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Proposed Committee Substitute by the Committee on Ethics and  
Elections

1                                   A bill to be entitled  
2       An act relating to elections; amending s. 97.0555,  
3       F.S.; revising qualifications for late voter  
4       registration; creating s. 100.032, F.S.; requiring  
5       supervisors of elections to submit a report to the  
6       Secretary of State at least 3 months before a general  
7       election; specifying the content of the report;  
8       amending s. 100.061, F.S.; decreasing the time period  
9       between a primary election and a general election;  
10      amending s. 101.161, F.S.; providing a limitation on  
11      the number of words for certain ballot summaries in  
12      joint resolutions proposed by the Legislature;  
13      deleting a provision providing that a ballot statement  
14      consisting of the full text of a constitutional  
15      amendment or revision is presumed to be a clear and  
16      unambiguous statement; amending s. 101.5605, F.S.;  
17      requiring a person to provide the name, mailing  
18      address, and telephone number of a registered agent of  
19      a voting systems vendor to the Department of State  
20      under certain circumstances; providing that proof of  
21      delivery or attempt to deliver constitutes valid  
22      notice; creating s. 101.56065, F.S.; providing a  
23      definition for the term "defect"; requiring any person  
24      who submitted a voting system to the department for  
25      approval or sold or leased any approved voting system  
26      to file a disclosure with the department; providing  
27      requirements for the disclosure; authorizing the



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28 department to suspend all sales or leases or use in an  
29 election of a defective voting system; providing  
30 procedures for the suspension of voting systems;  
31 authorizing the department to withdraw approval of  
32 voting systems under certain circumstances;  
33 authorizing the department to initiate an  
34 investigation of a defective voting system;  
35 establishing procedures and requirements of  
36 investigations; providing a penalty; repealing s.  
37 101.56075(4), F.S., relating to the requirement that  
38 all voting systems used by voters in a state election  
39 allow placement of the full text of a constitutional  
40 amendment or revision containing stricken or  
41 underlined text by a specified date; amending s.  
42 101.591, F.S.; authorizing use of automated,  
43 independent audits of voting systems; providing audit  
44 requirements; requiring the Division of Elections to  
45 adopt rules; amending s. 101.62, F.S.; revising the  
46 requirements for a valid absentee ballot request;  
47 prohibiting the supervisor from providing an absentee  
48 ballot on the day of an election under certain  
49 circumstances; requiring a person who requests an  
50 absentee ballot to complete an affidavit under certain  
51 circumstances; amending s. 101.64, F.S.; revising the  
52 requirements for a voter's certificate; amending s.  
53 101.65, F.S.; revising the instructions to absent  
54 electors; amending s. 101.657, F.S.; revising the list  
55 of permissible sites available for early voting;  
56 requiring each county to operate at least the same



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57 number of early voting sites as used for the 2012  
58 general election; revising the number of days and  
59 hours for early voting; amending s. 101.67, F.S.;  
60 conforming a provision to changes made by the act;  
61 amending s. 101.68, F.S., and reenacting subsection  
62 (2), relating to the canvassing of absentee ballots;  
63 authorizing the supervisor to use the elector's  
64 signature in a precinct register to compare with the  
65 elector's signature on the voter's certificate;  
66 providing that an absentee ballot must clearly  
67 identify the name of the witness in order to be  
68 considered legal; requiring the supervisor to provide  
69 the elector with the specific reason his or her ballot  
70 was rejected; requiring the supervisor to allow  
71 electors to complete an affidavit to cure an unsigned  
72 absentee ballot prior to canvassing; providing the  
73 form and contents of the affidavit; providing  
74 instructions to accompany each absentee ballot  
75 affidavit; requiring the affidavit, instructions, and  
76 the supervisor's office mailing address to be posted  
77 on certain websites; requiring the supervisor to  
78 attach a received affidavit to the appropriate  
79 absentee ballot mailing envelope; amending s.  
80 101.6921, F.S.; revising the voter's certificate  
81 accompanying a special absentee ballot; amending s.  
82 101.6923, F.S.; revising special absentee ballot  
83 instructions; amending s. 101.6952, F.S.; providing  
84 that absentee ballots received from overseas voters in  
85 certain elections may be received up to 10 days after



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86 the date of the election; amending s. 102.031, F.S.;

87 revising restrictions relating to the solicitation of

88 voters; amending s. 102.141, F.S.; revising methods of

89 selecting canvassing board members; requiring a

90 supervisor to upload certain canvassed election

91 results into a county's election management system

92 prior to the election; prohibiting public disclosure

93 of uploaded results before the close of the polls on

94 election day; amending s. 104.0616, F.S.; providing a

95 definition for the term "immediate family";

96 prohibiting possession of more than two absentee

97 ballots under certain circumstances; providing an

98 effective date.

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

102 Section 1. Section 97.0555, Florida Statutes, is amended to

103 read:

104 97.0555 Late registration.—An individual or accompanying

105 family member who has been discharged or separated from the

106 uniformed services or the United States Merchant Marine, has

107 returned from a combat zone or forward-deployed area, or has

108 separated from employment outside the territorial limits of the

109 United States, after the book-closing date for an election

110 pursuant to s. 97.055 and who is otherwise qualified may

111 register to vote in such election until 5 p.m. on the Friday

112 before that election in the office of the supervisor of

113 elections. Such persons must produce sufficient documentation

114 showing evidence of qualifying for late registration pursuant to



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115 this section.

116 Section 2. Section 100.032, Florida Statutes, is created to  
117 read:

118 100.032 Election preparation report; general election.—Each  
119 supervisor of elections must submit a report to the Secretary of  
120 State at least 3 months before a general election which outlines  
121 preparations for the upcoming general election. The report must  
122 include, at a minimum, the following elements: the anticipated  
123 staffing levels during the early voting period, on election day,  
124 and after election day; and the anticipated amount of automatic  
125 tabulating equipment at each early voting site and polling  
126 place.

127 Section 3. Section 100.061, Florida Statutes, is amended to  
128 read:

129 100.061 Primary election.—In each year in which a general  
130 election is held, a primary election for nomination of  
131 candidates of political parties shall be held on the Tuesday 10  
132 ~~12~~ weeks prior to the general election. The candidate receiving  
133 the highest number of votes cast in each contest in the primary  
134 election shall be declared nominated for such office. If two or  
135 more candidates receive an equal and highest number of votes for  
136 the same office, such candidates shall draw lots to determine  
137 which candidate is nominated.

138 Section 4. Subsection (3) of section 101.161, Florida  
139 Statutes, is amended to read:

140 101.161 Referenda; ballots.—

141 (3) (a) Each joint resolution that proposes a constitutional  
142 amendment or revision shall include one or more ballot  
143 statements set forth in order of priority. Each ballot statement



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144 shall consist of a ballot title, by which the measure is  
145 commonly referred to or spoken of, not exceeding 15 words in  
146 length, and ~~either~~ a ballot summary that describes the chief  
147 purpose of the amendment or revision in clear and unambiguous  
148 language, ~~or the full text of the amendment or revision.~~ If a  
149 joint resolution that proposes a constitutional amendment or  
150 revision contains only one ballot statement, the ballot summary  
151 may not exceed 75 words in length. If a joint resolution that  
152 proposes a constitutional amendment or revision contains more  
153 than one ballot statement, the first ballot summary, in order of  
154 priority, may not exceed 75 words in length.

155       (b) The Department of State shall furnish a designating  
156 number pursuant to subsection (2) and the appropriate ballot  
157 statement to the supervisor of elections of each county. The  
158 ballot statement shall be printed on the ballot after the list  
159 of candidates, followed by the word "yes" and also by the word  
160 "no," and shall be styled in such a manner that a "yes" vote  
161 will indicate approval of the amendment or revision and a "no"  
162 vote will indicate rejection.

163       (c) ~~(b)~~ 1. Any action for a judicial determination that one  
164 or more ballot statements embodied in a joint resolution are  
165 defective must be commenced by filing a complaint or petition  
166 with the appropriate court within 30 days after the joint  
167 resolution is filed with the Secretary of State. The complaint  
168 or petition shall assert all grounds for challenge to each  
169 ballot statement. Any ground not asserted within 30 days after  
170 the joint resolution is filed with the Secretary of State is  
171 waived.

172       2. The court, including any appellate court, shall accord



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173 an action described in subparagraph 1. priority over other  
174 pending cases and render a decision as expeditiously as  
175 possible. If the court finds that all ballot statements embodied  
176 in a joint resolution are defective and further appeals are  
177 declined, abandoned, or exhausted, unless otherwise provided in  
178 the joint resolution, the Attorney General shall, within 10  
179 days, prepare and submit to the Department of State a revised  
180 ballot title or ballot summary that corrects the deficiencies  
181 identified by the court, and the Department of State shall  
182 furnish a designating number and the revised ballot title or  
183 ballot summary to the supervisor of elections of each county for  
184 placement on the ballot. The revised ballot summary may exceed  
185 75 words in length. The court shall retain jurisdiction over  
186 challenges to a revised ballot title or ballot summary prepared  
187 by the Attorney General, and any challenge to a revised ballot  
188 title or ballot summary must be filed within 10 days after a  
189 revised ballot title or ballot summary is submitted to the  
190 Department of State.

191 ~~3. A ballot statement that consists of the full text of an~~  
192 ~~amendment or revision shall be presumed to be a clear and~~  
193 ~~unambiguous statement of the substance and effect of the~~  
194 ~~amendment or revision, providing fair notice to the electors of~~  
195 ~~the content of the amendment or revision and sufficiently~~  
196 ~~advising electors of the issue upon which they are to vote.~~

197 Section 5. Subsection (3) of section 101.5605, Florida  
198 Statutes, is amended to read:

199 101.5605 Examination and approval of equipment.—

200 (3) (a) Before the Department of State approves the  
201 electronic or electromechanical voting system, the person who



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202 submitted it for examination shall provide the department with  
203 the name, mailing address, and telephone number of a registered  
204 agent, which agent must have and continuously maintain an office  
205 in this state. Any change in the name, address, or telephone  
206 number of the registered agent shall promptly be made known to  
207 the department.

208 (b) Before entering into a contract for the sale or lease  
209 of a voting system approved under this section to any county,  
210 the person entering into such contract shall provide the  
211 department with the name, mailing address, and telephone number  
212 of a registered agent, which agent must have and continuously  
213 maintain an office in this state. Any change in the name,  
214 address, or telephone number of the registered agent shall  
215 promptly be made known to the department.

216 (c) The department's proof of delivery or attempted  
217 delivery to the last mailing address of the registered agent on  
218 file with the department at the time of delivery or attempted  
219 delivery is valid for all notice purposes.

220 (d) Within 30 days after completing the examination and  
221 upon approval of any electronic or electromechanical voting  
222 system, the Department of State shall make and maintain a report  
223 on the system, together with a written or printed description  
224 and drawings and photographs clearly identifying the system and  
225 the operation thereof. As soon as practicable after such filing,  
226 the department shall send a notice of certification and, upon  
227 request, a copy of the report to the governing bodies of the  
228 respective counties of the state. Any voting system that does  
229 not receive the approval of the department ~~may~~ shall not be  
230 adopted for or used at any election.





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231        (e) ~~(b)~~ After a voting system has been approved by the  
232 Department of State, any change or improvement in the system is  
233 required to be approved by the department prior to the adoption  
234 of such change or improvement by any county. If any such change  
235 or improvement does not comply with the requirements of this  
236 act, the department shall suspend all sales of the equipment or  
237 system in the state until the equipment or system complies with  
238 the requirements of this act.

239        Section 6. Section 101.56065, Florida Statutes, is created  
240 to read:

241        101.56065 Voting system defects; disclosure;  
242 investigations; penalties.-

243        (1) For purposes of this section, the term "defect" means:

244        (a) Any failure, fault, or flaw in an electronic or  
245 electromechanical voting system approved pursuant to s. 101.5605  
246 which results in nonconformance with the standards under which  
247 the voting system was approved in a manner that affects the  
248 accuracy of the casting or counting of ballots; or

249        (b) Any failure or inability of the voting system  
250 manufacturer or vendor to make available hardware or software to  
251 the counties that have purchased the approved voting system, the  
252 unavailability of which results in the system's nonconformance  
253 with the standards under which the voting system was approved in  
254 a manner that affects the accuracy of the casting or counting of  
255 ballots.

256        (2) (a) Any person who submits a voting system for approval  
257 by the Department of State in accordance with s. 101.5605 which  
258 was approved by the department prior to the effective date of  
259 this section, and any person who has sold or leased to a county



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260 any voting system approved by the department prior to the  
261 effective date of this section, shall file with the department a  
262 disclosure of any defect in the voting system. If there are no  
263 defects in the voting system, the person shall state in the  
264 disclosure that no defects exist in the voting system.

265 (b) The disclosure required under this subsection must  
266 identify the defect, if any, the effect of the defect on the  
267 operation and use of the approved voting system, and any known  
268 corrective measures that users of the voting system may take to  
269 cure the defect, including, but not limited to, advisories and  
270 bulletins issued to users of the system. Implementation of  
271 corrective measures approved by the department which enable a  
272 system to conform to the standards under which the system was  
273 approved and ensure the accuracy of the casting and counting of  
274 ballots constitutes a cure of a defect.

275 (c) Each person required to file a disclosure or statement  
276 under paragraph (a) shall file it no later than January 1, 2014,  
277 and, thereafter, shall file it no later than January 1 of every  
278 odd-numbered year. The disclosure or statement required to be  
279 filed by January 1, 2014, must include information regarding the  
280 filer's registered agent as provided in s. 101.5605(3).

281 (d) If at any time a person who has submitted a voting  
282 system for approval by the department in accordance with s.  
283 101.5605 or any person who has sold or leased to a county any  
284 voting system approved by the department becomes aware of the  
285 existence of a defect in a system that person has submitted for  
286 approval or sold or leased to a county, that person shall file  
287 with the department a disclosure of the defect within 30 days  
288 after a determination by that person that the defect exists.



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289       (e) If a person discloses to the department that a defect  
290 exists in a voting system, the department may suspend all sales  
291 or leases of the voting system in the state and may suspend the  
292 use of the system in any elections in the state. The department  
293 shall provide written notice of any such suspension to the  
294 supervisor of elections in each county in which use of the  
295 voting system is suspended. If the department at any time  
296 determines that the defect no longer exists, the department may  
297 lift the suspension. The department shall provide written notice  
298 that the suspension has been lifted to the supervisor of  
299 elections in each county in which use of the voting system was  
300 suspended.

301       (f) If no person files a required disclosure for a voting  
302 system previously approved by the department, that system may  
303 not be approved for sale or lease in the state or for use in  
304 elections in the state. The department shall provide written  
305 notice to all supervisors of elections that the system is no  
306 longer approved. After approval of a system has been withdrawn  
307 pursuant to this paragraph, no such system may be sold or leased  
308 or used in any election in the state until it has been submitted  
309 for examination and approval and adopted for use pursuant to s.  
310 101.5605.

311       (3) (a) When the department has reasonable cause to believe  
312 a voting system approved pursuant to s. 101.5605 contains a  
313 defect either before, during, or after an election which has not  
314 been disclosed pursuant to subsection (2), the department may  
315 investigate whether the voting system has a defect.

316       (b) The department may initiate an investigation pursuant  
317 to paragraph (a) on its own initiative or upon the written



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318 request of the supervisor of elections of a county that  
319 purchased or leased a voting system which contains the alleged  
320 defect.

321 (c) Upon initiating an investigation, the department shall  
322 provide written notice to any person who submitted the voting  
323 system for approval by the department in accordance with s.  
324 101.5605, any person who has entered into a contract with any  
325 county for the sale or lease of the voting system to any county,  
326 and all of the supervisors of elections.

327 (d) In order to carry out the responsibilities prescribed  
328 by this section, the department is empowered to subpoena and  
329 bring before its duly authorized representatives any person in  
330 the state or doing business in the state, or any person who has  
331 filed or is required to have filed any application, document,  
332 papers, or other information with an office or agency of this  
333 state or a political subdivision thereof, to require the  
334 production of papers, books, or other records relevant to any  
335 investigation. Duly authorized representatives of the department  
336 are empowered to administer all oaths and affirmations in the  
337 manner prescribed by law to witnesses who appear before them  
338 concerning any relevant matter of the investigation. Should any  
339 witness fail to respond to the lawful subpoena of the department  
340 or fail to answer all lawful inquiries or to turn over evidence  
341 that has been subpoenaed, the department may file a complaint  
342 before any circuit court of the state, upon the filing of which  
343 the court shall take jurisdiction of the witness and the subject  
344 matter of said complaint and shall direct the witness to respond  
345 to all lawful questions and to produce all documentary evidence  
346 in the witness's possession which is lawfully demanded. The



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347 failure of any witness to comply with such order of the court  
348 constitutes a direct and criminal contempt of court, and the  
349 court shall punish said witness accordingly.

350 (e) The department shall prepare a written report of any  
351 investigation conducted pursuant to this section.

352 (4) (a) If the department determines by a preponderance of  
353 evidence that a defect exists in the voting system, the  
354 department shall provide written notice to any person who  
355 submitted the voting system for approval by the department in  
356 accordance with s. 101.5605 and any person who entered into a  
357 contract for the sale or lease of the voting system to any  
358 county in which the system contains the defect.

359 (b) A person entitled to receive notice pursuant to  
360 paragraph (a) shall, within 10 days, file a written response to  
361 the department which:

362 1. Denies that the alleged defect exists or existed as  
363 alleged by the department and sets forth the reasons for such  
364 denial; or

365 2. Admits that the defect exists or existed as alleged by  
366 the department.

367 (c) If the defect has been cured, the person shall provide  
368 an explanation of how the defect was cured.

369 (d) If the defect has not been cured, the person shall  
370 inform the department whether the defect can be cured and may  
371 provide to the department a plan for curing the defect. If the  
372 defect can be cured, the department shall establish a timeframe  
373 within which the defect must be cured, and may consult the  
374 person filing the response before establishing this timeframe.

375 (5) If after receiving a response from a person entitled to



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376 notice, the department determines that a defect does not exist  
377 or has been cured within the timeframe established by the  
378 department, the department shall take no further action.

379 (6) If the department determines that a defect exists and a  
380 person entitled to notice has not filed a written response or  
381 has failed to cure a defect within the timeframe established by  
382 the department, or if the defect cannot be cured, the department  
383 shall impose a civil penalty of \$25,000 for the defect plus an  
384 amount equal to the actual costs incurred by the department in  
385 conducting the investigation against:

386 (a) Any person who submitted the voting system for approval  
387 by the department in accordance with s. 101.5605.

388 (b) Any person who entered into a contract with any county  
389 for the sale or lease of the voting system to any county in  
390 which the defect existed.

391 (7) If the department finds that a defect existed:

392 (a) The department may suspend all sales and leases of the  
393 voting system that is the subject of the investigation and may  
394 suspend its use in any county in the state. The department shall  
395 provide written notice of the suspension to the supervisor of  
396 elections in each county in which use of the voting system is  
397 suspended.

398 (b) If the department determines that a defect no longer  
399 exists in a voting system that has been suspended from use  
400 pursuant to paragraph (a), the department may lift the  
401 suspension and authorize the sale, lease, and use of the voting  
402 system in any election in the state. The department shall  
403 provide written notice that the suspension has been lifted and  
404 the voting system is authorized for sale and lease and use in



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405 elections to the supervisor of elections in each county in which  
406 use of the voting system was suspended.

407 (c) If the defect cannot be cured, the department may  
408 disapprove the voting system for use in elections in the state.  
409 The department shall provide written notice to all supervisors  
410 of elections that the system is no longer approved. After  
411 approval of a system has been withdrawn pursuant to this  
412 paragraph, the system may not be sold, leased, or used in  
413 elections in the state until it has been submitted for  
414 examination and approval and adopted for use pursuant to s.  
415 101.5605.

416 (d) Any person against whom a civil penalty was imposed  
417 under this section may not enter into a contract for sale or  
418 lease of a voting system in the state until the civil penalties  
419 have been paid and the department provides written confirmation  
420 to the supervisors of elections of the payment.

421 (8) The authority of the department under this section is  
422 in addition to, and not exclusive of, any other authority  
423 provided by law.

424 (9) All proceedings under this section are exempt from  
425 chapter 120.

426 Section 7. Subsection (4) of section 101.56075, Florida  
427 Statutes, is repealed.

428 Section 8. Subsections (1) and (2) of section 101.591,  
429 Florida Statutes, are amended, and subsection (4) of that  
430 section is republished, to read:

431 101.591 Voting system audit.—

432 (1) Immediately following the certification of each  
433 election, the county canvassing board or the local board



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434 responsible for certifying the election shall conduct a manual  
435 audit or an automated, independent audit of the voting systems  
436 used in randomly selected precincts.

437 (2) (a) A manual ~~The~~ audit shall consist of a public manual  
438 tally of the votes cast in one randomly selected race that  
439 appears on the ballot. The tally sheet shall include election-  
440 day, absentee, early voting, provisional, and overseas ballots,  
441 in at least 1 percent but no more than 2 percent of the  
442 precincts chosen at random by the county canvassing board or the  
443 local board responsible for certifying the election. If 1  
444 percent of the precincts is less than one entire precinct, the  
445 audit shall be conducted using at least one precinct chosen at  
446 random by the county canvassing board or the local board  
447 responsible for certifying the election. Such precincts shall be  
448 selected at a publicly noticed canvassing board meeting.

449 (b) An automated audit shall consist of a public automated  
450 tally of the votes cast across every race that appears on the  
451 ballot. The tally sheet shall include election day, absentee,  
452 early voting, provisional, and overseas ballots in at least 20  
453 percent of the precincts chosen at random by the county  
454 canvassing board or the local board responsible for certifying  
455 the election. Such precincts shall be selected at a publicly  
456 noticed canvassing board meeting.

457 (c) The division shall adopt rules for approval of an  
458 independent audit system which provide that the system, at a  
459 minimum, must be:

460 1. Completely independent of the primary voting system.

461 2. Fast enough to produce final audit results within the  
462 timeframe prescribed in subsection (4).





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463           3. Capable of demonstrating that the ballots of record have  
464 been accurately adjudicated by the audit system.

465           (4) The audit must be completed and the results made public  
466 no later than 11:59 p.m. on the 7th day following certification  
467 of the election by the county canvassing board or the local  
468 board responsible for certifying the election.

469           Section 9. Subsections (1) and (3) and paragraph (c) of  
470 subsection (4) of section 101.62, Florida Statutes, are amended  
471 to read:

472           101.62 Request for absentee ballots.—

473           (1) (a) The supervisor shall accept a request for an  
474 absentee ballot from an elector in person or in writing. One  
475 request shall be deemed sufficient to receive an absentee ballot  
476 for all elections through the end of the calendar year of the  
477 second ensuing regularly scheduled general election, unless the  
478 elector or the elector's designee indicates at the time the  
479 request is made the elections for which the elector desires to  
480 receive an absentee ballot. Such request may be considered  
481 canceled when any first-class mail sent by the supervisor to the  
482 elector is returned as undeliverable.

483           (b) The supervisor may accept a written or telephonic  
484 request for an absentee ballot to be mailed to an elector's  
485 address on file in the Florida Voter Registration System from  
486 the elector, or, if directly instructed by the elector, a member  
487 of the elector's immediate family, or the elector's legal  
488 guardian; if the ballot is requested to be mailed to an address  
489 other than the elector's address on file in the Florida Voter  
490 Registration System, the request must be made in writing and  
491 signed by the elector. For purposes of this section, the term



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492 "immediate family" has the same meaning as specified in  
493 paragraph (4) (c). The person making the request must disclose:

- 494 1. The name of the elector for whom the ballot is  
495 requested.
- 496 2. The elector's address.
- 497 3. The elector's date of birth.
- 498 4. The requester's name.
- 499 5. The requester's address.
- 500 6. The requester's driver's license number, if available.
- 501 7. The requester's relationship to the elector.
- 502 8. The requester's signature (written requests only).

503 (c) Upon receiving a request for an absentee ballot from an  
504 absent voter, the supervisor of elections shall notify the voter  
505 of the free access system that has been designated by the  
506 department for determining the status of his or her absentee  
507 ballot.

508 (3) For each request for an absentee ballot received, the  
509 supervisor shall record the date the request was made, the date  
510 the absentee ballot was delivered to the voter or the voter's  
511 designee or the date the absentee ballot was delivered to the  
512 post office or other carrier, the date the ballot was received  
513 by the supervisor, the absence of the voter's signature on the  
514 voter's certificate, if applicable, and such other information  
515 he or she may deem necessary. This information shall be provided  
516 in electronic format as provided by rule adopted by the  
517 division. The information shall be updated and made available no  
518 later than 8 a.m. of each day, including weekends, beginning 60  
519 days before the primary until 15 days after the general election  
520 and shall be contemporaneously provided to the division. This



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521 information shall be confidential and exempt from ~~the provisions~~  
522 ~~of~~ s. 119.07(1) and shall be made available to or reproduced  
523 only for the voter requesting the ballot, a canvassing board, an  
524 election official, a political party or official thereof, a  
525 candidate who has filed qualification papers and is opposed in  
526 an upcoming election, and registered political committees or  
527 registered committees of continuous existence, for political  
528 purposes only.

529 (4)

530 (c) The supervisor shall provide an absentee ballot to each  
531 elector by whom a request for that ballot has been made by one  
532 of the following means:

533 1. By nonforwardable, return-if-undeliverable mail to the  
534 elector's current mailing address on file with the supervisor or  
535 any other address the elector specifies in the request.

536 2. By forwardable mail, e-mail, or facsimile machine  
537 transmission to absent uniformed services voters and overseas  
538 voters. The absent uniformed services voter or overseas voter  
539 may designate in the absentee ballot request the preferred  
540 method of transmission. If the voter does not designate the  
541 method of transmission, the absentee ballot shall be mailed.

542 3. By personal delivery before 7 p.m. on election day to  
543 the elector, upon presentation of the identification required in  
544 s. 101.043.

545 4. By delivery to a designee on election day or up to 5  
546 days prior to the day of an election. Any elector may designate  
547 in writing a person to pick up the ballot for the elector;  
548 however, the person designated may not pick up more than two  
549 absentee ballots per election, other than the designee's own



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550 ballot, except that additional ballots may be picked up for  
551 members of the designee's immediate family. For purposes of this  
552 section, "immediate family" means the designee's spouse or the  
553 parent, child, grandparent, or sibling of the designee or of the  
554 designee's spouse. The designee shall provide to the supervisor  
555 the written authorization by the elector and a picture  
556 identification of the designee and must complete an affidavit.  
557 The designee shall state in the affidavit that the designee is  
558 authorized by the elector to pick up that ballot and shall  
559 indicate if the elector is a member of the designee's immediate  
560 family and, if so, the relationship. The department shall  
561 prescribe the form of the affidavit. If the supervisor is  
562 satisfied that the designee is authorized to pick up the ballot  
563 and that the signature of the elector on the written  
564 authorization matches the signature of the elector on file, the  
565 supervisor shall give the ballot to that designee for delivery  
566 to the elector.

567 5. Except as provided in s. 101.655, the supervisor may not  
568 deliver an absentee ballot to an elector or an elector's  
569 immediate family member on the day of the election unless there  
570 is an emergency, to the extent that the elector will be unable  
571 to go to his or her assigned polling place. If an absentee  
572 ballot is delivered, the elector or his or her designee shall  
573 execute an affidavit affirming to the facts which allow for  
574 delivery of the absentee ballot. The department shall adopt a  
575 rule providing for the form of the affidavit.

576 Section 10. Subsections (1) through (3) of section 101.64,  
577 Florida Statutes, are amended to read:

578 101.64 Delivery of absentee ballots; envelopes; form.-



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579 (1) The supervisor shall enclose with each absentee ballot  
580 two envelopes: a secrecy envelope, into which the absent elector  
581 shall enclose his or her marked ballot; and a mailing envelope,  
582 into which the absent elector shall then place the secrecy  
583 envelope, which shall be addressed to the supervisor and also  
584 bear on the back side a certificate in substantially the  
585 following form:

586

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

589

590 VOTER'S CERTIFICATE

591 I, ....., do solemnly swear or affirm that I am a qualified  
592 and registered voter of .... County, Florida, and that I have  
593 not and will not vote more than one ballot in this election. I  
594 understand that if I commit or attempt to commit any fraud in  
595 connection with voting, vote a fraudulent ballot, or vote more  
596 than once in an election, I can be convicted of a felony of the  
597 third degree and fined up to \$5,000 and/or imprisoned for up to  
598 5 years. I also understand that failure to sign this certificate  
599 will invalidate my ballot.

600

601 ...(Date)... (Voter's Signature)...

602

603 Note: Your Signature Must Be Witnessed by One Witness 18 Years  
604 of Age or Older as Provided in the Instruction Sheet.

605

606 I swear or affirm that the voter signed this Voter's Certificate  
607 in my presence.



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...(Signature of Witness)...

...(Printed Name of Witness)...

...(Date)...

...(Address)...

(2) The certificate shall be arranged on the back of the mailing envelope so that the line for the signature of the absent elector is across the seal of the envelope; however, no statement shall appear on the envelope which indicates that a signature of the voter must cross the seal of the envelope. The absent elector and the attesting witness shall execute the certificate on the envelope. A candidate may not serve as an attesting witness.

(3) In lieu of the voter's certificate provided in this section, the supervisor of elections shall provide each person voting absentee under the Uniformed and Overseas Citizens Absentee Voting Act with the standard oath prescribed by the presidential designee with an appended section in substantially the following form:-

Witness signature and date:

...(Signature of Witness)...

...(Printed Name of Witness)...



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637 ... (Address) ...

638 ... (Date) ...

639 Section 11. Section 101.65, Florida Statutes, is amended to  
640 read:

641 101.65 Instructions to absent electors.—The supervisor  
642 shall enclose with each absentee ballot separate printed  
643 instructions in substantially the following form:

644

645 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

646 1. VERY IMPORTANT. In order to ensure that your absentee  
647 ballot will be counted, it should be completed and returned as  
648 soon as possible so that it can reach the supervisor of  
649 elections of the county in which your precinct is located no  
650 later than 7 p.m. on the day of the election. However, if you  
651 are an overseas voter casting a ballot in a presidential  
652 preference primary or general election, your absentee ballot  
653 must be postmarked or signed and dated no later than the date of  
654 the election and received by the supervisor of elections of the  
655 county in which you are registered to vote no later than 10 days  
656 after the date of the election.

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

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

664 4. Place your marked ballot in the enclosed secrecy  
665 envelope.



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666           5. Insert the secrecy envelope into the enclosed mailing  
667 envelope which is addressed to the supervisor.

668           6. Seal the mailing envelope and completely fill out the  
669 Voter's Certificate on the back of the mailing envelope.

670           7. VERY IMPORTANT. In order for your absentee ballot to be  
671 counted, you must sign your name on the line above (Voter's  
672 Signature). An absentee ballot will be considered illegal and  
673 not be counted if the signature on the voter's certificate does  
674 not match the signature on record. The signature on file at the  
675 start of the canvass of the absentee ballots is the signature  
676 that will be used to verify your signature on the voter's  
677 certificate. If you need to update your signature for this  
678 election, send your signature update on a voter registration  
679 application to your supervisor of elections so that it is  
680 received no later than the start of the canvassing of absentee  
681 ballots, which occurs no earlier than the 15th day before  
682 election day.

683           8. VERY IMPORTANT. In order for your absentee ballot to be  
684 counted, it must include the signature and legible address of an  
685 attesting witness 18 years of age or older affixed to the  
686 Voter's Certificate. If the signature is illegible, the Voter's  
687 Certificate must also include a readable printed name of the  
688 attesting witness. A candidate may not serve as an attesting  
689 witness.

690           ~~9.8.~~ VERY IMPORTANT. If you are an overseas voter, you must  
691 include the date you signed the Voter's Certificate on the line  
692 above (Date) or your ballot may not be counted.

693           ~~10.9.~~ Mail, deliver, or have delivered the completed  
694 mailing envelope. Be sure there is sufficient postage if mailed.





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695        ~~11.10.~~ FELONY NOTICE. It is a felony under Florida law to  
696 accept any gift, payment, or gratuity in exchange for your vote  
697 for a candidate. It is also a felony under Florida law to vote  
698 in an election using a false identity or false address, or under  
699 any other circumstances making your ballot false or fraudulent.

700        Section 12. Paragraphs (a) and (d) of subsection (1) of  
701 section 101.657, Florida Statutes, are amended to read:

702        101.657 Early voting.—

703        (1) (a) As a convenience to the voter, the supervisor of  
704 elections shall allow an elector to vote early in the main or  
705 branch office of the supervisor. The supervisor shall mark,  
706 code, indicate on, or otherwise track the voter's precinct for  
707 each early voted ballot. In order for a branch office to be used  
708 for early voting, it shall be a permanent facility of the  
709 supervisor and shall have been designated and used as such for  
710 at least 1 year prior to the election. The supervisor may also  
711 designate any city hall, ~~or~~ permanent public library facility,  
712 fairground, civic center, courthouse, county commission  
713 building, stadium, convention center, government-owned senior  
714 center, or government-owned community center as early voting  
715 sites; however, if so designated, the sites must be  
716 geographically located so as to provide all voters in the county  
717 an equal opportunity to cast a ballot, insofar as is  
718 practicable. Each county shall, at a minimum, operate the same  
719 total number of early voting sites that the county used for the  
720 2012 general election. If a supervisor is unable to provide an  
721 early voting site in an area of the county due to the  
722 nonexistence of any of the designated locations, the supervisor  
723 may designate one early voting site that is geographically



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724 located to provide all voters an equal opportunity to vote early  
725 in that area. The results or tabulation of votes cast during  
726 early voting may not be made before the close of the polls on  
727 election day. Results shall be reported by precinct.

728 (d) Early voting shall begin on the 10th day before an  
729 election that contains state or federal races and end on the 3rd  
730 day before the election, and shall be provided for no less than  
731 8 6 hours and no more than 12 hours per day at each site during  
732 the applicable period. In addition, early voting may be offered  
733 at the discretion of the supervisor of elections on the 15th,  
734 14th, 13th, 12th, 11th, or 2nd day before an election that  
735 contains state or federal races for at least 8 hours per day,  
736 but not more than 12 hours per day. The supervisor of elections  
737 may provide early voting for elections that are not held in  
738 conjunction with a state or federal election. However, the  
739 supervisor has the discretion to determine the hours of  
740 operation of early voting sites in those elections.

741 Section 13. Subsection (2) of section 101.67, Florida  
742 Statutes, is amended to read:

743 101.67 Safekeeping of mailed ballots; deadline for  
744 receiving absentee ballots.—

745 (2) Except as provided in s. 101.6952(5), all marked absent  
746 electors' ballots to be counted must be received by the  
747 supervisor by 7 p.m. the day of the election. All ballots  
748 received thereafter shall be marked with the time and date of  
749 receipt and filed in the supervisor's office.

750 Section 14. Subsections (1) and (4) of section 101.68,  
751 Florida Statutes, are amended, and subsection (2) of that  
752 section is reenacted and amended, to read:



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753 101.68 Canvassing of absentee ballot.-

754 (1) The supervisor of the county where the absent elector  
755 resides shall receive the voted ballot, at which time the  
756 supervisor shall compare the signature of the elector on the  
757 voter's certificate with the signature of the elector in the  
758 registration books or the precinct register to determine whether  
759 the elector is duly registered in the county and may record on  
760 the elector's registration certificate that the elector has  
761 voted. However, effective July 1, 2005, an elector who dies  
762 after casting an absentee ballot but on or before election day  
763 shall remain listed in the registration books until the results  
764 have been certified for the election in which the ballot was  
765 cast. The supervisor shall safely keep the ballot unopened in  
766 his or her office until the county canvassing board canvasses  
767 the vote. Except as provided in subsection (4), after an  
768 absentee ballot is received by the supervisor, the ballot is  
769 deemed to have been cast, and changes or additions may not be  
770 made to the voter's certificate.

771 (2) (a) The county canvassing board may begin the canvassing  
772 of absentee ballots at 7 a.m. on the 15th day before the  
773 election, but not later than noon on the day following the  
774 election. In addition, for any county using electronic  
775 tabulating equipment, the processing of absentee ballots through  
776 such tabulating equipment may begin at 7 a.m. on the 15th day  
777 before the election. However, notwithstanding any such  
778 authorization to begin canvassing or otherwise processing  
779 absentee ballots early, no result shall be released until after  
780 the closing of the polls in that county on election day. Any  
781 supervisor of elections, deputy supervisor of elections,



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782 canvassing board member, election board member, or election  
783 employee who releases the results of a canvassing or processing  
784 of absentee ballots prior to the closing of the polls in that  
785 county on election day commits a felony of the third degree,  
786 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

787 (b) To ensure that all absentee ballots to be counted by  
788 the canvassing board are accounted for, the canvassing board  
789 shall compare the number of ballots in its possession with the  
790 number of requests for ballots received to be counted according  
791 to the supervisor's file or list.

792 (c)1. The canvassing board shall, if the supervisor has not  
793 already done so, compare the signature of the elector on the  
794 voter's certificate or on the absentee ballot affidavit as  
795 provided in subsection (4) with the signature of the elector in  
796 the registration books or the precinct register to see that the  
797 elector is duly registered in the county and to determine the  
798 legality of that absentee ballot. The ballot of an elector who  
799 casts an absentee ballot shall be counted even if the elector  
800 dies on or before election day, as long as, prior to the death  
801 of the voter, the ballot was postmarked by the United States  
802 Postal Service, date-stamped with a verifiable tracking number  
803 by common carrier, or already in the possession of the  
804 supervisor of elections. An absentee ballot shall be considered  
805 illegal if the voter's certificate or absentee ballot affidavit  
806 ~~it~~ does not include the signature of the elector, as shown by  
807 the registration records or the precinct register, along with  
808 the signature and legible address of an attesting witness;  
809 however, if the signature of the attesting witness is illegible,  
810 the printed name of the attesting witness must clearly identify



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811 the name of the witness or the ballot shall be considered  
812 illegal. However, an absentee ballot is ~~shall~~ not ~~be~~ considered  
813 illegal if the signature of the elector does not cross the seal  
814 of the mailing envelope. If the canvassing board determines that  
815 any ballot is illegal, a member of the board shall, without  
816 opening the envelope, mark across the face of the envelope:  
817 "rejected as illegal." The absentee ballot affidavit, if  
818 applicable, the envelope and the ballot contained therein shall  
819 be preserved in the manner that official ballots voted are  
820 preserved.

821 2. If any elector or candidate present believes that an  
822 absentee ballot is illegal due to a defect apparent on the  
823 voter's certificate or the absentee ballot affidavit, he or she  
824 may, at any time before the ballot is removed from the envelope,  
825 file with the canvassing board a protest against the canvass of  
826 that ballot, specifying the precinct, the ballot, and the reason  
827 he or she believes the ballot to be illegal. A challenge based  
828 upon a defect in the voter's certificate or absentee ballot  
829 affidavit may not be accepted after the ballot has been removed  
830 from the mailing envelope.

831 (d) The canvassing board shall record the ballot upon the  
832 proper record, unless the ballot has been previously recorded by  
833 the supervisor. The mailing envelopes shall be opened and the  
834 secrecy envelopes shall be mixed so as to make it impossible to  
835 determine which secrecy envelope came out of which signed  
836 mailing envelope; however, in any county in which an electronic  
837 or electromechanical voting system is used, the ballots may be  
838 sorted by ballot styles and the mailing envelopes may be opened  
839 and the secrecy envelopes mixed separately for each ballot



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840 style. The votes on absentee ballots shall be included in the  
841 total vote of the county.

842 (4) (a) The supervisor of elections shall, on behalf of the  
843 county canvassing board, notify each elector whose ballot was  
844 rejected as illegal and provide the specific reason the ballot  
845 was rejected because of a difference between the elector's  
846 signature on the ballot and that on the elector's voter  
847 registration record. The supervisor shall mail a voter  
848 registration application to the elector to be completed  
849 indicating the elector's current signature if the elector's  
850 ballot was rejected due to a difference between the elector's  
851 signature on the voter's certificate or absentee ballot  
852 affidavit and the elector's signature in the registration books  
853 or precinct register. This section does not prohibit the  
854 supervisor from providing additional methods for updating an  
855 elector's signature.

856 (b) If the canvassing board has not begun the canvassing of  
857 absentee ballots pursuant to subsection (2), the supervisor  
858 shall allow an elector who has returned an absentee ballot that  
859 does not include the elector's signature to complete an  
860 affidavit in order to cure the unsigned absentee ballot.

861 (c) The elector shall provide identification to the  
862 supervisor and must complete an absentee ballot affidavit in  
863 substantially the following form:

864  
865 ABSENTEE BALLOT AFFIDAVIT

866 I, ....., am a qualified voter in this election and  
867 registered voter of .... County, Florida. I do solemnly swear or  
868 affirm that I requested and returned the absentee ballot and



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869 that I have not and will not vote more than one ballot in this  
870 election. I understand that if I commit or attempt any fraud in  
871 connection with voting, vote a fraudulent ballot, or vote more  
872 than once in an election, I may be convicted of a felony of the  
873 third degree and fined up to \$5,000 and imprisoned for up to 5  
874 years. I understand that my failure to sign this affidavit means  
875 that my absentee ballot will be invalidated.

876  
877 ...(Voter's Signature)...

878  
879 ...(Address)...

880  
881 Note: Your Signature Must Be Witnessed by One Witness 18 Years  
882 of Age or Older.

883  
884 I swear or affirm that the voter signed this Absentee  
885 Ballot Affidavit in my presence.

886  
887 ...(Signature of Witness)...

888  
889 ...(Printed Name of Witness)...

890  
891 ...(Date)...

892 ...(Address)...

893  
894 (d) Instructions must accompany the absentee ballot  
895 affidavit in substantially the following form:

896  
897 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE



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898 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
899 BALLOT NOT TO COUNT.

901 1. In order to ensure that your absentee ballot will be  
902 counted, your affidavit should be completed and returned as soon  
903 as possible so that it can reach the supervisor of elections of  
904 the county in which your precinct is located no later than the  
905 start of the canvassing of absentee ballots, which occurs no  
906 earlier than the 15th day before an election.

907 2. You must sign your name on the line above (Voter's  
908 Signature).

909 3. You must have your signature witnessed by a person 18  
910 years of age or older. Have the witness sign on the line above  
911 (Signature of Witness) and include his or her legible address.  
912 If the signature is illegible, the affidavit must also include a  
913 readable, printed name of the attesting witness. A candidate may  
914 not serve as an attesting witness.

915 4. You must make a copy of one of the following forms of  
916 identification:

917 a. Identification which must include your name and  
918 photograph: United States passport; debit or credit card;  
919 military identification; student identification; retirement  
920 center identification; neighborhood association identification;  
921 or public assistance identification; or

922 b. Identification which shows your name and current  
923 residence address: current utility bill, bank statement,  
924 government check, paycheck, or government document (excluding  
925 voter identification card).

926 5. Place the envelope bearing the affidavit into a mailing





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927 envelope addressed to the supervisor. Insert a copy of your  
928 identification in the mailing envelope.

929 6. Mail, deliver, or have delivered the completed affidavit  
930 along with the copy of your identification to your county  
931 supervisor of elections. Be sure there is sufficient postage if  
932 mailed and that the supervisor's address is correct.

933 (e) The department and each supervisor shall include the  
934 affidavit and instructions on their respective websites. The  
935 supervisor must include his or her office's mailing address on  
936 the page containing the affidavit instructions; the department's  
937 instruction page must include the office mailing addresses of  
938 all supervisors of elections or provide a conspicuous link to  
939 such addresses.

940 (f) The supervisor shall attach each affidavit received to  
941 the appropriate absentee ballot mailing envelope.

942 Section 15. Subsections (3) and (4) of section 101.6921,  
943 Florida Statutes, are amended to read:

944 101.6921 Delivery of special absentee ballot to certain  
945 first-time voters.—

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

948  
949 Note: Please Read Instructions Carefully Before Marking Ballot  
950 and Completing Voter's Certificate.

951  
952 VOTER'S CERTIFICATE

953  
954 I, . . . ., do solemnly swear or affirm that I am a qualified  
955 and registered voter of . . . . County, Florida, and that I have



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956 not and will not vote more than one ballot in this election. I  
957 understand that if I commit or attempt to commit any fraud in  
958 connection with voting, vote a fraudulent ballot, or vote more  
959 than once in an election, I can be convicted of a felony of the  
960 third degree and fined up to \$5,000 and/or imprisoned for up to  
961 5 years. I also understand that failure to sign this certificate  
962 will invalidate my ballot. I understand that unless I meet one  
963 of the exemptions below, I must provide a copy of a current and  
964 valid identification as provided in the instruction sheet to the  
965 supervisor of elections in order for my ballot to count.

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

970  I am 65 years of age or older.

971  I have a permanent or temporary physical disability.

972  I am a member of a uniformed service on active duty who,  
973 by reason of such active duty, will be absent from the county on  
974 election day.

975  I am a member of the Merchant Marine who, by reason of  
976 service in the Merchant Marine, will be absent from the county  
977 on election day.

978  I am the spouse or dependent of a member of the uniformed  
979 service or Merchant Marine who, by reason of the active duty or  
980 service of the member, will be absent from the county on  
981 election day.

982  I am currently residing outside the United States.

983  
984 ... (Date) ...

...Voter's Signature...



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Note: Your Signature Must Be Witnessed as Provided in the  
Instruction Sheet By One Witness 18 Years of Age or Older.

I swear or affirm that the voter signed this Voter's Certificate  
in my presence.

...(Signature of Witness)...

...(Printed Name of Witness)...

...(Date)...

...(Address)...

(4) The certificate shall be arranged on the back of the envelope so that the line for the signature of the absent elector is across the seal of the envelope.

Section 16. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special absentee ballot instructions for certain first-time voters.—

(2) A voter covered by this section shall be provided with printed instructions with his or her absentee ballot in substantially the following form:

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



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1014           1. In order to ensure that your absentee ballot will be  
1015 counted, it should be completed and returned as soon as possible  
1016 so that it can reach the supervisor of elections of the county  
1017 in which your precinct is located no later than 7 p.m. on the  
1018 date of the election. However, if you are an overseas voter  
1019 casting a ballot in a presidential preference primary or general  
1020 election, your absentee ballot must be postmarked or signed and  
1021 dated no later than the date of the election and received by the  
1022 supervisor of elections of the county in which you are  
1023 registered to vote no later than 10 days after the date of the  
1024 election.

1025           2. Mark your ballot in secret as instructed on the ballot.  
1026 You must mark your own ballot unless you are unable to do so  
1027 because of blindness, disability, or inability to read or write.

1028           3. Mark only the number of candidates or issue choices for  
1029 a race as indicated on the ballot. If you are allowed to "Vote  
1030 for One" candidate and you vote for more than one, your vote in  
1031 that race will not be counted.

1032           4. Place your marked ballot in the enclosed secrecy  
1033 envelope and seal the envelope.

1034           5. Insert the secrecy envelope into the enclosed envelope  
1035 bearing the Voter's Certificate. Seal the envelope and  
1036 completely fill out the Voter's Certificate on the back of the  
1037 envelope.

1038           a. You must sign your name on the line above (Voter's  
1039 Signature).

1040           b. You must have your signature witnessed by a person 18  
1041 years of age or older. Have the witness sign on the line above  
1042 (Signature of Witness) and include his or her legible address.



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1043 If the signature is illegible, the Voter's Certificate must also  
1044 include a readable printed name of the attesting witness. A  
1045 candidate may not serve as an attesting witness.

1046 ~~c.b.~~ If you are an overseas voter, you must include the  
1047 date you signed the Voter's Certificate on the line above (Date)  
1048 or your ballot may not be counted.

1049 ~~d.e.~~ An absentee ballot will be considered illegal and will  
1050 not be counted if the signature on the Voter's Certificate does  
1051 not match the signature on record. The signature on file at the  
1052 start of the canvass of the absentee ballots is the signature  
1053 that will be used to verify your signature on the Voter's  
1054 Certificate. If you need to update your signature for this  
1055 election, send your signature update on a voter registration  
1056 application to your supervisor of elections so that it is  
1057 received no later than the start of canvassing of absentee  
1058 ballots, which occurs no earlier than the 15th day before  
1059 election day.

1060 6. Unless you meet one of the exemptions in Item 7., you  
1061 must make a copy of one of the following forms of  
1062 identification:

1063 a. Identification which must include your name and  
1064 photograph: United States passport; debit or credit card;  
1065 military identification; student identification; retirement  
1066 center identification; neighborhood association identification;  
1067 or public assistance identification; or

1068 b. Identification which shows your name and current  
1069 residence address: current utility bill, bank statement,  
1070 government check, paycheck, or government document (excluding  
1071 voter identification card).



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1072           7. The identification requirements of Item 6. do not apply  
1073 if you meet one of the following requirements:

1074           a. You are 65 years of age or older.

1075           b. You have a temporary or permanent physical disability.

1076           c. You are a member of a uniformed service on active duty  
1077 who, by reason of such active duty, will be absent from the  
1078 county on election day.

1079           d. You are a member of the Merchant Marine who, by reason  
1080 of service in the Merchant Marine, will be absent from the  
1081 county on election day.

1082           e. You are the spouse or dependent of a member referred to  
1083 in paragraph c. or paragraph d. who, by reason of the active  
1084 duty or service of the member, will be absent from the county on  
1085 election day.

1086           f. You are currently residing outside the United States.

1087           8. Place the envelope bearing the Voter's Certificate into  
1088 the mailing envelope addressed to the supervisor. Insert a copy  
1089 of your identification in the mailing envelope. DO NOT PUT YOUR  
1090 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
1091 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
1092 BALLOT WILL NOT COUNT.

1093           9. Mail, deliver, or have delivered the completed mailing  
1094 envelope. Be sure there is sufficient postage if mailed.

1095           10. FELONY NOTICE. It is a felony under Florida law to  
1096 accept any gift, payment, or gratuity in exchange for your vote  
1097 for a candidate. It is also a felony under Florida law to vote  
1098 in an election using a false identity or false address, or under  
1099 any other circumstances making your ballot false or fraudulent.

1100           Section 17. Subsection (5) is added to section 101.6952,



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1101 Florida Statutes, to read:

1102 101.6952 Absentee ballots for absent uniformed services and  
1103 overseas voters.—

1104 (5) An absentee ballot from an overseas voter in any  
1105 presidential preference primary or general election which is  
1106 postmarked or signed and dated no later than the date of the  
1107 election and is received by the supervisor of elections of the  
1108 county in which the overseas voter is registered no later than  
1109 10 days after the date of the election shall be counted as long  
1110 as the absentee ballot is otherwise proper.

1111 Section 18. Paragraphs (b) and (d) of subsection (4) of  
1112 section 102.031, Florida Statutes, are amended to read:

1113 102.031 Maintenance of good order at polls; authorities;  
1114 persons allowed in polling rooms and early voting areas;  
1115 unlawful solicitation of voters.—

1116 (4)

1117 (b) For the purpose of this subsection, the terms "solicit"  
1118 or "solicitation" shall include, but not be limited to, seeking  
1119 or attempting to seek any vote, fact, opinion, or contribution;  
1120 distributing or attempting to distribute any political or  
1121 campaign material, leaflet, or handout; conducting a poll except  
1122 as specified in this paragraph; seeking or attempting to seek a  
1123 signature on any petition; and selling or attempting to sell any  
1124 item. The terms "solicit" or "solicitation" may ~~shall~~ not be  
1125 construed to prohibit exit polling.

1126 (d) Except as provided in paragraph (a), the supervisor may  
1127 not designate a no-solicitation zone or otherwise restrict  
1128 access to any person, political committee, committee of  
1129 continuous existence, candidate, or other group or organization



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1130 for the purposes of soliciting voters. This paragraph applies to  
1131 any public or private property used as a polling place or early  
1132 voting site.

1133 Section 19. Subsections (1) and (4) of section 102.141,  
1134 Florida Statutes, are amended to read:

1135 102.141 County canvassing board; duties.—

1136 (1) The county canvassing board shall be composed of the  
1137 supervisor of elections; a county court judge, who shall act as  
1138 chair; and the chair of the board of county commissioners.

1139 Alternate canvassing board members must be appointed pursuant to  
1140 paragraph (e). In the event any member of the county canvassing  
1141 board is unable to serve, is a candidate who has opposition in  
1142 the election being canvassed, or is an active participant in the  
1143 campaign or candidacy of any candidate who has opposition in the  
1144 election being canvassed, such member shall be replaced as  
1145 follows:

1146 (a) If no county court judge is able to serve or if all are  
1147 disqualified, the chief judge of the judicial circuit in which  
1148 the county is located shall appoint as a substitute member a  
1149 qualified elector of the county who is not a candidate with  
1150 opposition in the election being canvassed and who is not an  
1151 active participant in the campaign or candidacy of any candidate  
1152 with opposition in the election being canvassed. In such event,  
1153 the members of the county canvassing board shall meet and elect  
1154 a chair.

1155 (b) If the supervisor of elections is unable to serve or is  
1156 disqualified, the chair of the board of county commissioners  
1157 shall appoint as a substitute member a member of the board of  
1158 county commissioners who is not a candidate with opposition in





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1159 the election being canvassed and who is not an active  
1160 participant in the campaign or candidacy of any candidate with  
1161 opposition in the election being canvassed. The supervisor,  
1162 however, shall act in an advisory capacity to the canvassing  
1163 board.

1164 (c) If the chair of the board of county commissioners is  
1165 unable to serve or is disqualified, the board of county  
1166 commissioners shall appoint as a substitute member one of its  
1167 members who is not a candidate with opposition in the election  
1168 being canvassed and who is not an active participant in the  
1169 campaign or candidacy of any candidate with opposition in the  
1170 election being canvassed.

1171 (d) If a substitute member or alternate member cannot be  
1172 appointed as provided elsewhere in this subsection, or in the  
1173 event of a vacancy in such office, the chief judge of the  
1174 judicial circuit in which the county is located shall appoint as  
1175 a substitute member or alternate member a qualified elector of  
1176 the county who is not a candidate with opposition in the  
1177 election being canvassed and who is not an active participant in  
1178 the campaign or candidacy of any candidate with opposition in  
1179 the election being canvassed.

1180 (e)1. The chief judge of the judicial circuit in which the  
1181 county is located shall appoint a county court judge as an  
1182 alternate member of the county canvassing board or, if each  
1183 county court judge is unable to serve or is disqualified, shall  
1184 appoint an alternate member who is qualified to serve as a  
1185 substitute member under paragraph (a).

1186 2. The chair of the board of county commissioners shall  
1187 appoint a member of the board of county commissioners as an



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1188 alternate member of the county canvassing board or, if each  
1189 member of the board of county commissioners is unable to serve  
1190 or is disqualified, shall appoint an alternate member who is  
1191 qualified to serve as a substitute member under paragraph (d).

1192 3. If a member of the county canvassing board is unable to  
1193 participate in a meeting of the board, the chair of the county  
1194 canvassing board or his or her designee shall designate which  
1195 alternate member will serve as a member of the board in the  
1196 place of the member who is unable to participate at that  
1197 meeting.

1198 4. If not serving as one of the three members of the county  
1199 canvassing board, an alternate member may be present, observe,  
1200 and communicate with the three members constituting the county  
1201 canvassing board, but may not vote in the board's decisions or  
1202 determinations.

1203 (4) (a) The supervisor of elections shall upload into the  
1204 county's election management system by 7 p.m. on the day before  
1205 the election the results of all early voting and absentee  
1206 ballots that have been canvassed and tabulated by the end of the  
1207 early voting period. Pursuant to ss. 101.5614(9), 101.657, and  
1208 101.68(2), the tabulation of votes cast or the results of such  
1209 uploads may not be made public before the close of the polls on  
1210 election day.

1211 (b) The canvassing board shall report all early voting and  
1212 all tabulated absentee results to the Department of State within  
1213 30 minutes after the polls close. Thereafter, the canvassing  
1214 board shall report, with the exception of provisional ballot  
1215 results, updated precinct election results to the department at  
1216 least every 45 minutes until all results are completely



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1217 reported. The supervisor of elections shall notify the  
1218 department immediately of any circumstances that do not permit  
1219 periodic updates as required. Results shall be submitted in a  
1220 format prescribed by the department.

1221 Section 20. Section 104.0616, Florida Statutes, is amended  
1222 to read:

1223 104.0616 Absentee ballots and voting; violations.—

1224 (1) For purposes of this section, the term "immediate  
1225 family" means a person's spouse or the parent, child,  
1226 grandparent, or sibling of the person or the person's spouse.

1227 (2) Any person who provides or offers to provide, and any  
1228 person who accepts, a pecuniary or other benefit in exchange for  
1229 distributing, ordering, requesting, collecting, delivering, or  
1230 otherwise physically possessing more than two absentee ballots  
1231 per election in addition to his or her own ballot or a ballot  
1232 belonging to an immediate family member, with intent to alter,  
1233 change, modify, or erase any vote on the absentee ballot, except  
1234 as provided in ss. 101.6105-101.695, commits a felony of the  
1235 third degree, punishable as provided in s. 775.082, s. 775.083,  
1236 or s. 775.084.

1237 Section 21. This act shall take effect October 1, 2013.