CS/CS/CS/SB 90 — Election Administration
by Rules Committee; Governmental Oversight and Accountability Committee; Ethics and Elections Committee; and Senator Baxley

CS/CS/CS/SB 90 revises the Election Code as follows to improve election security, transparency, and administration.

The bill creates:
- Requirements for civil actions challenging the validity of a provision of the Election Code in which a state or county agency or officer is a party in state or federal court.
- A prohibition against a governmental entity's use of private funds for election-related expenses.
- Additional requirements for the periodic risk assessments of the online voter registration system.
- A process by which the Department of Highway Safety and Motor Vehicles must assist the Department of State (DOS) in regularly identifying changes in voter addresses and providing that information to supervisors for their use in updating voter rolls.

Related to vote-by-mail ballots, the bill:
- Revises and creates new requirements for their duplication.
- Modifies the effective period for a ballot request to all elections held through the end of the calendar year of the next regularly scheduled general election and grandfathers in through the end of 2022 any request in place when the bill takes effect.
- Requires an additional elector identifier when a request for a ballot is made.
- Adds new categories to the types of information supervisors must record about each ballot request.
- Prohibits mailing or otherwise providing a ballot without a request.
- Creates new requirements for information that must be displayed on the outside of a return mailing envelope and prohibits display of an elector's political affiliation on a ballot envelope.
- Prohibits a supervisor from using knowledge of a voter's political affiliation during the signature comparison process.
- Extends the period during which tabulation of ballots can occur.
- Revises and creates new requirements for use of drop boxes, including, but not limited to:
  o Limiting use of drop boxes other than at a supervisor's office to early voting hours, and requiring in-person monitoring of all drop boxes while accessible for deposit of ballots.
  o Requiring each supervisor to publish the location of drop boxes at least 30 days in advance of each election.
- Limits a person's lawful possession of ballots to his or her own, those of an immediate family member, and two others; expands the definition of "immediate family member" to include a grandchild; and clarifies that supervised voting at assisted living facilities and nursing homes is not subject to the limit.

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Related to no-solicitation zones, the bill:
- Conforms the distances for statutory no-solicitation zones.
- Adds drop box sites to the locations protected by the zones.
- Expands the definition of "solicitation" and specifies that the definition does not prohibit supervisors' staff from providing nonpartisan assistance or items to voters within the zone.

Related to county canvassing boards, the bill:
- Requires names of canvassing board members to be published on the supervisor's website upon completion of the logic and accuracy test.
- Creates new access requirements at meetings for a political party or candidate to observe signature matching and other processes.
- Adds names of canvassing board members and alternates to the types of information that must be noticed in advance of meetings.

Related to election data reporting, the bill:
- Clarifies an existing exception for ballot types or precinct subtotals with fewer than 30 voters voting.
- Creates new requirements for reporting live voter turnout data and vote-by-mail ballot information.
- Combines the required overvote/undervote report and audit report and extends the deadlines for their submission.

To comply with court orders, the bill:
- Returns the language for the declaration of felon voting eligibility to its pre-2019 form and repeals a corresponding public-records exemption that will no longer be necessary.
- Revises provisions governing third-party voter registration organizations.

The bill also:
- Requires submission of an additional elector identifier for requested changes to voter registration.
- Repeals provisions requiring an elective office vacated due to the resign-to-run requirement be filled by election and permitting the unexpired term of an elective charter county officer or elective municipal officer required to resign under the resign-to-run law to be filled in a manner provided by the county or municipal charter.
- Prohibits a person from seeking to qualify for office as a candidate with no party affiliation if he or she has been a registered member of any political party within the 365 days preceding the beginning of the qualifying period, and requires a person seeking nomination as a candidate of a political party to have been a member of the party for the 365 days preceding the beginning of the qualifying period.
- Clarifies a state executive committee's role in filling certain vacancies in office.
- Revises requirements for poll watchers.

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- Conforms to federal law the time frame for retention of election materials.
- Extends the deadline by which the DOS must approve or disapprove a voting system submitted for certification.
- Expands the ballot materials that must be made available for public inspection and creates new access provisions for a candidate, political party official, political committee official, or designee thereof.

If approved by the Governor, these provisions take effect upon becoming law.
Vote: Senate 23-17; House 77-40