~ contain all of, ~~but is not limited to~~, the following ~~items~~:

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

(b) A description of any problems or differences ~~discrepancies~~ encountered during the automated independent vote validation process.

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

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

(6) The department shall consolidate the county automated independent vote validation results and include the results as part of the post-general election report submitted to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15 of each year following a general election as required under ss. 101.595(3) and 102.141(11) ~~If a manual recount is undertaken pursuant to s. 102.166, the canvassing board is not required to perform the audit provided for in this section.~~

Section 18. Section 101.5911, Florida Statutes, is amended

976 **to read:**

977 101.5911 Rulemaking authority for automated independent
978 vote validation process approval; ~~voting system audit~~
979 ~~procedures. Effective upon this act becoming a law,~~ The
980 department ~~of State~~ shall adopt rules to implement the
981 ~~provisions of s. 101.591, as amended by s. 8, chapter 2007-30,~~
982 ~~Laws of Florida,~~ which provides for the testing and approval of
983 an automated independent vote validation process, and prescribes
984 ~~prescribe~~ detailed automated independent vote validation audit
985 procedures for each voting system, which must ~~shall~~ be uniform
986 to the extent practicable, along with the standard form for
987 automated independent vote validation process audit reports.

988 **Section 19. Subsections (1) and (3) of section 101.595,**
989 **Florida Statutes, are amended to read:**

990 101.595 Analysis of overvotes and undervotes ~~reports of~~
991 ~~voting problems.~~

992 (1) No later than December 15 of each general election
993 year, the supervisor of elections in each county shall report to
994 the Department of State the total number of overvotes and
995 undervotes in the "President and Vice President" or "Governor
996 and Lieutenant Governor" race that appears first on the ballot
997 or, if neither appears, the first race appearing on the ballot
998 pursuant to s. 101.151(2), along with the likely reasons for
999 such overvotes and undervotes and other information as may be
1000 useful in evaluating the performance of the voting system and

1001 identifying problems with ballot design and instructions which
1002 may have contributed to voter confusion. This report must be
1003 consolidated into one report with the automated independent vote
1004 validation ~~audit~~ report required under s. 101.591(6) ~~s.~~
1005 ~~101.591(5)~~.

1006 (3) The Department of State shall submit the overvote and
1007 undervote analysis required under subsection (2) as part of the
1008 post-general election report to the Governor, the President of
1009 the Senate, and the Speaker of the House of Representatives by
1010 February 15 of each year following a general election as
1011 required under ss. 101.591(6) and 102.141(11).

1012 **Section 20. Subsection (2) of section 102.111, Florida**
1013 **Statutes, is amended to read:**

1014 102.111 Elections Canvassing Commission.—

1015 (2) The Elections Canvassing Commission shall meet at 9 &
1016 a.m. on the 9th day after a primary election and at 9 & a.m. on
1017 the 14th day after a general election to certify the returns of
1018 the election for each federal, state, and multicounty office and
1019 for each constitutional amendment. On days the Legislature
1020 convenes for organizational session pursuant to s. 3(a), Art.
1021 III of the State Constitution, such meeting will begin at 8 a.m.
1022 If a member of a county canvassing board that was constituted
1023 pursuant to s. 102.141 determines, within 5 days after the
1024 certification by the Elections Canvassing Commission, that a
1025 typographical error occurred in the official returns of the

1026 county, the correction of which could result in a change in the
1027 outcome of an election, the county canvassing board must certify
1028 corrected returns to the Department of State within 24 hours,
1029 and the Elections Canvassing Commission must correct and
1030 recertify the election returns as soon as practicable.

1031 **Section 21. Subsections (3) through (11) of section**
1032 **102.141, Florida Statutes, are amended to read:**

1033 102.141 County canvassing board; duties.—

1034 (3) The canvass, except the canvass of absent electors'
1035 returns and the canvass of provisional ballots, must ~~shall~~ be
1036 made from the returns and certificates of the inspectors as
1037 signed and filed by them with the supervisor, and the county
1038 canvassing board may ~~shall~~ not change the number of votes cast
1039 for a candidate, nominee, constitutional amendment, or other
1040 measure submitted to the electorate of the county, respectively,
1041 in any polling place, as shown by the returns. All returns must
1042 ~~shall~~ be made to the board on or before 2 a.m. of the day
1043 following any primary, general, or other election. If the
1044 returns from any precinct are missing, if there are any
1045 omissions on the returns from any precinct, or if there is an
1046 obvious error on any such returns, the canvassing board must
1047 ~~shall~~ order a retabulation of the returns from such precinct.
1048 Before canvassing such returns, the canvassing board shall
1049 examine the tabulation of the ballots cast in such precinct and
1050 determine whether the returns correctly reflect the votes cast.

1051 If there is a discrepancy between the returns and the tabulation
1052 of the ballots cast, the tabulation of the ballots cast must
1053 ~~shall~~ be presumed correct and such votes shall be canvassed
1054 accordingly.

1055 (4)(a) The supervisor of elections shall upload into the
1056 county's election management system by 7 p.m. local time on the
1057 day before the election the results of all early voting and
1058 vote-by-mail ballots that have been canvassed and tabulated by
1059 the end of the early voting period. Pursuant to ss. 101.5614(8),
1060 101.657, and 101.68(2), the tabulation of votes cast or the
1061 results of such uploads may not be made public before the close
1062 of the polls on election day.

1063 (b) The supervisor of elections, on behalf of the
1064 canvassing board, shall report all early voting and all
1065 tabulated vote-by-mail results to the Department of State within
1066 30 minutes after the polls close. Thereafter, the canvassing
1067 board shall report, with the exception of provisional ballot
1068 results, updated precinct election results, which must be
1069 uploaded to the department at least every 45 minutes until all
1070 results are completely reported. The supervisor of elections
1071 shall notify the department immediately of any circumstances
1072 that do not permit periodic updates as required. Results must
1073 ~~shall~~ be submitted in a format prescribed by the department.

1074 (5)(a) The canvassing board shall submit on forms or in
1075 formats provided by the division unofficial returns to the

1076 Department of State for each federal, statewide, state, or
1077 multicounty office or ballot measure no later than noon on the
1078 third day after any primary election and no later than noon on
1079 the fourth day after any general or other election. Such returns
1080 must ~~shall~~ include the canvass of all ballots, including write-
1081 in votes, as required by subsection (2).

1082 (b) After unofficial results are reported, each county
1083 must conduct an automated independent vote validation process,
1084 in accordance with s. 101.591, to validate that the votes
1085 processed through the vote tabulation system for a candidate for
1086 any office, candidate for retention to a judicial office, or a
1087 measure appearing on the ballot do not:

1088 1. Have a discrepancy of more than one-half of a percent
1089 when compared to the results of the automated independent vote
1090 validation process; or

1091 2. Result in a change in the outcome of the election.

1092
1093 The automated independent vote validation process must be
1094 completed no later than noon on the 6th day after any primary
1095 election and no later than noon on the 7th day after any general
1096 or other election.

1097 (c) ~~(6)~~ If the county canvassing board determines, after
1098 the county conducts the automated independent vote validation
1099 process in accordance with s. 101.591, and the comparison of the
1100 results of the vote tabulation and the automated independent

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1101 vote validation process indicates that the unofficial returns
1102 may contain a counting error in which the vote tabulation system
1103 or the automated independent vote validation process failed to
1104 count votes that were properly marked in accordance with the
1105 instructions on the ballot, the county canvassing board shall:

1106 1.~~(a)~~ Correct the error and retabulate the affected
1107 ballots with the vote tabulation system or the automated
1108 independent vote validation process; or

1109 2.~~(b)~~ Request that the Department of State verify the
1110 tabulation software of the affected system or process. When the
1111 Department of State verifies such software, the department shall
1112 compare the software used to tabulate the votes with the
1113 software filed with the department pursuant to s. 101.5607 and
1114 check the election parameters.

1115 (6)(a)~~(7)~~ If the comparison of the results of the vote
1116 tabulation system and the automated independent vote validation
1117 process reflects a difference as described in paragraph (5)(b),
1118 the proper county election official under the oversight of the
1119 county canvassing board must conduct a system validation review
1120 using the images in the automated independent vote validation
1121 process of the ballots in disagreement, which must include, but
1122 is not limited to, a review of any clear overvotes or undervotes
1123 that appear in the automated independent vote validation process
1124 to adjudicate the voter's intent of such ballots before
1125 certification of the county's official results. If the

1126 unofficial returns reflect that a candidate for any office was
1127 defeated or eliminated by one-half of a percent or less of the
1128 votes cast for such office, that a candidate for retention to a
1129 judicial office was retained or not retained by one-half of a
1130 percent or less of the votes cast on the question of retention,
1131 or that a measure appearing on the ballot was approved or
1132 rejected by one-half of a percent or less of the votes cast on
1133 such measure, a system validation review must ~~recount shall~~ be
1134 ordered of the votes cast with respect to such office or
1135 measure. The Secretary of State is responsible for ordering such
1136 system validation reviews ~~recounts~~ in all federal, state, and
1137 multicounty races. The county canvassing board or the local
1138 board responsible for certifying the election is responsible for
1139 ordering a system validation review under this subsection
1140 ~~recounts~~ in all other races. A system validation review ~~recount~~
1141 need not be ordered with respect to the returns for any office,
1142 however, if the candidate or candidates defeated or eliminated
1143 from contention for such office by one-half of a percent or less
1144 of the votes cast for such office request in writing that a
1145 system validation review ~~recount~~ not be made.

1146 ~~(a) Each canvassing board responsible for conducting a~~
1147 ~~recount shall put each marksense ballot through automatic~~
1148 ~~tabulating equipment and determine whether the returns correctly~~
1149 ~~reflect the votes cast. If any marksense ballot is physically~~
1150 ~~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.~~

~~(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~~

1176 ~~election return and the counters of the precinct tabulators, the~~
1177 ~~counters of the precinct tabulators shall be presumed correct~~
1178 ~~and such votes shall be canvassed accordingly.~~

1179 ~~(c) The canvassing board shall submit on forms or in~~
1180 ~~formats provided by the division a second set of unofficial~~
1181 ~~returns to the Department of State for each federal, statewide,~~
1182 ~~state, or multicounty office or ballot measure. The returns~~
1183 ~~shall be filed no later than 3 p.m. on the 5th day after any~~
1184 ~~primary election and no later than 3 p.m. on the 9th day after~~
1185 ~~any general election in which a recount was ordered by the~~
1186 ~~Secretary of State. If the canvassing board is unable to~~
1187 ~~complete the recount prescribed in this subsection by the~~
1188 ~~deadline, the second set of unofficial returns submitted by the~~
1189 ~~canvassing board shall be identical to the initial unofficial~~
1190 ~~returns and the submission shall also include a detailed~~
1191 ~~explanation of why it was unable to timely complete the recount.~~
1192 ~~However, the canvassing board shall complete the recount~~
1193 ~~prescribed in this subsection, along with any manual recount~~
1194 ~~prescribed in s. 102.166, and certify election returns in~~
1195 ~~accordance with the requirements of this chapter.~~

1196 ~~(d) The Department of State shall adopt detailed rules~~
1197 ~~prescribing additional recount procedures for each certified~~
1198 ~~voting system, which shall be uniform to the extent practicable.~~

1199 (b)(8) The canvassing board may employ such clerical help
1200 to assist with the work of the board as it deems necessary, with

1201 at least one member of the board present at all times, until the
1202 canvass of the returns is completed. The clerical help must
1203 ~~shall~~ be paid from the same fund as inspectors and other
1204 necessary election officials.

1205 (c) The canvassing board shall publish notice of the
1206 system validation review, including the date, time, and place
1207 such review will occur, on the county website as provided in s.
1208 50.0311, on the supervisor of elections' website, or once in one
1209 or more newspapers of general circulation in the county in which
1210 the review will occur. Such review is open to the public.

1211 (d) The canvassing board shall submit on forms or in
1212 formats provided by the division a vote validation report to the
1213 department for each federal, state, or multicounty office or
1214 ballot measure in accordance with paragraph (5) (b). If the
1215 canvassing board is unable to complete the system validation
1216 review by the deadline, the vote validation report submitted by
1217 the canvassing board must be identical to the initial unofficial
1218 returns and the submission must also include a detailed
1219 explanation of the reason the board was unable to timely
1220 complete the system validation review. However, the canvassing
1221 board shall complete the system validation review prescribed in
1222 this subsection, and certify official election returns, in
1223 accordance with the requirements of this chapter.

1224 (e) The department shall adopt detailed rules prescribing
1225 additional system validation review procedures for each

certified voting system, which must be uniform to the extent practicable.

~~(7)-(9)~~ Each member, substitute member, and alternate member of the county canvassing board and all clerical help must wear identification badges during any period in which the county canvassing board is canvassing votes or engaging in other official duties. The identification badges must ~~should~~ be worn in a conspicuous and unobstructed area, and include the name of the individual and his or her official position.

~~(8)-(10)~~(a) The supervisor shall file a report with the Division of Elections on the conduct of the election no later than 20 business days after the Elections Canvassing Commission certifies the election. The report must, at a minimum, describe all of the following:

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

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

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

1251 errors, or ballot supply problems, and the steps that were taken
1252 to address the errors or problems.

1253 4. All staffing shortages or procedural violations by
1254 employees or precinct workers which were addressed by the
1255 supervisor of elections or the county canvassing board during
1256 the conduct of the election, and the steps that were taken to
1257 correct such issues.

1258 5. All instances where needs for staffing or equipment
1259 were insufficient to meet the needs of the voters.

1260 6. Any additional information regarding material issues or
1261 problems associated with the conduct of the election.

1262 (b) If a supervisor discovers new or additional
1263 information on any of the items required to be included in the
1264 report pursuant to paragraph (a) after the report is filed, the
1265 supervisor must notify the division that new information has
1266 been discovered no later than the next business day after the
1267 discovery, and the supervisor must file an amended report signed
1268 by the supervisor of elections on the conduct of the election
1269 within 10 days after the discovery.

1270 (c) Such reports must be maintained on file in the
1271 Division of Elections and must be available for public
1272 inspection.

1273 (d) The division shall review the conduct of election
1274 reports to determine what problems may be likely to occur in
1275 other elections and disseminate such information, along with

possible solutions and training, to the supervisors of elections.

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

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

Section 22. Section 102.166, Florida Statutes, is amended to read:

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

(1) If the vote tabulation system indicates and automated independent vote validation process conducted under ss. 101.591 and 102.141 confirms ~~second set of unofficial returns pursuant to 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

1301 to a judicial office was retained or not retained by one-quarter
1302 of a percent or less of the votes cast on the question of
1303 retention, or that a measure appearing on the ballot was
1304 approved or rejected by one-quarter of a percent or less of the
1305 votes cast on such measure, a manual review ~~recount~~ of the
1306 overvotes and undervotes cast in the entire geographic
1307 jurisdiction of such office or ballot measure must ~~shall~~ be
1308 ordered and conducted in a manner consistent with s. 102.141(6)
1309 unless:

1310 (a) The candidate or candidates defeated or eliminated
1311 from contention by one-quarter of 1 percent or fewer of the
1312 votes cast for such office request in writing that a manual
1313 review ~~recount~~ not be made; or

1314 (b) The number of overvotes and undervotes is fewer than
1315 the number of votes needed to change the outcome of the
1316 election.

1317
1318 The Secretary of State is responsible for ordering manual
1319 reviews of all ~~a manual recount for~~ federal, state, and
1320 multicounty races. The county canvassing board or local board
1321 responsible for certifying the election is responsible for
1322 ordering a manual review ~~recount~~ for all other races. A manual
1323 review ~~recount~~ consists of a review by a designee of the
1324 canvassing board ~~recount~~ of paper ~~marksense~~ ballots or of
1325 digital images from an independent vote validation system, if

1326 applicable of these ballots by a person.

1327 (2) Any hardware or software used to identify and sort
1328 overvotes and undervotes for a given race or ballot measure must
1329 be certified by the Department of State. Any such hardware or
1330 software must be capable of simultaneously identifying and
1331 sorting overvotes and undervotes in multiple races while
1332 simultaneously counting votes. Overvotes and undervotes must be
1333 identified and sorted while conducting the automated independent
1334 vote validation process ~~recounting ballots~~ pursuant to s.
1335 102.141. Overvotes and undervotes must ~~may~~ be identified and
1336 sorted physically or digitally.

1337 (3) Any manual review must ~~recount shall~~ be open to the
1338 public. Each political party may designate one person with
1339 expertise in the computer field who must be allowed in the
1340 central counting room when the manual review is being conducted
1341 and when the official votes are being counted. The designee may
1342 not interfere with the normal operation of the canvassing board.

1343 (4) (a) A vote for a candidate or ballot measure must ~~shall~~
1344 be counted if there is a clear indication on the ballot that the
1345 voter has made a definite choice.

1346 (b) The Department of State shall adopt specific rules for
1347 the federal write-in absentee ballot and for each certified
1348 voting system prescribing what constitutes a "clear indication
1349 on the ballot that the voter has made a definite choice." The
1350 rules must ~~shall~~ be consistent, to the extent practicable, and

may not:

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

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

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

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

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

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

3. The sufficiency of designating a candidate's first or last name when an opposing candidate has the same or a similar name, notwithstanding generational suffixes and titles such as "Jr.," "Sr.," or "III." The rule should contemplate the

sufficiency of additional first names and first initials, middle names and middle initials, generational suffixes and titles, nicknames, and, in general elections, the name or abbreviation of a political party.

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

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

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

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

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

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

(a) The county canvassing board shall appoint as many

counting teams of at least two electors as is necessary to manually review ~~recount~~ the ballots. A counting team must have, when possible, members of at least two political parties. A candidate involved in the race may ~~shall~~ not be a member of the counting team.

(b) Each duplicate ballot prepared pursuant to s. 101.5614(4) or s. 102.141(6) ~~must s. 102.141(7)~~ ~~shall~~ be compared with the original ballot to ensure the correctness of the duplicate.

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

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

1. Security of ballots during the manual review ~~recount~~ process. ~~;~~
2. Time and place of manual reviews. ~~recounts;~~
3. Public observance of manual reviews. ~~recounts;~~
4. Objections to ballot determinations. ~~;~~
5. Record of manual review ~~recount~~ proceedings. ~~;~~
6. Procedures relating to candidate and petitioner

representatives. ~~and~~

7. Procedures relating to the certification and the use of automatic tabulating equipment that is not part of a voting system.

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

Section 23. Section 104.042, Florida Statutes, is created to read:

104.042 Limitations on actions for election fraud.—A prosecution for a felony violation under the Election Code must be commenced within 5 years after the date the violation is committed.

Section 24. Paragraph (b) of subsection (12) of section 106.08, Florida Statutes, is amended to read:

106.08 Contributions; limitations on.—

(12)

(b) A foreign national may not make or offer to make, directly or indirectly, a contribution or expenditure in connection with any election held in the state or in connection with a constitutional amendment proposed by initiative. A political party, a political committee, an electioneering communications organization, or a candidate may not knowingly accept or solicit, directly or indirectly, a contribution from a

foreign national in connection with any election held in this
state or in connection with a constitutional amendment proposed
by initiative. A person or entity who violates this section
commits a felony of the third degree, punishable as provided in
s. 775.082, s. 775.083, or s. 775.084, and shall also be subject
to a civil penalty equal to three times the amount contributed.
Such penalty shall be paid into the General Revenue Fund of this
state. Any penalty imposed against a person that is not an
individual jointly and severally attaches to the chair of the
entity if the entity does not pay the penalty within 30 days.
The Florida Election Commission shall be responsible for
determining violations, imposing civil penalties, and collecting
any unpaid civil penalties. The Florida Election Commission
shall report any violations of this section to the Office of
Election Crimes and Security to include in the department's
report under s. 97.022.

Section 25. Section 322.034, Florida Statutes, is created to read:

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

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

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

Section 26. Subsections (5) and (6) of section 98.065, Florida Statutes, are amended to read:

98.065 Registration list maintenance programs.—

(5) A notice may not be issued pursuant to this section and a voter's name may not be removed from the statewide voter registration system later than 90 days prior to the date of a federal election. However, this section does not preclude the correction of registration records based on information submitted by the voter or removal of the name of a voter from the statewide voter registration system at any time upon the voter's written request, by reason of the voter's death, or upon a determination of the voter's ineligibility as provided in s. 98.075(8) ~~s. 98.075(7)~~.

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

1501 to s. 98.075(7) ~~s. 98.075(6)~~ and (8) ~~(7)~~.

1502 **Section 27. Section 98.0755, Florida Statutes, is amended**
1503 **to read:**

1504 98.0755 Appeal of determination of ineligibility.—Appeal
1505 of the supervisor's determination of ineligibility pursuant to
1506 s. 98.075(8) ~~s. 98.075(7)~~ may be taken to the circuit court in
1507 and for the county where the person was registered. Notice of
1508 appeal must be filed within the time and in the manner provided
1509 by the Florida Rules of Appellate Procedure and acts as
1510 supersedeas. Trial in the circuit court is de novo and governed
1511 by the rules of that court. Unless the person can show that his
1512 or her name was erroneously or illegally removed from the
1513 statewide voter registration system, or that he or she is
1514 indigent, the person must bear the costs of the trial in the
1515 circuit court. Otherwise, the cost of the appeal must be paid by
1516 the supervisor of elections.

1517 **Section 28. Subsection (1) of section 101.048, Florida**
1518 **Statutes, is amended to read:**

1519 101.048 Provisional ballots.—

1520 (1) At all elections, a voter claiming to be properly
1521 registered in the state and eligible to vote at the precinct in
1522 the election but whose eligibility cannot be determined, a
1523 person whom an election official asserts is not eligible,
1524 including, but not limited to, a person to whom notice has been
1525 sent pursuant to s. 98.075(8) ~~s. 98.075(7)~~, but for whom a final

determination of eligibility has not been made, and other persons specified in the code shall be entitled to vote a provisional ballot. Once voted, the provisional ballot must be placed in a secrecy envelope and thereafter sealed in a provisional ballot envelope. The provisional ballot must be deposited in a ballot box. All provisional ballots must remain sealed in their envelopes for return to the supervisor of elections. The department shall prescribe the form of the provisional ballot envelope. A person casting a provisional ballot has the right to present written evidence supporting his or her eligibility to vote to the supervisor of elections by not later than 5 p.m. on the second day following the election.

Section 29. Paragraph (b) of subsection (1) of section 101.67, Florida Statutes, is amended to read:

101.67 Safekeeping of mailed ballots; deadline for receiving vote-by-mail ballots.—

(1)

(b) To the extent practicable, the supervisor of elections shall segregate any vote-by-mail ballots received from a person to whom notice has been sent pursuant to s. 98.075(8) ~~s. 98.075(7)~~, but for whom a final determination of eligibility has not been made, and shall treat them as provisional ballots for individual review by the county canvassing board. The supervisor shall attempt to contact each voter whose ballot has been set aside under this paragraph in the same manner as if the voter

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1551 had voted a provisional ballot under s. 101.048.

1552 **Section 30. Subsection (2) of section 104.16, Florida**
1553 **Statutes, is amended to read:**

1554 104.16 Voting fraudulent ballot.—

1555 (2) Subsection (1) does not apply to an elector to whom
1556 notice has been sent pursuant to s. 98.075(8) ~~s. 98.075(7)~~ and
1557 who votes a provisional ballot or vote-by-mail ballot before a
1558 final determination of eligibility is made.

1559 **Section 31.** This act shall take effect July 1, 2026.