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LEGISLATIVE ACTION

Senate

House

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Floor: 1/RE/2R

04/16/2013 06:09 PM

Senator Latvala moved the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 97.0555, Florida Statutes, is amended to
read:

97.0555 Late registration.—An individual or accompanying
family member who has been discharged or separated from the
uniformed services or the United States Merchant Marine, has
returned from a combat zone or forward-deployed area, or has
separated from employment outside the territorial limits of the
United States, after the book-closing date for an election
pursuant to s. 97.055 and who is otherwise qualified may



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14 register to vote in such election until 5 p.m. on the Friday
15 before that election in the office of the supervisor of
16 elections. Such persons must produce sufficient documentation
17 showing evidence of qualifying for late registration pursuant to
18 this section.

19 Section 2. Subsection (3) of section 97.061, Florida
20 Statutes, is amended to read:

21 97.061 Special registration for electors requiring
22 assistance.—

23 (3) The precinct register generated by the supervisor shall
24 contain a notation that such person is eligible for assistance
25 in voting, and the supervisor may make a notation on the voter
26 information card that such person is eligible for assistance in
27 voting. Such person shall be entitled to receive the assistance
28 of two election officials or some other person of his or her own
29 choice that he or she knew before election day, ~~other than the~~
30 ~~person's employer, the agent of the person's employer, or an~~
31 ~~officer or agent of the person's union,~~ without the necessity of
32 executing the "Declaration to Secure Assistance" prescribed in
33 s. 101.051. However, a person entitled to assistance may not
34 receive assistance from his or her employer, an agent of his or
35 her employer, or an officer or agent of his or her union. Such
36 person shall notify the supervisor of any change in his or her
37 condition which makes it unnecessary for him or her to receive
38 assistance in voting. An individual may not provide assistance
39 to more than 10 electors during any election.

40 Section 3. Section 100.032, Florida Statutes, is created to
41 read:

42 100.032 Election preparation report; general election.—Each



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43 supervisor of elections must submit a report to the Secretary of
44 State at least 3 months before a general election which outlines
45 preparations for the upcoming general election. The report must
46 include, at a minimum, the following elements: the anticipated
47 staffing levels during the early voting period, on election day,
48 and after election day; and the anticipated amount of automatic
49 tabulating equipment at each early voting site and polling
50 place.

51 Section 4. Section 100.061, Florida Statutes, is amended to
52 read:

53 100.061 Primary election.—In each year in which a general
54 election is held, a primary election for nomination of
55 candidates of political parties shall be held on the Tuesday 10
56 12 weeks prior to the general election. The candidate receiving
57 the highest number of votes cast in each contest in the primary
58 election shall be declared nominated for such office. If two or
59 more candidates receive an equal and highest number of votes for
60 the same office, such candidates shall draw lots to determine
61 which candidate is nominated.

62 Section 5. Subsection (1) of section 101.051, Florida
63 Statutes, is amended to read:

64 101.051 Electors seeking assistance in casting ballots;
65 oath to be executed; forms to be furnished.—

66 (1) (a) Any elector applying to vote in any election who
67 requires assistance to vote by reason of blindness, disability,
68 or inability to read or write may request the assistance of two
69 election officials or some other person of the elector's own
70 choice that he or she knew before election day. However, such
71 elector may not receive assistance from his or her employer, an



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72 agent of his or her employer, or an officer or agent of his or
73 her union. An individual may not provide assistance to more than
74 10 electors during any election ~~, other than the elector's~~
75 ~~employer, an agent of the employer, or an officer or agent of~~
76 ~~his or her union, to assist the elector in casting his or her~~
77 ~~vote.~~

78 (b) Any such elector, before retiring to the voting booth,
79 may have one of such persons read over to him or her, without
80 suggestion or interference, the titles of the offices to be
81 filled and the candidates therefor and the issues on the ballot.
82 After the elector requests the aid of the two election officials
83 or the person of the elector's choice, they shall retire to the
84 voting booth for the purpose of casting the elector's vote
85 according to the elector's choice.

86 Section 6. Subsection (3) of section 101.161, Florida
87 Statutes, is amended to read:

88 101.161 Referenda; ballots.—

89 (3) (a) Each joint resolution that proposes a constitutional
90 amendment or revision shall include one or more ballot
91 statements set forth in order of priority. Each ballot statement
92 shall consist of a ballot title, by which the measure is
93 commonly referred to or spoken of, not exceeding 15 words in
94 length, and ~~either~~ a ballot summary that describes the chief
95 purpose of the amendment or revision in clear and unambiguous
96 language, ~~or the full text of the amendment or revision.~~ If a
97 joint resolution that proposes a constitutional amendment or
98 revision contains only one ballot statement, the ballot summary
99 may not exceed 75 words in length. If a joint resolution that
100 proposes a constitutional amendment or revision contains more



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101 than one ballot statement, the first ballot summary, in order of
102 priority, may not exceed 75 words in length.

103 **(b)** The Department of State shall furnish a designating
104 number pursuant to subsection (2) and the appropriate ballot
105 statement to the supervisor of elections of each county. The
106 ballot statement shall be printed on the ballot after the list
107 of candidates, followed by the word "yes" and also by the word
108 "no," and shall be styled in such a manner that a "yes" vote
109 will indicate approval of the amendment or revision and a "no"
110 vote will indicate rejection.

111 **(c)** ~~(b)~~ 1. Any action for a judicial determination that one
112 or more ballot statements embodied in a joint resolution are
113 defective must be commenced by filing a complaint or petition
114 with the appropriate court within 30 days after the joint
115 resolution is filed with the Secretary of State. The complaint
116 or petition shall assert all grounds for challenge to each
117 ballot statement. Any ground not asserted within 30 days after
118 the joint resolution is filed with the Secretary of State is
119 waived.

120 2. The court, including any appellate court, shall accord
121 an action described in subparagraph 1. priority over other
122 pending cases and render a decision as expeditiously as
123 possible. If the court finds that all ballot statements embodied
124 in a joint resolution are defective and further appeals are
125 declined, abandoned, or exhausted, unless otherwise provided in
126 the joint resolution, the Attorney General shall, within 10
127 days, prepare and submit to the Department of State a revised
128 ballot title or ballot summary that corrects the deficiencies
129 identified by the court, and the Department of State shall



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130 furnish a designating number and the revised ballot title or
131 ballot summary to the supervisor of elections of each county for
132 placement on the ballot. The revised ballot summary may exceed
133 75 words in length. The court shall retain jurisdiction over
134 challenges to a revised ballot title or ballot summary prepared
135 by the Attorney General, and any challenge to a revised ballot
136 title or ballot summary must be filed within 10 days after a
137 revised ballot title or ballot summary is submitted to the
138 Department of State.

139 ~~3. A ballot statement that consists of the full text of an~~
140 ~~amendment or revision shall be presumed to be a clear and~~
141 ~~unambiguous statement of the substance and effect of the~~
142 ~~amendment or revision, providing fair notice to the electors of~~
143 ~~the content of the amendment or revision and sufficiently~~
144 ~~advising electors of the issue upon which they are to vote.~~

145 Section 7. Subsection (3) of section 101.5605, Florida
146 Statutes, is amended to read:

147 101.5605 Examination and approval of equipment.-

148 (3) (a) Before the Department of State approves the
149 electronic or electromechanical voting system, the person who
150 submitted it for examination shall provide the department with
151 the name, mailing address, and telephone number of a registered
152 agent, which agent must have and continuously maintain an office
153 in this state. Any change in the name, address, or telephone
154 number of the registered agent shall promptly be made known to
155 the department.

156 (b) Before entering into a contract for the sale or lease
157 of a voting system approved under this section to any county,
158 the person entering into such contract shall provide the



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159 department with the name, mailing address, and telephone number
160 of a registered agent, which agent must have and continuously
161 maintain an office in this state. Any change in the name,
162 address, or telephone number of the registered agent shall
163 promptly be made known to the department.

164 (c) The department's proof of delivery or attempted
165 delivery to the last mailing address of the registered agent on
166 file with the department at the time of delivery or attempted
167 delivery is valid for all notice purposes.

168 (d) Within 30 days after completing the examination and
169 upon approval of any electronic or electromechanical voting
170 system, the Department of State shall make and maintain a report
171 on the system, together with a written or printed description
172 and drawings and photographs clearly identifying the system and
173 the operation thereof. As soon as practicable after such filing,
174 the department shall send a notice of certification and, upon
175 request, a copy of the report to the governing bodies of the
176 respective counties of the state. Any voting system that does
177 not receive the approval of the department ~~may shall~~ not be
178 adopted for or used at any election.

179 (e) ~~(b)~~ After a voting system has been approved by the
180 Department of State, any change or improvement in the system is
181 required to be approved by the department prior to the adoption
182 of such change or improvement by any county. If any such change
183 or improvement does not comply with the requirements of this
184 act, the department shall suspend all sales of the equipment or
185 system in the state until the equipment or system complies with
186 the requirements of this act.

187 Section 8. Section 101.56065, Florida Statutes, is created



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188 to read:
189 101.56065 Voting system defects; disclosure;
190 investigations; penalties.-
191 (1) For purposes of this section, the term:
192 (a) "Defect" means:
193 1. Any failure, fault, or flaw in an electronic or
194 electromechanical voting system approved pursuant to s. 101.5605
195 which results in nonconformance with the standards in a manner
196 that affects the timeliness or accuracy of the casting or
197 counting of ballots; or
198 2. Any failure or inability of the voting system
199 manufacturer or vendor to make available or provide approved
200 replacements of hardware or software to the counties that have
201 purchased the approved voting system, the unavailability of
202 which results in the system's nonconformance with the standards
203 in a manner that affects the timeliness or accuracy of the
204 casting or counting of ballots.
205 (b) "Standards" refers to the requirements in ss. 101.5606
206 and 101.56062 under which a voting system was approved for use
207 in the state.
208 (c) "Vendor" means a person who submits or previously
209 submitted a voting system that was approved by the Department of
210 State in accordance with s. 101.5605, or a person who enters
211 into a contract for the sale or lease of a voting system to any
212 county, or that previously entered into such a contract that has
213 not expired.
214 (2) (a) No later than December 31, 2013, and, thereafter, on
215 January 1 of every odd-numbered year, each vendor shall file a
216 written disclosure with the department identifying any known



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217 defect in the voting system or the fact that there is no known
218 defect, the effect of any defect on the operation and use of the
219 approved voting system, and any known corrective measures to
220 cure a defect, including, but not limited to, advisories and
221 bulletins issued to system users.

222 (b) Implementation of corrective measures approved by the
223 department which enable a system to conform to the standards and
224 ensure the timeliness and accuracy of the casting and counting
225 of ballots constitutes a cure of a defect.

226 (c) If a vendor becomes aware of the existence of a defect,
227 he or she must file a new disclosure with the department as
228 provided in paragraph (a) within 30 days after the date the
229 vendor determined or reasonably should have determined that the
230 defect existed.

231 (d) If a vendor discloses to the department that a defect
232 exists, the department may suspend all sales or leases of the
233 voting system in the state and may suspend the use of the system
234 in any election in the state. The department shall provide
235 written notice of any such suspension to each affected vendor
236 and supervisor of elections. If the department determines that
237 the defect no longer exists, the department shall lift the
238 suspension and provide written notice to each affected vendor
239 and supervisor of elections.

240 (e) If a vendor fails to file a required disclosure for a
241 voting system previously approved by the department, that system
242 may not be sold, leased, or used for elections in the state
243 until it has been submitted for examination and approval and
244 adopted for use pursuant to s. 101.5605. The department shall
245 provide written notice to all supervisors of elections that the



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246 system is no longer approved.

247 (3) (a) If the department has reasonable cause to believe a
248 voting system approved pursuant to s. 101.5605 contains a defect
249 either before, during, or after an election which has not been
250 disclosed pursuant to subsection (2), the department may
251 investigate whether the voting system has a defect.

252 (b) The department may initiate an investigation pursuant
253 to paragraph (a) on its own initiative or upon the written
254 request of the supervisor of elections of a county that
255 purchased or leased a voting system that contains the alleged
256 defect.

257 (c) Upon initiating an investigation, the department shall
258 provide written notice to the vendor and all of the supervisors
259 of elections.

260 (4) (a) If the department determines by a preponderance of
261 the evidence that a defect exists in the voting system, or that
262 a vendor failed to timely disclose a defect pursuant to
263 subsection (2), the department shall provide written notice to
264 the affected vendor and supervisors of elections.

265 (b) A vendor entitled to receive notice pursuant to
266 paragraph (a) shall, within 10 days, file a written response to
267 the department which:

268 1. Denies that the alleged defect exists or existed as
269 alleged by the department or that the vendor failed to timely
270 disclose a defect, and sets forth the reasons for such denial;
271 or

272 2. Admits that the defect exists or existed as alleged by
273 the department or that the vendor failed to timely disclose a
274 defect.



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275 (c) If the defect has been cured, the vendor shall provide
276 an explanation of how the defect was cured.

277 (d) If the defect has not been cured, the vendor shall
278 inform the department whether the defect can be cured and shall
279 provide the department with a plan for curing the defect. If the
280 defect can be cured, the department shall establish a timeframe
281 within which to cure the defect.

282 (5) If after receiving a response from the vendor, the
283 department determines that a defect does not exist or has been
284 cured within the timeframe established by the department, the
285 department shall take no further action.

286 (6) If the department determines that: a vendor failed to
287 timely disclose a defect; or that a defect exists and a vendor
288 has not filed a written response or has failed to cure within
289 the timeframe established by the department, or if the defect
290 cannot be cured, the department shall impose a civil penalty of
291 \$25,000 for the defect plus an amount equal to the actual costs
292 incurred by the department in conducting the investigation.

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

294 (a) The department may suspend all sales and leases of the
295 voting system and may suspend its use in any county in the
296 state. The department shall provide written notice of the
297 suspension to each affected vendor and supervisor of elections.

298 (b) If the department determines that a defect no longer
299 exists in a voting system that has been suspended from use
300 pursuant to paragraph (a), the department shall lift the
301 suspension and authorize the sale, lease, and use of the voting
302 system in any election in the state. The department shall
303 provide written notice that the suspension has been lifted to



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304 each affected vendor and supervisor of elections.

305 (c) If the defect cannot be cured, the department may
306 disapprove the voting system for use in elections in the state.
307 The department shall provide written notice to all supervisors
308 of elections that the system is no longer approved. After
309 approval of a system has been withdrawn pursuant to this
310 paragraph, the system may not be sold, leased, or used in
311 elections in the state until it has been submitted for
312 examination and approval and adopted for use pursuant to s.
313 101.5605.

314 (d) Any vendor against whom a civil penalty was imposed
315 under this section may not submit a voting system for approval
316 by the Department of State in accordance with s. 101.5605 or
317 enter into a contract for sale or lease of a voting system in
318 the state until the civil penalties have been paid and the
319 department provides written confirmation to the supervisors of
320 elections of the payment.

321 (8) The department shall prepare a written report of any
322 investigation conducted pursuant to this section.

323 (9) The authority of the department under this section is
324 in addition to, and not exclusive of, any other authority
325 provided by law.

326 (10) All proceedings under this section are exempt from
327 chapter 120.

328 Section 9. Subsection (4) of section 101.56075, Florida
329 Statutes, is repealed.

330 Section 10. Subsections (1) and (2) of section 101.591,
331 Florida Statutes, are amended, and subsection (4) of that
332 section is republished, to read:



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333 101.591 Voting system audit.-

334 (1) Immediately following the certification of each
335 election, the county canvassing board or the local board
336 responsible for certifying the election shall conduct a manual
337 audit or an automated, independent audit of the voting systems
338 used in randomly selected precincts.

339 (2) (a) A manual ~~The~~ audit shall consist of a public manual
340 tally of the votes cast in one randomly selected race that
341 appears on the ballot. The tally sheet shall include election-
342 day, absentee, early voting, provisional, and overseas ballots,
343 in at least 1 percent but no more than 2 percent of the
344 precincts chosen at random by the county canvassing board or the
345 local board responsible for certifying the election. If 1
346 percent of the precincts is less than one entire precinct, the
347 audit shall be conducted using at least one precinct chosen at
348 random by the county canvassing board or the local board
349 responsible for certifying the election. Such precincts shall be
350 selected at a publicly noticed canvassing board meeting.

351 (b) An automated audit shall consist of a public automated
352 tally of the votes cast across every race that appears on the
353 ballot. The tally sheet shall include election day, absentee,
354 early voting, provisional, and overseas ballots in at least 20
355 percent of the precincts chosen at random by the county
356 canvassing board or the local board responsible for certifying
357 the election. Such precincts shall be selected at a publicly
358 noticed canvassing board meeting.

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



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362 1. Completely independent of the primary voting system.

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

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

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

371 Section 11. Subsections (1) and (3) and paragraph (c) of
372 subsection (4) of section 101.62, Florida Statutes, are amended
373 to read:

374 101.62 Request for absentee ballots.-

375 (1) (a) The supervisor shall accept a request for an
376 absentee ballot from an elector in person or in writing. One
377 request shall be deemed sufficient to receive an absentee ballot
378 for all elections through the end of the calendar year of the
379 second ensuing regularly scheduled general election, unless the
380 elector or the elector's designee indicates at the time the
381 request is made the elections for which the elector desires to
382 receive an absentee ballot. Such request may be considered
383 canceled when any first-class mail sent by the supervisor to the
384 elector is returned as undeliverable.

385 (b) The supervisor may accept a written or telephonic
386 request for an absentee ballot to be mailed to an elector's
387 address on file in the Florida Voter Registration System from
388 the elector, or, if directly instructed by the elector, a member
389 of the elector's immediate family, or the elector's legal
390 guardian; if the ballot is requested to be mailed to an address



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391 other than the elector's address on file in the Florida Voter
392 Registration System, the request must be made in writing and
393 signed by the elector. For purposes of this section, the term
394 "immediate family" has the same meaning as specified in
395 paragraph (4) (c). The person making the request must disclose:

- 396 1. The name of the elector for whom the ballot is
397 requested.
398 2. The elector's address.
399 3. The elector's date of birth.
400 4. The requester's name.
401 5. The requester's address.
402 6. The requester's driver's license number, if available.
403 7. The requester's relationship to the elector.
404 8. The requester's signature (written requests only).

405 (c) Upon receiving a request for an absentee ballot from an
406 absent voter, the supervisor of elections shall notify the voter
407 of the free access system that has been designated by the
408 department for determining the status of his or her absentee
409 ballot.

410 (3) For each request for an absentee ballot received, the
411 supervisor shall record the date the request was made, the date
412 the absentee ballot was delivered to the voter or the voter's
413 designee or the date the absentee ballot was delivered to the
414 post office or other carrier, the date the ballot was received
415 by the supervisor, the absence of the voter's signature on the
416 voter's certificate, if applicable, and such other information
417 he or she may deem necessary. This information shall be provided
418 in electronic format as provided by rule adopted by the
419 division. The information shall be updated and made available no



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420 later than 8 a.m. of each day, including weekends, beginning 60
421 days before the primary until 15 days after the general election
422 and shall be contemporaneously provided to the division. This
423 information shall be confidential and exempt from ~~the provisions~~
424 ~~of~~ s. 119.07(1) and shall be made available to or reproduced
425 only for the voter requesting the ballot, a canvassing board, an
426 election official, a political party or official thereof, a
427 candidate who has filed qualification papers and is opposed in
428 an upcoming election, and registered political committees or
429 registered committees of continuous existence, for political
430 purposes only.

431 (4)

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

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

438 2. By forwardable mail, e-mail, or facsimile machine
439 transmission to absent uniformed services voters and overseas
440 voters. The absent uniformed services voter or overseas voter
441 may designate in the absentee ballot request the preferred
442 method of transmission. If the voter does not designate the
443 method of transmission, the absentee ballot shall be mailed.

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

447 4. By delivery to a designee on election day or up to 5
448 days prior to the day of an election. Any elector may designate



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449 in writing a person to pick up the ballot for the elector;
450 however, the person designated may not pick up more than two
451 absentee ballots per election, other than the designee's own
452 ballot, except that additional ballots may be picked up for
453 members of the designee's immediate family. For purposes of this
454 section, "immediate family" means the designee's spouse or the
455 parent, child, grandparent, or sibling of the designee or of the
456 designee's spouse. The designee shall provide to the supervisor
457 the written authorization by the elector and a picture
458 identification of the designee and must complete an affidavit.
459 The designee shall state in the affidavit that the designee is
460 authorized by the elector to pick up that ballot and shall
461 indicate if the elector is a member of the designee's immediate
462 family and, if so, the relationship. The department shall
463 prescribe the form of the affidavit. If the supervisor is
464 satisfied that the designee is authorized to pick up the ballot
465 and that the signature of the elector on the written
466 authorization matches the signature of the elector on file, the
467 supervisor shall give the ballot to that designee for delivery
468 to the elector.

469 5. Except as provided in s. 101.655, the supervisor may not
470 deliver an absentee ballot to an elector or an elector's
471 immediate family member on the day of the election unless there
472 is an emergency, to the extent that the elector will be unable
473 to go to his or her assigned polling place. If an absentee
474 ballot is delivered, the elector or his or her designee shall
475 execute an affidavit affirming to the facts which allow for
476 delivery of the absentee ballot. The department shall adopt a
477 rule providing for the form of the affidavit.



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478 Section 12. Subsections (1) through (3) of section 101.64,
479 Florida Statutes, are amended to read:

480 101.64 Delivery of absentee ballots; envelopes; form.—

481 (1) The supervisor shall enclose with each absentee ballot
482 two envelopes: a secrecy envelope, into which the absent elector
483 shall enclose his or her marked ballot; and a mailing envelope,
484 into which the absent elector shall then place the secrecy
485 envelope, which shall be addressed to the supervisor and also
486 bear on the back side a certificate in substantially the
487 following form:

488
489 Note: Please Read Instructions Carefully Before
490 Marking Ballot and Completing Voter's Certificate.

491
492 VOTER'S CERTIFICATE

493 I,, do solemnly swear or affirm that I am a qualified
494 and registered voter of County, Florida, and that I have
495 not and will not vote more than one ballot in this election. I
496 understand that if I commit or attempt to commit any fraud in
497 connection with voting, vote a fraudulent ballot, or vote more
498 than once in an election, I can be convicted of a felony of the
499 third degree and fined up to \$5,000 and/or imprisoned for up to
500 5 years. I also understand that failure to sign this certificate
501 will invalidate my ballot.

502
503 ... (Date) ... (Voter's Signature) ...

504
505 Note: Your Signature Must Be Witnessed by One Witness 18 Years
506 of Age or Older as Provided in the Instruction Sheet.



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507
508 I swear or affirm that the voter signed this Voter's Certificate
509 in my presence.

510
511 ...(Signature of Witness)...

512
513 ...(Printed Name of Witness)...

514
515 ...(Date)...

516 ...(Address)...

517
518 (2) The certificate shall be arranged on the back of the
519 mailing envelope so that the line for the signature of the
520 absent elector is across the seal of the envelope; however, no
521 statement shall appear on the envelope which indicates that a
522 signature of the voter must cross the seal of the envelope. The
523 absent elector and the attesting witness shall execute the
524 certificate on the envelope. A candidate may not serve as an
525 attesting witness.

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

532
533 Witness signature and date:

534
535 ...(Signature of Witness)...



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

...(Address)...

...(Date)...

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

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

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

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

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

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to "Vote for One" candidate and you vote for more than one candidate,



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565 your vote in that race will not be counted.

566 4. Place your marked ballot in the enclosed secrecy
567 envelope.

568 5. Insert the secrecy envelope into the enclosed mailing
569 envelope which is addressed to the supervisor.

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

572 7. VERY IMPORTANT. In order for your absentee ballot to be
573 counted, you must sign your name on the line above (Voter's
574 Signature). An absentee ballot will be considered illegal and
575 not be counted if the signature on the voter's certificate does
576 not match the signature on record. The signature on file at the
577 start of the canvass of the absentee ballots is the signature
578 that will be used to verify your signature on the voter's
579 certificate. If you need to update your signature for this
580 election, send your signature update on a voter registration
581 application to your supervisor of elections so that it is
582 received no later than the start of the canvassing of absentee
583 ballots, which occurs no earlier than the 15th day before
584 election day.

585 8. VERY IMPORTANT. In order for your absentee ballot to be
586 counted, it must include the signature and legible address of an
587 attesting witness 18 years of age or older affixed to the
588 Voter's Certificate. If the signature is illegible, the Voter's
589 Certificate must also include a readable printed name of the
590 attesting witness. A candidate may not serve as an attesting
591 witness.

592 ~~9.8.~~ VERY IMPORTANT. If you are an overseas voter, you must
593 include the date you signed the Voter's Certificate on the line



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594 above (Date) or your ballot may not be counted.

595 ~~10.9.~~ Mail, deliver, or have delivered the completed
596 mailing envelope. Be sure there is sufficient postage if mailed.

597 ~~11.10.~~ FELONY NOTICE. It is a felony under Florida law to
598 accept any gift, payment, or gratuity in exchange for your vote
599 for a candidate. It is also a felony under Florida law to vote
600 in an election using a false identity or false address, or under
601 any other circumstances making your ballot false or fraudulent.

602 Section 14. Paragraphs (a) and (d) of subsection (1) of
603 section 101.657, Florida Statutes, are amended to read:

604 101.657 Early voting.-

605 (1) (a) As a convenience to the voter, the supervisor of
606 elections shall allow an elector to vote early in the main or
607 branch office of the supervisor. The supervisor shall mark,
608 code, indicate on, or otherwise track the voter's precinct for
609 each early voted ballot. In order for a branch office to be used
610 for early voting, it shall be a permanent facility of the
611 supervisor and shall have been designated and used as such for
612 at least 1 year prior to the election. The supervisor may also
613 designate any city hall, ~~or~~ permanent public library facility,
614 fairground, civic center, courthouse, county commission
615 building, stadium, convention center, government-owned senior
616 center, or government-owned community center as early voting
617 sites; however, if so designated, the sites must be
618 geographically located so as to provide all voters in the county
619 an equal opportunity to cast a ballot, insofar as is
620 practicable. In addition, a supervisor may designate one early
621 voting site per election in an area of the county that does not
622 have any of the eligible early voting locations. Such additional



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623 early voting site must be geographically located so as to
624 provide all voters in that area with an equal opportunity to
625 cast a ballot, insofar as is practicable. Each county shall, at
626 a minimum, operate the same total number of early voting sites
627 for a general election which the county operated for the 2012
628 general election. The results or tabulation of votes cast during
629 early voting may not be made before the close of the polls on
630 election day. Results shall be reported by precinct.

631 (d) Early voting shall begin on the 10th day before an
632 election that contains state or federal races and end on the 3rd
633 day before the election, and shall be provided for no less than
634 8 & hours and no more than 12 hours per day at each site during
635 the applicable period. In addition, early voting may be offered
636 at the discretion of the supervisor of elections on the 15th,
637 14th, 13th, 12th, 11th, or 2nd day before an election that
638 contains state or federal races for at least 8 hours per day,
639 but not more than 12 hours per day. The supervisor of elections
640 may provide early voting for elections that are not held in
641 conjunction with a state or federal election. However, the
642 supervisor has the discretion to determine the hours of
643 operation of early voting sites in those elections.

644 Section 15. Subsection (2) of section 101.67, Florida
645 Statutes, is amended to read:

646 101.67 Safekeeping of mailed ballots; deadline for
647 receiving absentee ballots.-

648 (2) Except as provided in s. 101.6952(5), all marked absent
649 electors' ballots to be counted must be received by the
650 supervisor by 7 p.m. the day of the election. All ballots
651 received thereafter shall be marked with the time and date of



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652 receipt and filed in the supervisor's office.

653 Section 16. Subsections (1) and (4) of section 101.68,
654 Florida Statutes, are amended, and subsection (2) of that
655 section is reenacted and amended, to read:

656 101.68 Canvassing of absentee ballot.—

657 (1) The supervisor of the county where the absent elector
658 resides shall receive the voted ballot, at which time the
659 supervisor shall compare the signature of the elector on the
660 voter's certificate with the signature of the elector in the
661 registration books or the precinct register to determine whether
662 the elector is duly registered in the county and may record on
663 the elector's registration certificate that the elector has
664 voted. However, effective July 1, 2005, an elector who dies
665 after casting an absentee ballot but on or before election day
666 shall remain listed in the registration books until the results
667 have been certified for the election in which the ballot was
668 cast. The supervisor shall safely keep the ballot unopened in
669 his or her office until the county canvassing board canvasses
670 the vote. Except as provided in subsection (4), after an
671 absentee ballot is received by the supervisor, the ballot is
672 deemed to have been cast, and changes or additions may not be
673 made to the voter's certificate.

674 (2) (a) The county canvassing board may begin the canvassing
675 of absentee ballots at 7 a.m. on the 15th day before the
676 election, but not later than noon on the day following the
677 election. In addition, for any county using electronic
678 tabulating equipment, the processing of absentee ballots through
679 such tabulating equipment may begin at 7 a.m. on the 15th day
680 before the election. However, notwithstanding any such



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681 authorization to begin canvassing or otherwise processing
682 absentee ballots early, no result shall be released until after
683 the closing of the polls in that county on election day. Any
684 supervisor of elections, deputy supervisor of elections,
685 canvassing board member, election board member, or election
686 employee who releases the results of a canvassing or processing
687 of absentee ballots prior to the closing of the polls in that
688 county on election day commits a felony of the third degree,
689 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

690 (b) To ensure that all absentee ballots to be counted by
691 the canvassing board are accounted for, the canvassing board
692 shall compare the number of ballots in its possession with the
693 number of requests for ballots received to be counted according
694 to the supervisor's file or list.

695 (c)1. The canvassing board shall, if the supervisor has not
696 already done so, compare the signature of the elector on the
697 voter's certificate or on the absentee ballot affidavit as
698 provided in subsection (4) with the signature of the elector in
699 the registration books or the precinct register to see that the
700 elector is duly registered in the county and to determine the
701 legality of that absentee ballot. The ballot of an elector who
702 casts an absentee ballot shall be counted even if the elector
703 dies on or before election day, as long as, prior to the death
704 of the voter, the ballot was postmarked by the United States
705 Postal Service, date-stamped with a verifiable tracking number
706 by common carrier, or already in the possession of the
707 supervisor of elections. An absentee ballot shall be considered
708 illegal if the voter's certificate or absentee ballot affidavit
709 ~~it~~ does not include the signature of the elector, as shown by



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710 the registration records or the precinct register, along with
711 the signature and legible address of an attesting witness;
712 however, if the signature of the attesting witness is illegible,
713 the printed name of the attesting witness must clearly identify
714 the name of the witness or the ballot shall be considered
715 illegal. However, an absentee ballot is ~~shall~~ not ~~be~~ considered
716 illegal if the signature of the elector does not cross the seal
717 of the mailing envelope. If the canvassing board determines that
718 any ballot is illegal, a member of the board shall, without
719 opening the envelope, mark across the face of the envelope:
720 "rejected as illegal." The absentee ballot affidavit, if
721 applicable, the envelope and the ballot contained therein shall
722 be preserved in the manner that official ballots voted are
723 preserved.

724 2. If any elector or candidate present believes that an
725 absentee ballot is illegal due to a defect apparent on the
726 voter's certificate or the absentee ballot affidavit, he or she
727 may, at any time before the ballot is removed from the envelope,
728 file with the canvassing board a protest against the canvass of
729 that ballot, specifying the precinct, the ballot, and the reason
730 he or she believes the ballot to be illegal. A challenge based
731 upon a defect in the voter's certificate or absentee ballot
732 affidavit may not be accepted after the ballot has been removed
733 from the mailing envelope.

734 (d) The canvassing board shall record the ballot upon the
735 proper record, unless the ballot has been previously recorded by
736 the supervisor. The mailing envelopes shall be opened and the
737 secrecy envelopes shall be mixed so as to make it impossible to
738 determine which secrecy envelope came out of which signed



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739 mailing envelope; however, in any county in which an electronic
740 or electromechanical voting system is used, the ballots may be
741 sorted by ballot styles and the mailing envelopes may be opened
742 and the secrecy envelopes mixed separately for each ballot
743 style. The votes on absentee ballots shall be included in the
744 total vote of the county.

745 (4) (a) The supervisor of elections shall, on behalf of the
746 county canvassing board, notify each elector whose ballot was
747 rejected as illegal and provide the specific reason the ballot
748 was rejected ~~because of a difference between the elector's~~
749 ~~signature on the ballot and that on the elector's voter~~
750 ~~registration record~~. The supervisor shall mail a voter
751 registration application to the elector to be completed
752 indicating the elector's current signature if the elector's
753 ballot was rejected due to a difference between the elector's
754 signature on the voter's certificate or absentee ballot
755 affidavit and the elector's signature in the registration books
756 or precinct register. This section does not prohibit the
757 supervisor from providing additional methods for updating an
758 elector's signature.

759 (b) If the canvassing board has not begun the canvassing of
760 absentee ballots pursuant to subsection (2), the supervisor
761 shall allow an elector who has returned an absentee ballot that
762 does not include the elector's signature to complete an
763 affidavit in order to cure the unsigned absentee ballot.

764 (c) The elector shall provide identification to the
765 supervisor and must complete an absentee ballot affidavit in
766 substantially the following form:
767



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ABSENTEE BALLOT AFFIDAVIT

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

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

... (Address) ...

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

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

... (Signature of Witness) ...

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

... (Date) ...

... (Address) ...



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797 (d) Instructions must accompany the absentee ballot
798 affidavit in substantially the following form:

799
800 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
801 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
802 BALLOT NOT TO COUNT.

803
804 1. In order to ensure that your absentee ballot will be
805 counted, your affidavit should be completed and returned as soon
806 as possible so that it can reach the supervisor of elections of
807 the county in which your precinct is located no later than the
808 start of the canvassing of absentee ballots, which occurs no
809 earlier than the 15th day before an election.

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

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

818 4. You must make a copy of one of the following forms of
819 identification:

820 a. Identification which must include your name and
821 photograph: United States passport; debit or credit card;
822 military identification; student identification; retirement
823 center identification; neighborhood association identification;
824 or public assistance identification; or

825 b. Identification which shows your name and current



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826 residence address: current utility bill, bank statement,
827 government check, paycheck, or government document (excluding
828 voter identification card).

829 5. Place the envelope bearing the affidavit into a mailing
830 envelope addressed to the supervisor. Insert a copy of your
831 identification in the mailing envelope.

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

836 (e) The department and each supervisor shall include the
837 affidavit and instructions on their respective websites. The
838 supervisor must include his or her office's mailing address on
839 the page containing the affidavit instructions; the department's
840 instruction page must include the office mailing addresses of
841 all supervisors of elections or provide a conspicuous link to
842 such addresses.

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

845 Section 17. Subsections (3) and (4) of section 101.6921,
846 Florida Statutes, are amended to read:

847 101.6921 Delivery of special absentee ballot to certain
848 first-time voters.—

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

851

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

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VOTER'S CERTIFICATE

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

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

- I am 65 years of age or older.
- I have a permanent or temporary physical disability.
- 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 service of the member, will be absent from the county on



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884 election day.

885 I am currently residing outside the United States.

886

887 ... (Date) ...

... Voter's Signature ...

888

889 Note: Your Signature Must Be Witnessed as Provided in the

890 Instruction Sheet By One Witness 18 Years of Age or Older.

891

892 I swear or affirm that the voter signed this Voter's Certificate

893 in my presence.

894

895 ... (Signature of Witness) ...

896

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

898

899 ... (Date) ...

900

... (Address) ...

901

902 (4) The certificate shall be arranged on the back of the

903 envelope so that the line for the signature of the absent

904 elector is across the seal of the envelope.

905 Section 18. Subsection (2) of section 101.6923, Florida

906 Statutes, is amended to read:

907 101.6923 Special absentee ballot instructions for certain

908 first-time voters.-

909 (2) A voter covered by this section shall be provided with

910 printed instructions with his or her absentee ballot in

911 substantially the following form:

912



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913 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
914 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
915 YOUR BALLOT NOT TO COUNT.
916

917 1. In order to ensure that your absentee ballot will be
918 counted, it should be completed and returned as soon as possible
919 so that it can reach the supervisor of elections of the county
920 in which your precinct is located no later than 7 p.m. on the
921 date of the election. However, if you are an overseas voter
922 casting a ballot in a presidential preference primary or general
923 election, your absentee ballot must be postmarked or signed and
924 dated no later than the date of the election and received by the
925 supervisor of elections of the county in which you are
926 registered to vote no later than 10 days after the date of the
927 election.

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

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

935 4. Place your marked ballot in the enclosed secrecy
936 envelope and seal the envelope.

937 5. Insert the secrecy envelope into the enclosed envelope
938 bearing the Voter's Certificate. Seal the envelope and
939 completely fill out the Voter's Certificate on the back of the
940 envelope.

941 a. You must sign your name on the line above (Voter's



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942 Signature).

943 b. You must have your signature witnessed by a person 18
944 years of age or older. Have the witness sign on the line above
945 (Signature of Witness) and include his or her legible address.
946 If the signature is illegible, the Voter's Certificate must also
947 include a readable printed name of the attesting witness. A
948 candidate may not serve as an attesting witness.

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

952 ~~d.e.~~ An absentee ballot will be considered illegal and will
953 not be counted if the signature on the Voter's Certificate does
954 not match the signature on record. The signature on file at the
955 start of the canvass of the absentee ballots is the signature
956 that will be used to verify your signature on the Voter's
957 Certificate. If you need to update your signature for this
958 election, send your signature update on a voter registration
959 application to your supervisor of elections so that it is
960 received no later than the start of canvassing of absentee
961 ballots, which occurs no earlier than the 15th day before
962 election day.

963 6. Unless you meet one of the exemptions in Item 7., you
964 must make a copy of one of the following forms of
965 identification:

966 a. Identification which must include your name and
967 photograph: United States passport; debit or credit card;
968 military identification; student identification; retirement
969 center identification; neighborhood association identification;
970 or public assistance identification; or



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- 971 b. Identification which shows your name and current
972 residence address: current utility bill, bank statement,
973 government check, paycheck, or government document (excluding
974 voter identification card).
- 975 7. The identification requirements of Item 6. do not apply
976 if you meet one of the following requirements:
- 977 a. You are 65 years of age or older.
- 978 b. You have a temporary or permanent physical disability.
- 979 c. You are a member of a uniformed service on active duty
980 who, by reason of such active duty, will be absent from the
981 county on election day.
- 982 d. You are a member of the Merchant Marine who, by reason
983 of service in the Merchant Marine, will be absent from the
984 county on election day.
- 985 e. You are the spouse or dependent of a member referred to
986 in paragraph c. or paragraph d. who, by reason of the active
987 duty or service of the member, will be absent from the county on
988 election day.
- 989 f. You are currently residing outside the United States.
- 990 8. Place the envelope bearing the Voter's Certificate into
991 the mailing envelope addressed to the supervisor. Insert a copy
992 of your identification in the mailing envelope. DO NOT PUT YOUR
993 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
994 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
995 BALLOT WILL NOT COUNT.
- 996 9. Mail, deliver, or have delivered the completed mailing
997 envelope. Be sure there is sufficient postage if mailed.
- 998 10. FELONY NOTICE. It is a felony under Florida law to
999 accept any gift, payment, or gratuity in exchange for your vote



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1000 for a candidate. It is also a felony under Florida law to vote
1001 in an election using a false identity or false address, or under
1002 any other circumstances making your ballot false or fraudulent.

1003 Section 19. Subsection (5) is added to section 101.6952,
1004 Florida Statutes, to read:

1005 101.6952 Absentee ballots for absent uniformed services and
1006 overseas voters.-

1007 (5) An absentee ballot from an overseas voter in any
1008 presidential preference primary or general election which is
1009 postmarked or signed and dated no later than the date of the
1010 election and is received by the supervisor of elections of the
1011 county in which the overseas voter is registered no later than
1012 10 days after the date of the election shall be counted as long
1013 as the absentee ballot is otherwise proper.

1014 Section 20. Paragraphs (a) and (b) of subsection (4) of
1015 section 102.031, Florida Statutes, are amended, and paragraph
1016 (d) is added to that subsection, to read:

1017 102.031 Maintenance of good order at polls; authorities;
1018 persons allowed in polling rooms and early voting areas;
1019 unlawful solicitation of voters.-

1020 (4) (a) No person, political committee, committee of
1021 continuous existence, or other group or organization may solicit
1022 voters inside the polling place or within 100 feet of the
1023 entrance to any polling place, ~~or~~ a polling room where the
1024 polling place is also a polling room, ~~or~~ an early voting site,
1025 or an office of the supervisor of elections where absentee
1026 ballots are requested and printed on demand for the convenience
1027 of electors who appear in person to request them. Before the
1028 opening of the polling place or early voting site, the clerk or



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1029 supervisor shall designate the no-solicitation zone and mark the
1030 boundaries.

1031 (b) For the purpose of this subsection, the terms "solicit"
1032 or "solicitation" shall include, but not be limited to, seeking
1033 or attempting to seek any vote, fact, opinion, or contribution;
1034 distributing or attempting to distribute any political or
1035 campaign material, leaflet, or handout; conducting a poll except
1036 as specified in this paragraph; seeking or attempting to seek a
1037 signature on any petition; and selling or attempting to sell any
1038 item. The terms "solicit" or "solicitation" may ~~shall~~ not be
1039 construed to prohibit exit polling.

1040 (d) Except as provided in paragraph (a), the supervisor may
1041 not designate a no-solicitation zone or otherwise restrict
1042 access to any person, political committee, committee of
1043 continuous existence, candidate, or other group or organization
1044 for the purposes of soliciting voters. This paragraph applies to
1045 any public or private property used as a polling place or early
1046 voting site.

1047 Section 21. Subsections (1) and (4) of section 102.141,
1048 Florida Statutes, are amended to read:

1049 102.141 County canvassing board; duties.—

1050 (1) The county canvassing board shall be composed of the
1051 supervisor of elections; a county court judge, who shall act as
1052 chair; and the chair of the board of county commissioners.
1053 Alternate canvassing board members must be appointed pursuant to
1054 paragraph (e). In the event any member of the county canvassing
1055 board is unable to serve, is a candidate who has opposition in
1056 the election being canvassed, or is an active participant in the
1057 campaign or candidacy of any candidate who has opposition in the



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1058 election being canvassed, such member shall be replaced as
1059 follows:

1060 (a) If no county court judge is able to serve or if all are
1061 disqualified, the chief judge of the judicial circuit in which
1062 the county is located shall appoint as a substitute member a
1063 qualified elector of the county who is not a candidate with
1064 opposition in the election being canvassed and who is not an
1065 active participant in the campaign or candidacy of any candidate
1066 with opposition in the election being canvassed. In such event,
1067 the members of the county canvassing board shall meet and elect
1068 a chair.

1069 (b) If the supervisor of elections is unable to serve or is
1070 disqualified, the chair of the board of county commissioners
1071 shall appoint as a substitute member a member of the board of
1072 county commissioners who is not a candidate with opposition in
1073 the election being canvassed and who is not an active
1074 participant in the campaign or candidacy of any candidate with
1075 opposition in the election being canvassed. The supervisor,
1076 however, shall act in an advisory capacity to the canvassing
1077 board.

1078 (c) If the chair of the board of county commissioners is
1079 unable to serve or is disqualified, the board of county
1080 commissioners shall appoint as a substitute member one of its
1081 members who is not a candidate with opposition in the election
1082 being canvassed and who is not an active participant in the
1083 campaign or candidacy of any candidate with opposition in the
1084 election being canvassed.

1085 (d) If a substitute member or alternate member cannot be
1086 appointed as provided elsewhere in this subsection, or in the



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1087 event of a vacancy in such office, the chief judge of the
1088 judicial circuit in which the county is located shall appoint as
1089 a substitute member or alternate member a qualified elector of
1090 the county who is not a candidate with opposition in the
1091 election being canvassed and who is not an active participant in
1092 the campaign or candidacy of any candidate with opposition in
1093 the election being canvassed.

1094 (e)1. The chief judge of the judicial circuit in which the
1095 county is located shall appoint a county court judge as an
1096 alternate member of the county canvassing board or, if each
1097 county court judge is unable to serve or is disqualified, shall
1098 appoint an alternate member who is qualified to serve as a
1099 substitute member under paragraph (a).

1100 2. The chair of the board of county commissioners shall
1101 appoint a member of the board of county commissioners as an
1102 alternate member of the county canvassing board or, if each
1103 member of the board of county commissioners is unable to serve
1104 or is disqualified, shall appoint an alternate member who is
1105 qualified to serve as a substitute member under paragraph (d).

1106 3. If a member of the county canvassing board is unable to
1107 participate in a meeting of the board, the chair of the county
1108 canvassing board or his or her designee shall designate which
1109 alternate member will serve as a member of the board in the
1110 place of the member who is unable to participate at that
1111 meeting.

1112 4. If not serving as one of the three members of the county
1113 canvassing board, an alternate member may be present, observe,
1114 and communicate with the three members constituting the county
1115 canvassing board, but may not vote in the board's decisions or



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1116 determinations.

1117 (4) (a) The supervisor of elections shall upload into the
1118 county's election management system by 7 p.m. on the day before
1119 the election the results of all early voting and absentee
1120 ballots that have been canvassed and tabulated by the end of the
1121 early voting period. Pursuant to ss. 101.5614(9), 101.657, and
1122 101.68(2), the tabulation of votes cast or the results of such
1123 uploads may not be made public before the close of the polls on
1124 election day.

1125 (b) The canvassing board shall report all early voting and
1126 all tabulated absentee results to the Department of State within
1127 30 minutes after the polls close. Thereafter, the canvassing
1128 board shall report, with the exception of provisional ballot
1129 results, updated precinct election results to the department at
1130 least every 45 minutes until all results are completely
1131 reported. The supervisor of elections shall notify the
1132 department immediately of any circumstances that do not permit
1133 periodic updates as required. Results shall be submitted in a
1134 format prescribed by the department.

1135 Section 22. Effective January 1, 2014, section 104.0616,
1136 Florida Statutes, is amended to read:

1137 104.0616 Absentee ballots and voting; violations.—

1138 (1) For purposes of this section, the term "immediate
1139 family" means a person's spouse or the parent, child,
1140 grandparent, or sibling of the person or the person's spouse.

1141 (2) Any person who provides or offers to provide, and any
1142 person who accepts, a pecuniary or other benefit in exchange for
1143 distributing, ordering, requesting, collecting, delivering, or
1144 otherwise physically possessing more than two absentee ballots



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1145 per election in addition to his or her own ballot or a ballot
1146 belonging to an immediate family member, ~~with intent to alter,~~
1147 ~~change, modify, or erase any vote on the absentee ballot,~~ except
1148 as provided in ss. 101.6105-101.695, commits a felony of the
1149 third degree, punishable as provided in s. 775.082, s. 775.083,
1150 or s. 775.084.

1151 Section 23. Except as otherwise expressly provided in this
1152 act, this act shall take effect July 1, 2013.

1153
1154 ===== T I T L E A M E N D M E N T =====

1155 And the title is amended as follows:

1156 Delete everything before the enacting clause
1157 and insert:

1158 A bill to be entitled
1159 An act relating to elections; amending s. 97.0555,
1160 F.S.; revising qualifications for late voter
1161 registration; amending s. 97.061, F.S.; revising
1162 restrictions relating to electors requiring
1163 assistance; prohibiting an individual from providing
1164 assistance to more than 10 electors during any
1165 election; creating s. 100.032, F.S.; requiring
1166 supervisors of elections to submit a report to the
1167 Secretary of State at least 3 months before a general
1168 election; specifying the content of the report;
1169 amending s. 100.061, F.S.; decreasing the time period
1170 between a primary election and a general election;
1171 amending s. 101.051, F.S.; revising restrictions
1172 relating to electors requiring assistance in casting
1173 ballots; prohibiting an individual from providing



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1174 assistance to more than 10 electors during any
1175 election; amending s. 101.161, F.S.; providing a
1176 limitation on the number of words for certain ballot
1177 summaries in joint resolutions proposed by the
1178 Legislature; deleting a provision providing that a
1179 ballot statement consisting of the full text of a
1180 constitutional amendment or revision is presumed to be
1181 a clear and unambiguous statement; amending s.
1182 101.5605, F.S.; requiring a person to provide the
1183 name, mailing address, and telephone number of a
1184 registered agent of a voting systems vendor to the
1185 Department of State under certain circumstances;
1186 providing that proof of delivery or attempt to deliver
1187 constitutes valid notice; creating s. 101.56065, F.S.;
1188 providing definitions; requiring a vendor to file a
1189 written disclosure with the department; providing
1190 requirements for the disclosure; providing what
1191 constitutes a cure of a defect; requiring a vendor to
1192 file a new disclosure with the department if a vendor
1193 becomes aware of a defect within a specified period;
1194 authorizing the department to suspend all sales or
1195 leases or use in an election of a defective voting
1196 system; providing procedures for the suspension of
1197 voting systems; authorizing the department to withdraw
1198 approval of voting systems under certain
1199 circumstances; authorizing the department to initiate
1200 an investigation of a defective voting system;
1201 establishing procedures and requirements of
1202 investigations; providing a penalty; repealing s.



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1203 101.56075(4), F.S., relating to the requirement that
1204 all voting systems used by voters in a state election
1205 allow placement of the full text of a constitutional
1206 amendment or revision containing stricken or
1207 underlined text by a specified date; amending s.
1208 101.591, F.S.; authorizing use of automated,
1209 independent audits of voting systems; providing audit
1210 requirements; requiring the Division of Elections to
1211 adopt rules; amending s. 101.62, F.S.; revising the
1212 requirements for a valid absentee ballot request;
1213 requiring the supervisor to record the absence of the
1214 voter's signature on the voter's certificate under
1215 specified circumstances; prohibiting the supervisor
1216 from providing an absentee ballot on the day of an
1217 election under certain circumstances; requiring a
1218 person who requests an absentee ballot to complete an
1219 affidavit under certain circumstances; amending s.
1220 101.64, F.S.; revising the requirements for a voter's
1221 certificate; amending s. 101.65, F.S.; revising the
1222 instructions to absent electors; amending s. 101.657,
1223 F.S.; revising the list of permissible sites available
1224 for early voting; authorizing the supervisor to
1225 designate one additional early voting site per
1226 election; providing requirements; requiring each
1227 county to operate at least the same number of early
1228 voting sites as used for the 2012 general election;
1229 revising the number of days and hours for early
1230 voting; amending s. 101.67, F.S.; conforming a
1231 provision to changes made by the act; amending s.



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1232 101.68, F.S., and reenacting subsection (2), relating
1233 to the canvassing of absentee ballots; authorizing the
1234 supervisor to use the elector's signature in a
1235 precinct register to compare with the elector's
1236 signature on the voter's certificate; providing that
1237 an absentee ballot must clearly identify the name of
1238 the witness in order to be considered legal; requiring
1239 the supervisor to provide the elector with the
1240 specific reason his or her ballot was rejected;
1241 requiring the supervisor to allow electors to complete
1242 an affidavit to cure an unsigned absentee ballot prior
1243 to canvassing; providing the form and contents of the
1244 affidavit; providing instructions to accompany each
1245 absentee ballot affidavit; requiring the affidavit,
1246 instructions, and the supervisor's office mailing
1247 address to be posted on certain websites; requiring
1248 the supervisor to attach a received affidavit to the
1249 appropriate absentee ballot mailing envelope; amending
1250 s. 101.6921, F.S.; revising the voter's certificate
1251 accompanying a special absentee ballot; amending s.
1252 101.6923, F.S.; revising special absentee ballot
1253 instructions; amending s. 101.6952, F.S.; providing
1254 that absentee ballots received from overseas voters in
1255 certain elections may be received up to 10 days after
1256 the date of the election; amending s. 102.031, F.S.;
1257 revising restrictions relating to the solicitation of
1258 voters; amending s. 102.141, F.S.; revising methods of
1259 selecting canvassing board members; requiring a
1260 supervisor to upload certain canvassed election



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1261 results into a county's election management system
1262 prior to the election; prohibiting public disclosure
1263 of uploaded results before the close of the polls on
1264 election day; amending s. 104.0616, F.S.; providing a
1265 definition for the term "immediate family";
1266 prohibiting possession of more than two absentee
1267 ballots under certain circumstances; providing
1268 effective dates.