

By the Committee on Ethics and Elections; and Senator Latvala

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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
28 department to suspend all sales or leases or use in an
29 election of a defective voting system; providing

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procedures for the suspension of voting systems; authorizing the department to withdraw approval of voting systems under certain circumstances; authorizing the department to initiate an investigation of a defective voting system; establishing procedures and requirements of investigations; providing a penalty; repealing s. 101.56075(4), F.S., relating to the requirement that all voting systems used by voters in a state election allow placement of the full text of a constitutional amendment or revision containing stricken or underlined text by a specified date; amending s. 101.591, F.S.; authorizing use of automated, independent audits of voting systems; providing audit requirements; requiring the Division of Elections to adopt rules; amending s. 101.62, F.S.; revising the requirements for a valid absentee ballot request; requiring the supervisor to record the absence of the voter's signature on the voter's certificate under specified circumstances; prohibiting the supervisor from providing an absentee ballot on the day of an election under certain circumstances; requiring a person who requests an absentee ballot to complete an affidavit under certain circumstances; amending s. 101.64, F.S.; revising the requirements for a voter's certificate; amending s. 101.65, F.S.; revising the instructions to absent electors; amending s. 101.657, F.S.; revising the list of permissible sites available for early voting; requiring each county to operate at

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

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88 the date of the election; amending s. 102.031, F.S.;
89 revising restrictions relating to the solicitation of
90 voters; amending s. 102.141, F.S.; revising methods of
91 selecting canvassing board members; requiring a
92 supervisor to upload certain canvassed election
93 results into a county's election management system
94 prior to the election; prohibiting public disclosure
95 of uploaded results before the close of the polls on
96 election day; amending s. 104.0616, F.S.; providing a
97 definition for the term "immediate family";
98 prohibiting possession of more than two absentee
99 ballots under certain circumstances; providing an
100 effective date.

101
102 Be It Enacted by the Legislature of the State of Florida:
103
104 Section 1. Section 97.0555, Florida Statutes, is amended to
105 read:

106 97.0555 Late registration.—An individual or accompanying
107 family member who has been discharged or separated from the
108 uniformed services or the United States Merchant Marine, has
109 returned from a combat zone or forward-deployed area, or has
110 separated from employment outside the territorial limits of the
111 United States, after the book-closing date for an election
112 pursuant to s. 97.055 and who is otherwise qualified may
113 register to vote in such election until 5 p.m. on the Friday
114 before that election in the office of the supervisor of
115 elections. Such persons must produce sufficient documentation
116 showing evidence of qualifying for late registration pursuant to

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117 this section.

118 Section 2. Section 100.032, Florida Statutes, is created to
119 read:120 100.032 Election preparation report; general election.—Each
121 supervisor of elections must submit a report to the Secretary of
122 State at least 3 months before a general election which outlines
123 preparations for the upcoming general election. The report must
124 include, at a minimum, the following elements: the anticipated
125 staffing levels during the early voting period, on election day,
126 and after election day; and the anticipated amount of automatic
127 tabulating equipment at each early voting site and polling
128 place.129 Section 3. Section 100.061, Florida Statutes, is amended to
130 read:131 100.061 Primary election.—In each year in which a general
132 election is held, a primary election for nomination of
133 candidates of political parties shall be held on the Tuesday 10
134 12 weeks prior to the general election. The candidate receiving
135 the highest number of votes cast in each contest in the primary
136 election shall be declared nominated for such office. If two or
137 more candidates receive an equal and highest number of votes for
138 the same office, such candidates shall draw lots to determine
139 which candidate is nominated.140 Section 4. Subsection (3) of section 101.161, Florida
141 Statutes, is amended to read:142 101.161 Referenda; ballots.—143 (3) (a) Each joint resolution that proposes a constitutional
144 amendment or revision shall include one or more ballot
145 statements set forth in order of priority. Each ballot statement

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

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

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

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

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

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

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

201 101.5605 Examination and approval of equipment.—

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

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

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

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

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

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

241 Section 6. Section 101.56065, Florida Statutes, is created
242 to read:

243 101.56065 Voting system defects; disclosure;
244 investigations; penalties.—

245 (1) For purposes of this section, the term "defect" means:
246 (a) Any failure, fault, or flaw in an electronic or
247 electromechanical voting system approved pursuant to s. 101.5605
248 which results in nonconformance with the standards under which
249 the voting system was approved in a manner that affects the
250 accuracy of the casting or counting of ballots; or

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

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

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

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

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

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

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

303 (f) If no person files a required disclosure for a voting
304 system previously approved by the department, that system may
305 not be approved for sale or lease in the state or for use in
306 elections in the state. The department shall provide written
307 notice to all supervisors of elections that the system is no
308 longer approved. After approval of a system has been withdrawn
309 pursuant to this paragraph, no such system may be sold or leased
310 or used in any election in the state until it has been submitted
311 for examination and approval and adopted for use pursuant to s.
312 101.5605.

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

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

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

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

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

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

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

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

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

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

367 2. Admits that the defect exists or existed as alleged by
368 the department.

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

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

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

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

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

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

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

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

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

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

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407 elections to the supervisor of elections in each county in which
408 use of the voting system was suspended.

409 (c) If the defect cannot be cured, the department may
410 disapprove the voting system for use in elections in the state.
411 The department shall provide written notice to all supervisors
412 of elections that the system is no longer approved. After
413 approval of a system has been withdrawn pursuant to this
414 paragraph, the system may not be sold, leased, or used in
415 elections in the state until it has been submitted for
416 examination and approval and adopted for use pursuant to s.
417 101.5605.

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

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

426 (9) All proceedings under this section are exempt from
427 chapter 120.

428 Section 7. Subsection (4) of section 101.56075, Florida
429 Statutes, is repealed.

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

433 101.591 Voting system audit.—

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

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

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

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

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

- 462 1. Completely independent of the primary voting system.
- 463 2. Fast enough to produce final audit results within the
464 timeframe prescribed in subsection (4).

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

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

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

474 101.62 Request for absentee ballots.—

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

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

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

496 1. The name of the elector for whom the ballot is
497 requested.

498 2. The elector's address.

499 3. The elector's date of birth.

500 4. The requester's name.

501 5. The requester's address.

502 6. The requester's driver's license number, if available.

503 7. The requester's relationship to the elector.

504 8. The requester's signature (written requests only).

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

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

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

531 (4)

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

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

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

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

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

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

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

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

580 101.64 Delivery of absentee ballots; envelopes; form.—

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

588

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

591

592 VOTER'S CERTIFICATE

593 I,, do solemnly swear or affirm that I am a qualified
594 and registered voter of County, Florida, and that I have
595 not and will not vote more than one ballot in this election. I
596 understand that if I commit or attempt to commit any fraud in
597 connection with voting, vote a fraudulent ballot, or vote more
598 than once in an election, I can be convicted of a felony of the
599 third degree and fined up to \$5,000 and/or imprisoned for up to
600 5 years. I also understand that failure to sign this certificate
601 will invalidate my ballot.

602

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

604

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

607

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

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610
611 ... (Signature of Witness) ...
612
613 ... (Printed Name of Witness) ...
614
615 ... (Date) ...
616 ... (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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639 ... (Address) ...640 ... (Date) ...641 Section 11. Section 101.65, Florida Statutes, is amended to
642 read:643 101.65 Instructions to absent electors.—The supervisor
644 shall enclose with each absentee ballot separate printed
645 instructions in substantially the following form:646
647 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.648 1. VERY IMPORTANT. In order to ensure that your absentee
649 ballot will be counted, it should be completed and returned as
650 soon as possible so that it can reach the supervisor of
651 elections of the county in which your precinct is located no
652 later than 7 p.m. on the day of the election. However, if you
653 are an overseas voter casting a ballot in a presidential
654 preference primary or general election, your absentee ballot
655 must be postmarked or signed and dated no later than the date of
656 the election and received by the supervisor of elections of the
657 county in which you are registered to vote no later than 10 days
658 after the date of the election.659 2. Mark your ballot in secret as instructed on the ballot.
660 You must mark your own ballot unless you are unable to do so
661 because of blindness, disability, or inability to read or write.662 3. Mark only the number of candidates or issue choices for
663 a race as indicated on the ballot. If you are allowed to "Vote
664 for One" candidate and you vote for more than one candidate,
665 your vote in that race will not be counted.666 4. Place your marked ballot in the enclosed secrecy
667 envelope.

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668 5. Insert the secrecy envelope into the enclosed mailing
669 envelope which is addressed to the supervisor.

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

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

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

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

695 10.9. Mail, deliver, or have delivered the completed
696 mailing envelope. Be sure there is sufficient postage if mailed.

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

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

704 101.657 Early voting.—

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

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726 early voting sites that the county used for the 2012 general
727 election. The results or tabulation of votes cast during early
728 voting may not be made before the close of the polls on election
729 day. Results shall be reported by precinct.

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

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

745 101.67 Safekeeping of mailed ballots; deadline for
746 receiving absentee ballots.—

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

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

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755 101.68 Canvassing of absentee ballot.—

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

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

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

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

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

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

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

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

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

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

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

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

867 ABSENTEE BALLOT AFFIDAVIT

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

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

878
879 ... (Voter's Signature) ...

880
881 ... (Address) ...

883 Note: Your Signature Must Be Witnessed by One Witness 18 Years
884 of Age or Older.

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

888
889 ... (Signature of Witness) ...

890
891 ... (Printed Name of Witness) ...

892
893 ... (Date) ...

894 ... (Address) ...

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

898
899 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE

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900 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
901 BALLOT NOT TO COUNT.

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

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

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

917 4. You must make a copy of one of the following forms of
918 identification:

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

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

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

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929 envelope addressed to the supervisor. Insert a copy of your
930 identification in the mailing envelope.

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

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

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

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

946 101.6921 Delivery of special absentee ballot to certain
947 first-time voters.—

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

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

953
954 VOTER'S CERTIFICATE
955

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

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

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

- I am 65 years of age or older.
 - I have a permanent or temporary physical disability.
 - I am a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
 - I am a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
 - I am the spouse or dependent of a member of the uniformed service or Merchant Marine who, by reason of the active duty or absence of the member, will be absent from the county on election day.
 - I am currently residing outside the United States.

... (Date) ...

...Voter's Signature...

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987

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

990

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

993

994 ... (Signature of Witness) ...

995

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

997

998 ... (Date) ...

999

... (Address) ...

1000

1001 (4) The certificate shall be arranged on the back of the
1002 envelope so that the line for the signature of the absent
1003 elector is across the seal of the envelope.

1004

Section 16. Subsection (2) of section 101.6923, Florida
1005 Statutes, is amended to read:

1006

1007 101.6923 Special absentee ballot instructions for certain
first-time voters.—

1008

1009 (2) A voter covered by this section shall be provided with
1010 printed instructions with his or her absentee ballot in
substantially the following form:

1011

1012 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
1013 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
1014 YOUR BALLOT NOT TO COUNT.

1015

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1016 1. In order to ensure that your absentee ballot will be
1017 counted, it should be completed and returned as soon as possible
1018 so that it can reach the supervisor of elections of the county
1019 in which your precinct is located no later than 7 p.m. on the
1020 date of the election. However, if you are an overseas voter
1021 casting a ballot in a presidential preference primary or general
1022 election, your absentee ballot must be postmarked or signed and
1023 dated no later than the date of the election and received by the
1024 supervisor of elections of the county in which you are
1025 registered to vote no later than 10 days after the date of the
1026 election.

1027 2. Mark your ballot in secret as instructed on the ballot.
1028 You must mark your own ballot unless you are unable to do so
1029 because of blindness, disability, or inability to read or write.

1030 3. Mark only the number of candidates or issue choices for
1031 a race as indicated on the ballot. If you are allowed to "Vote
1032 for One" candidate and you vote for more than one, your vote in
1033 that race will not be counted.

1034 4. Place your marked ballot in the enclosed secrecy
1035 envelope and seal the envelope.

1036 5. Insert the secrecy envelope into the enclosed envelope
1037 bearing the Voter's Certificate. Seal the envelope and
1038 completely fill out the Voter's Certificate on the back of the
1039 envelope.

1040 a. You must sign your name on the line above (Voter's
1041 Signature).

1042 b. You must have your signature witnessed by a person 18
1043 years of age or older. Have the witness sign on the line above
1044 (Signature of Witness) and include his or her legible address.

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1045 If the signature is illegible, the Voter's Certificate must also
1046 include a readable printed name of the attesting witness. A
1047 candidate may not serve as an attesting witness.

1048 c.b. If you are an overseas voter, you must include the
1049 date you signed the Voter's Certificate on the line above (Date)
1050 or your ballot may not be counted.

1051 d.e. An absentee ballot will be considered illegal and will
1052 not be counted if the signature on the Voter's Certificate does
1053 not match the signature on record. The signature on file at the
1054 start of the canvass of the absentee ballots is the signature
1055 that will be used to verify your signature on the Voter's
1056 Certificate. If you need to update your signature for this
1057 election, send your signature update on a voter registration
1058 application to your supervisor of elections so that it is
1059 received no later than the start of canvassing of absentee
1060 ballots, which occurs no earlier than the 15th day before
1061 election day.

1062 6. Unless you meet one of the exemptions in Item 7., you
1063 must make a copy of one of the following forms of
1064 identification:

1065 a. Identification which must include your name and
1066 photograph: United States passport; debit or credit card;
1067 military identification; student identification; retirement
1068 center identification; neighborhood association identification;
1069 or public assistance identification; or

1070 b. Identification which shows your name and current
1071 residence address: current utility bill, bank statement,
1072 government check, paycheck, or government document (excluding
1073 voter identification card).

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1074 7. The identification requirements of Item 6. do not apply
1075 if you meet one of the following requirements:

1076 a. You are 65 years of age or older.

1077 b. You have a temporary or permanent physical disability.

1078 c. You are a member of a uniformed service on active duty
1079 who, by reason of such active duty, will be absent from the
1080 county on election day.

1081 d. You are a member of the Merchant Marine who, by reason
1082 of service in the Merchant Marine, will be absent from the
1083 county on election day.

1084 e. You are the spouse or dependent of a member referred to
1085 in paragraph c. or paragraph d. who, by reason of the active
1086 duty or service of the member, will be absent from the county on
1087 election day.

1088 f. You are currently residing outside the United States.

1089 8. Place the envelope bearing the Voter's Certificate into
1090 the mailing envelope addressed to the supervisor. Insert a copy
1091 of your identification in the mailing envelope. DO NOT PUT YOUR
1092 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
1093 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
1094 BALLOT WILL NOT COUNT.

1095 9. Mail, deliver, or have delivered the completed mailing
1096 envelope. Be sure there is sufficient postage if mailed.

1097 10. FELONY NOTICE. It is a felony under Florida law to
1098 accept any gift, payment, or gratuity in exchange for your vote
1099 for a candidate. It is also a felony under Florida law to vote
1100 in an election using a false identity or false address, or under
1101 any other circumstances making your ballot false or fraudulent.

1102 Section 17. Subsection (5) is added to section 101.6952,

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1103 Florida Statutes, to read:

1104 101.6952 Absentee ballots for absent uniformed services and
1105 overseas voters.—

1106 (5) An absentee ballot from an overseas voter in any
1107 presidential preference primary or general election which is
1108 postmarked or signed and dated no later than the date of the
1109 election and is received by the supervisor of elections of the
1110 county in which the overseas voter is registered no later than
1111 10 days after the date of the election shall be counted as long
1112 as the absentee ballot is otherwise proper.

1113 Section 18. Paragraphs (b) and (d) of subsection (4) of
1114 section 102.031, Florida Statutes, are amended to read:

1115 102.031 Maintenance of good order at polls; authorities;
1116 persons allowed in polling rooms and early voting areas;
1117 unlawful solicitation of voters.—

1118 (4)

1119 (b) For the purpose of this subsection, the terms "solicit"
1120 or "solicitation" shall include, but not be limited to, seeking
1121 or attempting to seek any vote, fact, opinion, or contribution;
1122 distributing or attempting to distribute any political or
1123 campaign material, leaflet, or handout; conducting a poll except
1124 as specified in this paragraph; seeking or attempting to seek a
1125 signature on any petition; and selling or attempting to sell any
1126 item. The terms "solicit" or "solicitation" may ~~shall~~ not be
1127 construed to prohibit exit polling.

1128 (d) Except as provided in paragraph (a), the supervisor may
1129 not designate a no-solicitation zone or otherwise restrict
1130 access to any person, political committee, committee of
1131 continuous existence, candidate, or other group or organization

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1132 for the purposes of soliciting voters. This paragraph applies to
1133 any public or private property used as a polling place or early
1134 voting site.

1135 Section 19. Subsections (1) and (4) of section 102.141,
1136 Florida Statutes, are amended to read:

1137 102.141 County canvassing board; duties.—

1138 (1) The county canvassing board shall be composed of the
1139 supervisor of elections; a county court judge, who shall act as
1140 chair; and the chair of the board of county commissioners.

1141 Alternate canvassing board members must be appointed pursuant to
1142 paragraph (e). In the event any member of the county canvassing
1143 board is unable to serve, is a candidate who has opposition in
1144 the election being canvassed, or is an active participant in the
1145 campaign or candidacy of any candidate who has opposition in the
1146 election being canvassed, such member shall be replaced as
1147 follows:

1148 (a) If no county court judge is able to serve or if all are
1149 disqualified, the chief judge of the judicial circuit in which
1150 the county is located shall appoint as a substitute member a
1151 qualified elector of the county who is not a candidate with
1152 opposition in the election being canvassed and who is not an
1153 active participant in the campaign or candidacy of any candidate
1154 with opposition in the election being canvassed. In such event,
1155 the members of the county canvassing board shall meet and elect
1156 a chair.

1157 (b) If the supervisor of elections is unable to serve or is
1158 disqualified, the chair of the board of county commissioners
1159 shall appoint as a substitute member a member of the board of
1160 county commissioners who is not a candidate with opposition in

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1161 the election being canvassed and who is not an active
1162 participant in the campaign or candidacy of any candidate with
1163 opposition in the election being canvassed. The supervisor,
1164 however, shall act in an advisory capacity to the canvassing
1165 board.

1166 (c) If the chair of the board of county commissioners is
1167 unable to serve or is disqualified, the board of county
1168 commissioners shall appoint as a substitute member one of its
1169 members who is not a candidate with opposition in the election
1170 being canvassed and who is not an active participant in the
1171 campaign or candidacy of any candidate with opposition in the
1172 election being canvassed.

1173 (d) If a substitute member or alternate member cannot be
1174 appointed as provided elsewhere in this subsection, or in the
1175 event of a vacancy in such office, the chief judge of the
1176 judicial circuit in which the county is located shall appoint as
1177 a substitute member or alternate member a qualified elector of
1178 the county who is not a candidate with opposition in the
1179 election being canvassed and who is not an active participant in
1180 the campaign or candidacy of any candidate with opposition in
1181 the election being canvassed.

1182 (e) 1. The chief judge of the judicial circuit in which the
1183 county is located shall appoint a county court judge as an
1184 alternate member of the county canvassing board or, if each
1185 county court judge is unable to serve or is disqualified, shall
1186 appoint an alternate member who is qualified to serve as a
1187 substitute member under paragraph (a).

1188 2. The chair of the board of county commissioners shall
1189 appoint a member of the board of county commissioners as an

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1190 alternate member of the county canvassing board or, if each
1191 member of the board of county commissioners is unable to serve
1192 or is disqualified, shall appoint an alternate member who is
1193 qualified to serve as a substitute member under paragraph (d).

1194 3. If a member of the county canvassing board is unable to
1195 participate in a meeting of the board, the chair of the county
1196 canvassing board or his or her designee shall designate which
1197 alternate member will serve as a member of the board in the
1198 place of the member who is unable to participate at that
1199 meeting.

1200 4. If not serving as one of the three members of the county
1201 canvassing board, an alternate member may be present, observe,
1202 and communicate with the three members constituting the county
1203 canvassing board, but may not vote in the board's decisions or
1204 determinations.

1205 (4) (a) The supervisor of elections shall upload into the
1206 county's election management system by 7 p.m. on the day before
1207 the election the results of all early voting and absentee
1208 ballots that have been canvassed and tabulated by the end of the
1209 early voting period. Pursuant to ss. 101.5614(9), 101.657, and
1210 101.68(2), the tabulation of votes cast or the results of such
1211 uploads may not be made public before the close of the polls on
1212 election day.

1213 (b) The canvassing board shall report all early voting and
1214 all tabulated absentee results to the Department of State within
1215 30 minutes after the polls close. Thereafter, the canvassing
1216 board shall report, with the exception of provisional ballot
1217 results, updated precinct election results to the department at
1218 least every 45 minutes until all results are completely

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1219 reported. The supervisor of elections shall notify the
1220 department immediately of any circumstances that do not permit
1221 periodic updates as required. Results shall be submitted in a
1222 format prescribed by the department.

1223 Section 20. Section 104.0616, Florida Statutes, is amended
1224 to read:

1225 104.0616 Absentee ballots and voting; violations.—

1226 (1) For purposes of this section, the term "immediate
1227 family" means a person's spouse or the parent, child,
1228 grandparent, or sibling of the person or the person's spouse.

1229 (2) Any person who provides or offers to provide, and any
1230 person who accepts, a pecuniary or other benefit in exchange for
1231 distributing, ordering, requesting, collecting, delivering, or
1232 otherwise physically possessing more than two absentee ballots
1233 per election in addition to his or her own ballot or a ballot
1234 belonging to an immediate family member, with intent to alter,
1235 change, modify, or erase any vote on the absentee ballot, except
1236 as provided in ss. 101.6105-101.695, commits a felony of the
1237 third degree, punishable as provided in s. 775.082, s. 775.083,
1238 or s. 775.084.

1239 Section 21. This act shall take effect October 1, 2013.