



LEGISLATIVE ACTION

Senate	.	House
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Floor: 3/AD/3R	.	Floor: SA1/C
04/29/2010 12:06 PM	.	04/29/2010 04:45 PM
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Senator Thrasher moved the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 97.0115, Florida Statutes, is created to  
read:

97.0115 Preemption.—All matters set forth in chapters 97-  
105 are preempted to the state, except as otherwise specifically  
authorized by state or federal law. The conduct of municipal  
elections shall be governed by s. 100.3605.

Section 2. Present subsections (2) through (43) of section  
97.021, Florida Statutes, are renumbered as subsections (3)  
through (44), respectively, a new subsection (2) is added to



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14 that section, and present subsection (22) of that section is  
15 amended, to read:

16 97.021 Definitions.—For the purposes of this code, except  
17 where the context clearly indicates otherwise, the term:

18 (2) "Absent uniformed services voter" means:

19 (a) A member of a uniformed service on active duty who, by  
20 reason of such active duty, is absent from the place of  
21 residence where the member is otherwise qualified to vote;

22 (b) A member of the merchant marine who, by reason of  
23 service in the merchant marine, is absent from the place of  
24 residence where the member is otherwise qualified to vote; or

25 (c) A spouse or dependent of a member referred to in  
26 paragraph (a) or paragraph (b) who, by reason of the active duty  
27 or service of the member, is absent from the place of residence  
28 where the spouse or dependent is otherwise qualified to vote.

29 (23)-(22) "Overseas voter" means:

30 (a) An absent uniformed services voter who, by reason of  
31 active duty or service, is absent from the United States on the  
32 date of the election involved ~~Members of the uniformed services~~  
33 ~~while in the active service who are permanent residents of the~~  
34 ~~state and are temporarily residing outside the territorial~~  
35 ~~limits of the United States and the District of Columbia;~~

36 (b) A person who resides outside the United States and is  
37 qualified to vote in the last place in which the person was  
38 domiciled before leaving the United States ~~Members of the~~  
39 ~~Merchant Marine of the United States who are permanent residents~~  
40 ~~of the state and are temporarily residing outside the~~  
41 ~~territorial limits of the United States and the District of~~  
42 ~~Columbia; or and~~



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43           (c) A person who resides outside the United States and, but  
44 for such residence, would be qualified to vote in the last place  
45 in which the person was domiciled before leaving the United  
46 States ~~Other citizens of the United States who are permanent~~  
47 ~~residents of the state and are temporarily residing outside the~~  
48 ~~territorial limits of the United States and the District of~~  
49 ~~Columbia,~~

50  
51 ~~who are qualified and registered to vote as provided by law.~~

52           Section 3. Subsection (3) of section 98.0981, Florida  
53 Statutes, is amended to read:

54           98.0981 Reports; voting history; statewide voter  
55 registration system information; precinct-level election  
56 results; book closing statistics.—

57           (3) PRECINCT-LEVEL BOOK CLOSING STATISTICS.—After the date  
58 of book closing but before the date of an election as defined in  
59 s. 97.021 ~~s. 97.021(10)~~ to fill a national, state, county, or  
60 district office, or to vote on a proposed constitutional  
61 amendment, the department shall compile the following precinct-  
62 level statistical data for each county:

63           (a) Precinct numbers.

64           (b) Total number of active registered voters by party for  
65 each precinct.

66           Section 4. Section 101.111, Florida Statutes, is amended to  
67 read:

68           101.111 Voter challenges ~~Person desiring to vote may be~~  
69 ~~challenged; challenger to execute oath; oath of person~~  
70 ~~challenged; determination of challenge.—~~

71           (1) (a) Any registered elector or poll watcher of a county



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72 may challenge the right of a person to vote in that county. The  
73 challenge must be in writing and contain the following oath,  
74 which shall be delivered to the clerk or inspector:

75 OATH OF PERSON ENTERING CHALLENGE

76

77 State of Florida

78 County of ....

79

80 I do solemnly swear or affirm that my name is ....; that I am a  
81 member of the .... Party; that I am a registered voter or  
82 pollwatcher; that my residence address is ....., in the  
83 municipality of ....; and that I have reason to believe that  
84 .... is attempting to vote illegally and the reasons for my  
85 belief are set forth herein to wit:

86

87

88 ... (Signature of person challenging voter) ...

89

90 Sworn and subscribed to before me this .... day of .....,

91 ... (year) ....

92

... (Clerk of election) ...

93

(b) 1. The clerk or inspector shall immediately deliver to  
94 the challenged person a copy of the oath of the person entering  
95 the challenge, and the challenged voter shall be allowed to cast  
96 a provisional ballot in accordance with s. 101.048, except as  
97 provided in subparagraph 2.

98

99 2. If the basis for the challenge is that the person's  
100 legal residence is not in that precinct, the person shall first  
be given the opportunity to execute a change of legal residence



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101 in order to be able to vote a regular ballot in accordance with  
102 s. 101.045(2). If the change of legal residence is such that the  
103 person is then properly registered for that precinct, the person  
104 shall be allowed to vote a regular ballot. If the change of  
105 legal residence places the person in another precinct, the  
106 person shall be directed to the proper precinct to vote. If such  
107 person insists that he or she is currently in the proper  
108 precinct, the person shall be allowed to vote a provisional  
109 ballot in accordance with s. 101.048.

110 (c) Alternatively, a challenge in accordance with this  
111 section may be filed in advance with the supervisor of elections  
112 no sooner than 30 days before an election. The supervisor shall  
113 promptly provide the election board in the challenged voter's  
114 precinct with a copy of the oath of the person entering the  
115 challenge. The challenged voter shall be allowed to cast a  
116 provisional ballot in accordance with s. 101.048, subject to the  
117 provisions of subparagraph (b)2.

118 (2) Any elector or poll watcher filing a frivolous  
119 challenge of any person's right to vote commits a misdemeanor of  
120 the first degree, punishable as provided in s. 775.082 or s.  
121 775.083; however, electors or poll watchers shall not be subject  
122 to liability for any action taken in good faith and in  
123 furtherance of any activity or duty permitted of such electors  
124 or poll watchers by law. Each instance where any elector or poll  
125 watcher files a frivolous challenge of any person's right to  
126 vote constitutes a separate offense.

127 Section 5. Subsection (3) of section 101.56075, Florida  
128 Statutes, is amended to read:

129 101.56075 Voting methods.—



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130           (3) By 2016 ~~2012~~, persons with disabilities shall vote on a  
131 voter interface device that meets the voter accessibility  
132 requirements for individuals with disabilities under s. 301 of  
133 the federal Help America Vote Act of 2002 and s. 101.56062 which  
134 are consistent with subsection (1) of this section.

135           Section 6. Subsections (2) and (5) of section 101.5612,  
136 Florida Statutes, are amended to read:

137           101.5612 Testing of tabulating equipment.—

138           (2) On any day not more than 10 days prior to the  
139 commencement of early voting as provided in s. 101.657, the  
140 supervisor of elections shall have the automatic tabulating  
141 equipment publicly tested to ascertain that the equipment will  
142 correctly count the votes cast for all offices and on all  
143 measures. If the ballots to be used at the polling place on  
144 election day are not available at the time of the testing, the  
145 supervisor may conduct an additional test not more than 10 days  
146 before election day. Public notice of the time and place of the  
147 test shall be given at least 48 hours prior thereto by  
148 publication on the supervisor of elections' website and once in  
149 one or more newspapers of general circulation in the county or,  
150 if there is no newspaper of general circulation in the county,  
151 by posting the notice in at least four conspicuous places in the  
152 county. The supervisor or the municipal elections official may,  
153 at the time of qualifying, give written notice of the time and  
154 location of the public preelection test to each candidate  
155 qualifying with that office and obtain a signed receipt that the  
156 notice has been given. The Department of State shall give  
157 written notice to each statewide candidate at the time of  
158 qualifying, or immediately at the end of qualifying, that the



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159 voting equipment will be tested and advise each candidate to  
160 contact the county supervisor of elections as to the time and  
161 location of the public preelection test. The supervisor or the  
162 municipal elections official shall, at least 15 days prior to  
163 the commencement of early voting as provided in s. 101.657, send  
164 written notice by certified mail to the county party chair of  
165 each political party and to all candidates for other than  
166 statewide office whose names appear on the ballot in the county  
167 and who did not receive written notification from the supervisor  
168 or municipal elections official at the time of qualifying,  
169 stating the time and location of the public preelection test of  
170 the automatic tabulating equipment. The canvassing board shall  
171 convene, and each member of the canvassing board shall certify  
172 to the accuracy of the test. For the test, the canvassing board  
173 may designate one member to represent it. The test shall be open  
174 to representatives of the political parties, the press, and the  
175 public. Each political party may designate one person with  
176 expertise in the computer field who shall be allowed in the  
177 central counting room when all tests are being conducted and  
178 when the official votes are being counted. The designee shall  
179 not interfere with the normal operation of the canvassing board.

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



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188 used for ballots in the election ~~or both.~~

189 Section 7. Subsections (1), (3), (4), and (5) of section  
190 101.62, Florida Statutes, are amended to read:

191 101.62 Request for absentee ballots.—

192 (1) (a) The supervisor shall ~~may~~ accept a request for an  
193 absentee ballot from an elector in person or in writing. ~~Except~~  
194 ~~as provided in s. 101.694,~~ One request shall be deemed  
195 sufficient to receive an absentee ballot for all elections  
196 through the next ~~two~~ regularly scheduled general election  
197 ~~elections~~, unless the elector or the elector's designee  
198 indicates at the time the request is made the elections for  
199 which the elector desires to receive an absentee ballot. Such  
200 request may be considered canceled when any first-class mail  
201 sent by the supervisor to the elector is returned as  
202 undeliverable.

203 (b) The supervisor may accept a written or telephonic  
204 request for an absentee ballot from the elector, or, if directly  
205 instructed by the elector, a member of the elector's immediate  
206 family, or the elector's legal guardian. For purposes of this  
207 section, the term "immediate family" has the same meaning as  
208 specified in paragraph (4) (b). The person making the request  
209 must disclose:

210 1. The name of the elector for whom the ballot is  
211 requested.†

212 2. The elector's address.†

213 3. The elector's date of birth.†

214 4. The requester's name.†

215 5. The requester's address.†

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



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217 7. The requester's relationship to the elector. ~~and~~

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

219 (c) Upon receiving a request for an absentee ballot from an  
220 absent voter, the supervisor of elections shall notify the voter  
221 of the free access system that has been designated by the  
222 department for determining the status of his or her absentee  
223 ballot.

224 (3) For each request for an absentee ballot received, the  
225 supervisor shall record the date the request was made, the date  
226 the absentee ballot was delivered to the voter or the voter's  
227 designee or the date the absentee ballot was delivered to the  
228 post office or other carrier, the date the ballot was received  
229 by the supervisor, and such other information he or she may deem  
230 necessary. This information shall be provided in electronic  
231 format as provided by rule adopted by the division. The  
232 information shall be updated and made available no later than  
233 noon of each day beginning 60 days before the primary until 15  
234 days after the general election and shall be contemporaneously  
235 provided to the division. This information shall be confidential  
236 and exempt from the provisions of s. 119.07(1) and shall be made  
237 available to or reproduced only for the voter requesting the  
238 ballot, a canvassing board, an election official, a political  
239 party or official thereof, a candidate who has filed  
240 qualification papers and is opposed in an upcoming election, and  
241 registered political committees or registered committees of  
242 continuous existence, for political purposes only.

243 (4) (a) No later than 45 days before each election, the  
244 supervisor of elections shall send an absentee ballot as  
245 provided in subparagraph (b)2. to each absent uniformed services



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246 voter and to each overseas voter who has requested an absentee  
247 ballot. ~~To each absent qualified elector overseas who has~~  
248 ~~requested an absentee ballot, the supervisor of elections shall~~  
249 ~~mail an absentee ballot not less than 35 days before the primary~~  
250 ~~election and not less than 45 days before the general election.~~

251 (b) The supervisor shall provide an absentee ballot to each  
252 elector by whom a request for that ballot has been made by one  
253 of the following means:

254 1. By nonforwardable, return-if-undeliverable mail to the  
255 elector's current mailing address on file with the supervisor,  
256 unless the elector specifies in the request that:

257 a. The elector is absent from the county and does not plan  
258 to return before the day of the election;

259 b. The elector is temporarily unable to occupy the  
260 residence because of hurricane, tornado, flood, fire, or other  
261 emergency or natural disaster; or

262 c. The elector is in a hospital, assisted living facility,  
263 nursing home, short-term medical or rehabilitation facility, or  
264 correctional facility,

265  
266 in which case the supervisor shall mail the ballot by  
267 nonforwardable, return-if-undeliverable mail to any other  
268 address the elector specifies in the request.

269 2. By forwardable mail, e-mail, or facsimile machine  
270 transmission to absent uniformed services voters and overseas  
271 voters ~~who are entitled to vote by absentee ballot under the~~  
272 ~~Uniformed and Overseas Citizens Absentee Voting Act.~~ The absent  
273 uniformed services voter or overseas voter may designate in the  
274 absentee ballot request the preferred method of transmission. If



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275 the voter does not designate the method of transmission, the  
276 absentee ballot shall be mailed.

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

280 4. By delivery to a designee on election day or up to 5  
281 days prior to the day of an election. Any elector may designate  
282 in writing a person to pick up the ballot for the elector;  
283 however, the person designated may not pick up more than two  
284 absentee ballots per election, other than the designee's own  
285 ballot, except that additional ballots may be picked up for  
286 members of the designee's immediate family. For purposes of this  
287 section, "immediate family" means the designee's spouse or the  
288 parent, child, grandparent, or sibling of the designee or of the  
289 designee's spouse. The designee shall provide to the supervisor  
290 the written authorization by the elector and a picture  
291 identification of the designee and must complete an affidavit.  
292 The designee shall state in the affidavit that the designee is  
293 authorized by the elector to pick up that ballot and shall  
294 indicate if the elector is a member of the designee's immediate  
295 family and, if so, the relationship. The department shall  
296 prescribe the form of the affidavit. If the supervisor is  
297 satisfied that the designee is authorized to pick up the ballot  
298 and that the signature of the elector on the written  
299 authorization matches the signature of the elector on file, the  
300 supervisor shall give the ballot to that designee for delivery  
301 to the elector.

302 (5) ~~If In the event that the department Elections~~  
303 ~~Canvassing Commission~~ is unable to certify candidates for the



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304 ~~results of an election for a state office~~ in time to comply with  
305 paragraph (4) (a) subsection (4), the Department of State is  
306 authorized to prescribe rules for a ballot to be sent to absent  
307 uniformed services voters and electors overseas voters.

308 Section 8. Subsection (1) of section 101.694, Florida  
309 Statutes, is amended to read:

310 101.694 Mailing of ballots upon receipt of federal postcard  
311 application.—

312 (1) Upon receipt of a federal postcard application for an  
313 absentee ballot executed by a person whose registration is in  
314 order or whose application is sufficient to register or update  
315 the registration of that person, the supervisor shall send the  
316 ballot in accordance with s. 101.62(4) mail to the applicant a  
317 ~~ballot, if the ballots are available for mailing. The federal~~  
318 ~~postcard application request for an absentee ballot shall be~~  
319 ~~effective for all elections through the next two regularly~~  
320 ~~scheduled general elections.~~

321 Section 9. Effective July 1, 2010, section 101.6952,  
322 Florida Statutes, is amended to read:

323 101.6952 Absentee ballots for absent uniformed services and  
324 overseas voters.—

325 (1) If an absent uniformed services voter's or an overseas  
326 voter's request for an absentee ballot includes an e-mail  
327 address, the supervisor of elections shall:

328 (a) Record the voter's e-mail address in the absentee  
329 ballot record;

330 (b) Confirm by e-mail that the absentee ballot request was  
331 received and include in that e-mail the estimated date the  
332 absentee ballot will be sent to the voter; and



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333           (c) Notify the voter by e-mail when the voted absentee  
334 ballot is received by the supervisor of elections ~~inform the~~  
335 ~~voter of the names of candidates who will be on the ballots via~~  
336 ~~electronic transmission. The supervisor of elections shall e-~~  
337 ~~mail to the voter the list of candidates for the primary and~~  
338 ~~general election not later than 30 days before each election.~~

339           (2) For absentee ballots received from absent uniformed  
340 services voters or overseas voters, there is a presumption that  
341 the envelope was mailed on the date stated on the outside of the  
342 return envelope, regardless of the absence of a postmark on the  
343 mailed envelope or the existence of a postmark date that is  
344 later than the date of the election.

345           Section 10. Subsection (2) of section 101.71, Florida  
346 Statutes, is amended to read:

347           101.71 Polling place.—

348           (2) Notwithstanding the provisions of subsection (1),  
349 whenever the supervisor of elections of any county determines  
350 that the accommodations for holding any election at a polling  
351 place designated for any precinct in the county are unavailable,  
352 are inadequate for the expeditious and efficient housing and  
353 handling of voting and voting paraphernalia, or do not comply  
354 with the requirements of s. 101.715, the supervisor shall, not  
355 less than 30 days prior to the holding of an election, provide  
356 for the voting place for such precinct to be moved to another  
357 site that is accessible to the public on election day in said  
358 precinct or, if such is not available, to another site that is  
359 accessible to the public on election day in a contiguous  
360 precinct. If such action of the supervisor results in the voting  
361 place for two or more precincts being located for the purposes



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362 of an election in one building, the supervisor of elections  
363 shall provide adequate supplies, equipment, and personnel are  
364 available to accommodate the voters for the precincts that are  
365 collocated ~~voting places for the several precincts involved~~  
366 ~~shall be established and maintained separate from each other in~~  
367 ~~said building~~. When any supervisor moves any polling place  
368 pursuant to this subsection, the supervisor shall, not more than  
369 30 days or fewer than 7 days prior to the holding of an  
370 election, give notice of the change of the polling place for the  
371 precinct involved, with clear description of the voting place to  
372 which changed, at least once in a newspaper of general  
373 circulation in the said county and on the supervisor of  
374 elections' website. A notice of the change of the polling place  
375 involved shall be mailed, at least 14 days prior to an election,  
376 to each registered elector or to each household in which there  
377 is a registered elector.

378 Section 11. Subsection (1) of section 102.012, Florida  
379 Statutes, is amended to read:

380 102.012 Inspectors and clerks to conduct elections.-

381 (1)(a) The supervisor of elections of each county, at least  
382 20 days prior to the holding of any election, shall appoint an  
383 election board comprised of poll workers who serve as clerks or  
384 inspectors for each precinct in the county. The clerk shall be  
385 in charge of, and responsible for, seeing that the election  
386 board carries out its duties and responsibilities. Each  
387 inspector and each clerk shall take and subscribe to an oath or  
388 affirmation, which shall be written or printed, to the effect  
389 that he or she will perform the duties of inspector or clerk of  
390 election, respectively, according to law and will endeavor to



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391 prevent all fraud, deceit, or abuse in conducting the election.  
392 The oath may be taken before an officer authorized to administer  
393 oaths or before any of the persons who are to act as inspectors,  
394 one of them to swear the others, and one of the others sworn  
395 thus, in turn, to administer the oath to the one who has not  
396 been sworn. The oaths shall be returned with the poll list and  
397 the returns of the election to the supervisor. In all questions  
398 that may arise before the members of an election board, the  
399 decision of a majority of them shall decide the question. The  
400 supervisor of elections of each county shall be responsible for  
401 the attendance and diligent performance of his or her duties by  
402 each clerk and inspector.

403 (b) If two or more precincts share the same building and  
404 voting place, the supervisor of elections may appoint one  
405 election board for the collocated precincts. The supervisor  
406 shall provide a sufficient number of poll workers are appointed  
407 to adequately handle the processing of the voters in the  
408 collocated precincts.

409 Section 12. Section 102.111, Florida Statutes, is amended  
410 to read:

411 102.111 Elections Canvassing Commission.—

412 (1) The Elections Canvassing Commission shall consist of  
413 the Governor and two members of the Cabinet selected by the  
414 Governor, all of whom shall serve ex officio. If a member of the  
415 ~~Elections Canvassing~~ commission is unable to serve for any  
416 reason, the Governor shall appoint a remaining member of the  
417 Cabinet. If there is a further vacancy, the remaining members of  
418 the commission shall agree on another elected official to fill  
419 the vacancy.



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420           (2) The Elections Canvassing Commission shall meet at 9  
421 a.m. on the 9th day after a primary election and at 9 a.m. on  
422 the 14th day after a general election to, ~~as soon as the~~  
423 ~~official results are compiled from all counties,~~ certify the  
424 returns of the election ~~and determine and declare who has been~~  
425 ~~elected~~ for each federal, state, and multicounty office. If a  
426 member of a county canvassing board that was constituted  
427 pursuant to s. 102.141 determines, within 5 days after the  
428 certification by the Elections Canvassing Commission, that a  
429 typographical error occurred in the official returns of the  
430 county, the correction of which could result in a change in the  
431 outcome of an election, the county canvassing board must certify  
432 corrected returns to the Department of State within 24 hours,  
433 and the Elections Canvassing Commission must correct and  
434 recertify the election returns as soon as practicable.

435           (3) ~~(2)~~ The Division of Elections shall provide the staff  
436 services required by the Elections Canvassing Commission.

437           Section 13. Subsection (2) of section 102.112, Florida  
438 Statutes, is amended to read:

439           102.112 Deadline for submission of county returns to the  
440 Department of State.—

441           (2) Returns must be filed by 5 p.m. on the 7th day  
442 following a primary election and by noon on the 12th day  
443 following the general election. However, the Department of State  
444 may correct typographical errors, including the transposition of  
445 numbers, in any returns submitted to the Department of State  
446 pursuant to s. 102.111(2) ~~s. 102.111(1)~~.

447           Section 14. Subsections (2) and (7) of section 102.141,  
448 Florida Statutes, are amended to read:



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449 102.141 County canvassing board; duties.-

450 (2) The county canvassing board shall meet in a building  
451 accessible to the public in the county where the election  
452 occurred at a time and place to be designated by the supervisor  
453 of elections to publicly canvass the absentee electors' ballots  
454 as provided for in s. 101.68 and provisional ballots as provided  
455 by ss. 101.048, 101.049, and 101.6925. Provisional ballots cast  
456 pursuant to s. 101.049 shall be canvassed in a manner that votes  
457 for candidates and issues on those ballots can be segregated  
458 from other votes. Public notice of the time and place at which  
459 the county canvassing board shall meet to canvass the absentee  
460 electors' ballots and provisional ballots shall be given at  
461 least 48 hours prior thereto by publication on the supervisor of  
462 elections' website and once in one or more newspapers of general  
463 circulation in the county or, if there is no newspaper of  
464 general circulation in the county, by posting such notice in at  
465 least four conspicuous places in the county. As soon as the  
466 absentee electors' ballots and the provisional ballots are  
467 canvassed, the board shall proceed to publicly canvass the vote  
468 given each candidate, nominee, constitutional amendment, or  
469 other measure submitted to the electorate of the county, as  
470 shown by the returns then on file in the office of the  
471 supervisor of elections ~~and the office of the county court~~  
472 ~~judge.~~

473 (7) If the unofficial returns reflect that a candidate for  
474 any office was defeated or eliminated by one-half of a percent  
475 or less of the votes cast for such office, that a candidate for  
476 retention to a judicial office was retained or not retained by  
477 one-half of a percent or less of the votes cast on the question



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478 of retention, or that a measure appearing on the ballot was  
479 approved or rejected by one-half of a percent or less of the  
480 votes cast on such measure, ~~the board responsible for certifying~~  
481 ~~the results of the vote on such race or measure shall order a~~  
482 recount shall be ordered of the votes cast with respect to such  
483 office or measure. The Secretary of State Elections Canvassing  
484 Commission is ~~the board~~ responsible for ordering recounts in  
485 federal, state, and multicounty rac~~es~~ rec~~ounts~~. The county  
486 canvassing board or the local board responsible for certifying  
487 the election is responsible for ordering recounts in all other  
488 rac~~es~~. A recount need not be ordered with respect to the returns  
489 for any office, however, if the candidate or candidates defeated  
490 or eliminated from contention for such office by one-half of a  
491 percent or less of the votes cast for such office request in  
492 writing that a recount not be made.

493 (a) Each canvassing board responsible for conducting a  
494 recount shall put each marksense ballot through automatic  
495 tabulating equipment and determine whether the returns correctly  
496 reflect the votes cast. If any marksense ballot is physically  
497 damaged so that it cannot be properly counted by the automatic  
498 tabulating equipment during the recount, a true duplicate shall  
499 be made of the damaged ballot pursuant to the procedures in s.  
500 101.5614(5). Immediately before the start of the recount, a test  
501 of the tabulating equipment shall be conducted as provided in s.  
502 101.5612. If the test indicates no error, the recount tabulation  
503 of the ballots cast shall be presumed correct and such votes  
504 shall be canvassed accordingly. If an error is detected, the  
505 cause therefor shall be ascertained and corrected and the  
506 recount repeated, as necessary. The canvassing board shall



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507 immediately report the error, along with the cause of the error  
508 and the corrective measures being taken, to the Department of  
509 State. No later than 11 days after the election, the canvassing  
510 board shall file a separate incident report with the Department  
511 of State, detailing the resolution of the matter and identifying  
512 any measures that will avoid a future recurrence of the error.

513 (b) Each canvassing board responsible for conducting a  
514 recount where touchscreen ballots were used shall examine the  
515 counters on the precinct tabulators to ensure that the total of  
516 the returns on the precinct tabulators equals the overall  
517 election return. If there is a discrepancy between the overall  
518 election return and the counters of the precinct tabulators, the  
519 counters of the precinct tabulators shall be presumed correct  
520 and such votes shall be canvassed accordingly.

521 (c) The canvassing board shall submit on forms or in  
522 formats provided by the division a second set of unofficial  
523 returns to the Department of State for each federal, statewide,  
524 state, or multicounty office or ballot measure. The returns  
525 shall be filed no later than 3 p.m. on the 5th ~~fifth~~ day after  
526 any primary election and no later than 3 p.m. on the 9th ~~ninth~~  
527 day after any general election in which a recount was ordered by  
528 the Secretary of State ~~conducted pursuant to this subsection~~. If  
529 the canvassing board is unable to complete the recount  
530 prescribed in this subsection by the deadline, the second set of  
531 unofficial returns submitted by the canvassing board shall be  
532 identical to the initial unofficial returns and the submission  
533 shall also include a detailed explanation of why it was unable  
534 to timely complete the recount. However, the canvassing board  
535 shall complete the recount prescribed in this subsection, along



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536 with any manual recount prescribed in s. 102.166, and certify  
537 election returns in accordance with the requirements of this  
538 chapter.

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

542 Section 15. Subsection (1) of section 102.166, Florida  
543 Statutes, is amended to read:

544 102.166 Manual recounts of overvotes and undervotes.—

545 (1) If the second set of unofficial returns pursuant to s.  
546 102.141 indicates that a candidate for any office was defeated  
547 or eliminated by one-quarter of a percent or less of the votes  
548 cast for such office, that a candidate for retention to a  
549 judicial office was retained or not retained by one-quarter of a  
550 percent or less of the votes cast on the question of retention,  
551 or that a measure appearing on the ballot was approved or  
552 rejected by one-quarter of a percent or less of the votes cast  
553 on such measure, ~~the board responsible for certifying the~~  
554 ~~results of the vote on such race or measure shall order~~ a manual  
555 recount of the overvotes and undervotes cast in the entire  
556 geographic jurisdiction of such office or ballot measure shall  
557 be ordered unless:. ~~A manual recount may not be ordered,~~  
558 ~~however, if~~

559 (a) The candidate or candidates defeated or eliminated from  
560 contention by one-quarter of 1 percent or fewer of the votes  
561 cast for such office request in writing that a recount not be  
562 made; or

563 (b) The number of overvotes and, undervotes, ~~and~~  
564 ~~provisional ballots~~ is fewer than the number of votes needed to



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565 change the outcome of the election.

566

567 The Secretary of State is responsible for ordering a manual  
568 recount for federal, state, and multicounty races. The county  
569 canvassing board or local board responsible for certifying the  
570 election is responsible for ordering a manual recount for all  
571 other races.

572 Section 16. Subsection (3) of section 106.25, Florida  
573 Statutes, is amended to read:

574 106.25 Reports of alleged violations to Florida Elections  
575 Commission; disposition of findings.-

576 (3) For the purposes of commission jurisdiction, a  
577 violation shall mean the willful performance of an act  
578 prohibited by this chapter or chapter 104 or the willful failure  
579 to perform an act required by this chapter or chapter 104.  
580 Willfulness is a determination of fact; however, at the request  
581 of the respondent at any time after probable cause is found,  
582 willfulness may be considered and determined in an informal  
583 hearing before the commission.

584 Section 17. Section 18 of this act may be cited as the  
585 "Technology in Elections Act."

586 Section 18. Subsection (1) of section 106.143, Florida  
587 Statutes, is amended, present subsection (8) of that section is  
588 renumbered as subsection (9), and a new subsection (8) is added  
589 to that section, to read:

590 106.143 Political advertisements circulated prior to  
591 election; requirements.-

592 (1)(a) Any political advertisement that is paid for by a  
593 candidate and that is published, displayed, or circulated before



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594 ~~prior to~~, or on the day of, any election must prominently state:

595       1. "Political advertisement paid for and approved by  
596       ...(name of candidate)..., ...(party affiliation)..., for  
597       ...(office sought)...."; or

598       2. "Paid by ...(name of candidate)..., ...(party  
599 affiliation)..., for ...(office sought)...."

600       (b) Any other political advertisement published, displayed,  
601 or circulated before ~~prior to~~, or on the day of, any election  
602 must prominently:

603       1. Be marked "paid political advertisement" or with the  
604 abbreviation "pd. pol. adv."

605       2. State the name and address of the persons sponsoring the  
606 advertisement.

607       3.a.(I) State whether the advertisement and the cost of  
608 production is paid for or provided in kind by or at the expense  
609 of the entity publishing, displaying, broadcasting, or  
610 circulating the political advertisement; or

611       (II) State who provided or paid for the advertisement and  
612 cost of production, if different from the source of sponsorship.

613       b. This subparagraph does not apply if the source of the  
614 sponsorship is patently clear from the content or format of the  
615 political advertisement.

616       (c) Any political advertisement made pursuant to s.  
617 106.021(3) (d) must be marked "paid political advertisement" or  
618 with the abbreviation "pd. pol. adv." and must prominently  
619 state, "Paid for and sponsored by ...(name of person paying for  
620 political advertisement).... Approved by ...(names of persons,  
621 party affiliation, and offices sought in the political  
622 advertisement)...."



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~~This subsection does not apply to campaign messages used by a candidate and the candidate's supporters if those messages are designed to be worn by a person.~~

(8) This section does not apply to any campaign message or political advertisement used by a candidate and the candidate's supporters or by a political committee if the message or advertisement is:

(a) Designed to be worn by a person.

(b) Placed as a paid link on an Internet website, provided the message or advertisement is no more than 200 characters in length and the link directs the user to another Internet website that complies with subsection (1).

(c) Placed as a graphic or picture link where compliance with the requirements of this section is not reasonably practical due to the size of the graphic or picture link and the link directs the user to another Internet website that complies with subsection (1).

(d) Placed at no cost on an Internet website for which there is no cost to post content for public users.

(e) Placed or distributed on an unpaid profile or account which is available to the public without charge or on a social networking Internet website, as long as the source of the message or advertisement is patently clear from the content or format of the message or advertisement. A candidate or political committee may prominently display a statement indicating that the website or account is an official website or account of the candidate or political committee and is approved by the candidate or political committee. A website or account may not



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652 be marked as official without prior approval by the candidate or  
653 political committee.

654 (f) Distributed as a text message or other message via  
655 Short Message Service, provided the message is no more than 200  
656 characters in length or requires the recipient to sign up or opt  
657 in to receive it.

658 (g) Connected with or included in any software application  
659 or accompanying function, provided that the user signs up, opts  
660 in, downloads, or otherwise accesses the application from or  
661 through a website that complies with subsection (1).

662 (h) Sent by a third-party user from or through a campaign  
663 or committee's website, provided the website complies with  
664 subsection (1).

665 (i) Contained in or distributed through any other  
666 technology-related item, service, or device for which compliance  
667 with subsection (1) is not reasonably practical due to the size  
668 or nature of such item, service, or device as available, or the  
669 means of displaying the message or advertisement makes  
670 compliance with subsection (1) impracticable.

671 (9)~~(8)~~ Any person who willfully violates any provision of  
672 this section is subject to the civil penalties prescribed in s.  
673 106.265.

674 Section 19. Paragraph (b) of subsection (1) of section  
675 106.011, Florida Statutes, is reenacted and amended, subsections  
676 (3) and (4) of that section are reenacted, subsection (14) of  
677 that section is amended, and subsections (18) and (19) of that  
678 section are reenacted and amended, to read:

679 106.011 Definitions.—As used in this chapter, the following  
680 terms have the following meanings unless the context clearly



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681 indicates otherwise:

682 (1)

683 (b) Notwithstanding paragraph (a), the following entities  
684 are not considered political committees for purposes of this  
685 chapter:

686 1. Organizations which are certified by the Department of  
687 State as committees of continuous existence pursuant to s.  
688 106.04, national political parties, and the state and county  
689 executive committees of political parties regulated by chapter  
690 103.

691 2. Corporations regulated by chapter 607 or chapter 617 or  
692 other business entities formed for purposes other than to  
693 support or oppose issues or candidates, if their political  
694 activities are limited to contributions to candidates, political  
695 parties, or political committees or expenditures in support of  
696 or opposition to an issue from corporate or business funds and  
697 if no contributions are received by such corporations or  
698 business entities.

699 3. Electioneering communications organizations as defined  
700 in subsection (19); ~~however, such organizations shall be~~  
701 ~~required to register with and report expenditures and~~  
702 ~~contributions, including contributions received from committees~~  
703 ~~of continuous existence, to the Division of Elections in the~~  
704 ~~same manner, at the same time, and subject to the same penalties~~  
705 ~~as a political committee supporting or opposing an issue or a~~  
706 ~~legislative candidate, except as otherwise specifically provided~~  
707 ~~in this chapter.~~

708 (3) "Contribution" means:

709 (a) A gift, subscription, conveyance, deposit, loan,



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710 payment, or distribution of money or anything of value,  
711 including contributions in kind having an attributable monetary  
712 value in any form, made for the purpose of influencing the  
713 results of an election or making an electioneering  
714 communication.

715 (b) A transfer of funds between political committees,  
716 between committees of continuous existence, between  
717 electioneering communications organizations, or between any  
718 combination of these groups.

719 (c) The payment, by any person other than a candidate or  
720 political committee, of compensation for the personal services  
721 of another person which are rendered to a candidate or political  
722 committee without charge to the candidate or committee for such  
723 services.

724 (d) The transfer of funds by a campaign treasurer or deputy  
725 campaign treasurer between a primary depository and a separate  
726 interest-bearing account or certificate of deposit, and the term  
727 includes any interest earned on such account or certificate.

728  
729 Notwithstanding the foregoing meanings of "contribution," the  
730 word shall not be construed to include services, including, but  
731 not limited to, legal and accounting services, provided without  
732 compensation by individuals volunteering a portion or all of  
733 their time on behalf of a candidate or political committee. This  
734 definition shall not be construed to include editorial  
735 endorsements.

736 (4) (a) "Expenditure" means a purchase, payment,  
737 distribution, loan, advance, transfer of funds by a campaign  
738 treasurer or deputy campaign treasurer between a primary



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739 depository and a separate interest-bearing account or  
740 certificate of deposit, or gift of money or anything of value  
741 made for the purpose of influencing the results of an election  
742 or making an electioneering communication. However,  
743 "expenditure" does not include a purchase, payment,  
744 distribution, loan, advance, or gift of money or anything of  
745 value made for the purpose of influencing the results of an  
746 election when made by an organization, in existence prior to the  
747 time during which a candidate qualifies or an issue is placed on  
748 the ballot for that election, for the purpose of printing or  
749 distributing such organization's newsletter, containing a  
750 statement by such organization in support of or opposition to a  
751 candidate or issue, which newsletter is distributed only to  
752 members of such organization.

753 (b) As used in this chapter, an "expenditure" for an  
754 electioneering communication is made when the earliest of the  
755 following occurs:

756 1. A person enters into a contract for applicable goods or  
757 services;

758 2. A person makes payment, in whole or in part, for the  
759 production or public dissemination of applicable goods or  
760 services; or

761 3. The electioneering communication is publicly  
762 disseminated.

763 (14) "Filing officer" means the person before whom a  
764 candidate qualifies, the agency or officer with whom a political  
765 committee or an electioneering communications organization  
766 registers, or the agency by whom a committee of continuous  
767 existence is certified.



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768 (18) (a) "Electioneering communication" means any  
769 communication that is publicly distributed by a television  
770 station, radio station, cable television system, satellite  
771 system, newspaper, magazine, direct mail, or telephone and a  
772 ~~paid expression in any communications media prescribed in~~  
773 ~~subsection (13) by means other than the spoken word in direct~~  
774 ~~conversation that:~~

775 1. Refers to or depicts a clearly identified candidate for  
776 office ~~or contains a clear reference indicating that an issue is~~  
777 ~~to be voted on at an election, without expressly advocating the~~  
778 election or defeat of a candidate but that is susceptible of no  
779 reasonable interpretation other than an appeal to vote for or  
780 against a specific candidate; or the passage or defeat of an  
781 ~~issue.~~

782 2. Is made within 30 days before a primary or special  
783 primary election or 60 days before any other election for the  
784 office sought by the candidate; and

785 3. ~~Is For communications referring to or depicting a~~  
786 ~~clearly identified candidate for office, is targeted to the~~  
787 relevant electorate. ~~A communication is considered targeted if~~  
788 ~~1,000 or more persons in the geographic area the candidate would~~  
789 ~~represent if elected will receive the communication.~~

790 3. ~~For communications containing a clear reference~~  
791 ~~indicating that an issue is to be voted on at an election, is~~  
792 ~~published after the issue is designated a ballot position or 120~~  
793 ~~days before the date of the election on the issue, whichever~~  
794 ~~occurs first.~~

795 (b) The term "electioneering communication" does not  
796 include:



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797           1. A communication disseminated through a means of  
798 communication other than a television station, radio station,  
799 cable television system, satellite system, newspaper, magazine,  
800 direct mail, telephone, or statement or depiction by an  
801 organization, in existence prior to the time during which a  
802 candidate named or depicted qualifies ~~or an issue identified is~~  
803 ~~placed on the ballot~~ for that election, made in that  
804 organization's newsletter, which newsletter is distributed only  
805 to members of that organization.

806           2. A communication in a news story, commentary, or  
807 editorial distributed through the facilities of any radio  
808 station, television station, cable television system, or  
809 satellite system, unless the facilities are owned or controlled  
810 by any political party, political committee, or candidate. A  
811 news story distributed through the facilities owned or  
812 controlled by any political party, political committee, or  
813 candidate may nevertheless be exempt if it represents a bona  
814 fide news account communicated through a licensed broadcasting  
815 facility and the communication is part of a general pattern of  
816 campaign-related news accounts that give reasonably equal  
817 coverage to all opposing candidates in the area. ~~An editorial~~  
818 ~~endorsement, news story, commentary, or editorial by any~~  
819 ~~newspaper, radio, television station, or other recognized news~~  
820 ~~medium.~~

821           3. A communication that constitutes a public debate or  
822 forum that includes at least two opposing candidates for an  
823 office or one advocate and one opponent of an issue, or that  
824 solely promotes such a debate or forum and is made by or on  
825 behalf of the person sponsoring the debate or forum, provided



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826 that:

827 a. The staging organization is either:

828 (I) A charitable organization that does not make other  
829 electioneering communications and does not otherwise support or  
830 oppose any political candidate or political party; or

831 (II) A newspaper, radio station, television station, or  
832 other recognized news medium; and

833 b. The staging organization does not structure the debate  
834 to promote or advance one candidate or issue position over  
835 another.

836 (c) For purposes of this chapter, an expenditure made for,  
837 or in furtherance of, an electioneering communication shall not  
838 be considered a contribution to or on behalf of any candidate.

839 (d) For purposes of this chapter, an electioneering  
840 communication shall not constitute an independent expenditure  
841 nor be subject to the limitations applicable to independent  
842 expenditures.

843 (19) "Electioneering communications organization" means any  
844 group, other than a political party, political committee, or  
845 committee of continuous existence, whose election-related  
846 activities are limited to making expenditures for electioneering  
847 communications or accepting contributions for the purpose of  
848 making electioneering communications and whose activities would  
849 not otherwise require the group to register as a political  
850 party, political committee, or committee of continuous existence  
851 under this chapter.

852 Section 20. Subsection (1) of section 106.022, Florida  
853 Statutes, is reenacted to read:

854 106.022 Appointment of a registered agent; duties.—



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855 (1) Each political committee, committee of continuous  
856 existence, or electioneering communications organization shall  
857 have and continuously maintain in this state a registered office  
858 and a registered agent and must file with the division a  
859 statement of appointment for the registered office and  
860 registered agent. The statement of appointment must:

861 (a) Provide the name of the registered agent and the street  
862 address and phone number for the registered office;

863 (b) Identify the entity for whom the registered agent  
864 serves;

865 (c) Designate the address the registered agent wishes to  
866 use to receive mail;

867 (d) Include the entity's undertaking to inform the division  
868 of any change in such designated address;

869 (e) Provide for the registered agent's acceptance of the  
870 appointment, which must confirm that the registered agent is  
871 familiar with and accepts the obligations of the position as set  
872 forth in this section; and

873 (f) Contain the signature of the registered agent and the  
874 entity engaging the registered agent.

875 Section 21. Paragraph (b) of subsection (1) of section  
876 106.03, Florida Statutes, is reenacted and amended, and  
877 subsections (2), (4), and (7) of that section are amended, to  
878 read:

879 106.03 Registration of political committees and  
880 electioneering communications organizations.—

881 (1)

882 (b)1. Each electioneering communications organization that  
883 receives ~~anticipates receiving~~ contributions or makes ~~making~~



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884 expenditures during a calendar year in an aggregate amount  
885 exceeding \$5,000 shall file a statement of organization as  
886 provided in subparagraph 2. subsection (3) by expedited delivery  
887 within 24 hours after its organization or, if later, within 24  
888 hours after the date on which it receives ~~has information that~~  
889 ~~causes the organization to anticipate that it will receive~~  
890 contributions or ~~makes~~ ~~make~~ expenditures for an electioneering  
891 communication in excess of \$5,000.

892 2.a. In a statewide, legislative, or multicounty election,  
893 an electioneering communications organization shall file a  
894 statement of organization with the Division of Elections.

895 b. In a countywide election or any election held on less  
896 than a countywide basis, except as described in sub-subparagraph  
897 c., an electioneering communications organization shall file a  
898 statement of organization with the supervisor of elections of  
899 the county in which the election is being held.

900 c. In a municipal election, an electioneering  
901 communications organization shall file a statement of  
902 organization with the officer before whom municipal candidates  
903 qualify.

904 d. Any electioneering communications organization that  
905 would be required to file a statement of organization in two or  
906 more locations by reason of the organization's intention to  
907 support or oppose candidates at state or multicounty and local  
908 levels of government need only file a statement of organization  
909 with the Division of Elections.

910 (2) The statement of organization shall include:

911 (a) The name, mailing address, and street address of the  
912 committee or electioneering communications organization;



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- 913 (b) The names, street addresses, and relationships of  
914 affiliated or connected organizations;
- 915 (c) The area, scope, or jurisdiction of the committee or  
916 electioneering communications organization;
- 917 (d) The name, mailing address, street address, and position  
918 of the custodian of books and accounts;
- 919 (e) The name, mailing address, street address, and position  
920 of other principal officers, including the treasurer and deputy  
921 treasurer ~~including officers and members of the finance~~  
922 ~~committee~~, if any;
- 923 (f) The name, address, office sought, and party affiliation  
924 of:
- 925 1. Each candidate whom the committee is supporting;
  - 926 2. Any other individual, if any, whom the committee is  
927 supporting for nomination for election, or election, to any  
928 public office whatever;
- 929 (g) Any issue or issues the committee ~~such organization~~ is  
930 supporting or opposing;
- 931 (h) If the committee is supporting the entire ticket of any  
932 party, a statement to that effect and the name of the party;
- 933 (i) A statement of whether the committee is a continuing  
934 one;
- 935 (j) Plans for the disposition of residual funds which will  
936 be made in the event of dissolution;
- 937 (k) A listing of all banks, safe-deposit boxes, or other  
938 depositories used for committee or electioneering communications  
939 organization funds; ~~and~~
- 940 (l) A statement of the reports required to be filed by the  
941 committee or the electioneering communications organization with



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942 federal officials, if any, and the names, addresses, and  
943 positions of such officials; and

944 (m) A statement of whether the electioneering  
945 communications organization was formed as a newly created  
946 organization during the current calendar quarter or was formed  
947 from an organization existing prior to the current calendar  
948 quarter. For purposes of this subsection, calendar quarters end  
949 the last day of March, June, September, and December.

950 (4) Any change in information previously submitted in a  
951 statement of organization shall be reported to the agency or  
952 officer with whom such committee or electioneering  
953 communications organization is required to register ~~pursuant to~~  
954 ~~subsection (3)~~, within 10 days following the change.

955 (7) The Division of Elections shall adopt ~~promulgate~~ rules  
956 to prescribe the manner in which ~~inactive~~ committees and  
957 electioneering communications organizations may be dissolved and  
958 have their registration canceled. Such rules shall, at a  
959 minimum, provide for:

960 (a) Notice which shall contain the facts and conduct which  
961 warrant the intended action, including but not limited to  
962 failure to file reports and limited activity.

963 (b) Adequate opportunity to respond.

964 (c) Appeal of the decision to the Florida Elections  
965 Commission. Such appeals shall be exempt from the  
966 confidentiality provisions of s. 106.25.

967 Section 22. Subsection (5) of section 106.04, Florida  
968 Statutes, is reenacted to read:

969 106.04 Committees of continuous existence.-

970 (5) No committee of continuous existence shall make an



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971 electioneering communication, contribute to any candidate or  
972 political committee an amount in excess of the limits contained  
973 in s. 106.08(1), or participate in any activity which is  
974 prohibited by this chapter. If any violation occurs, it shall be  
975 punishable as provided in this chapter for the given offense. No  
976 funds of a committee of continuous existence shall be expended  
977 on behalf of a candidate, except by means of a contribution made  
978 through the duly appointed campaign treasurer of a candidate. No  
979 such committee shall make expenditures in support of, or in  
980 opposition to, an issue unless such committee first registers as  
981 a political committee pursuant to this chapter and undertakes  
982 all the practices and procedures required thereof; provided such  
983 committee may make contributions in a total amount not to exceed  
984 25 percent of its aggregate income, as reflected in the annual  
985 report filed for the previous year, to one or more political  
986 committees registered pursuant to s. 106.03 and formed to  
987 support or oppose issues.

988 Section 23. Section 106.0703, Florida Statutes, is  
989 reenacted and amended to read:

990 106.0703 Electioneering communications organizations;  
991 additional reporting requirements; certification and filing;  
992 penalties.—

993 (1) (a) Each electioneering communications organization  
994 shall file regular reports of all contributions received and all  
995 expenditures made by or on behalf of the organization. Reports  
996 shall be filed on the 10th day following the end of each  
997 calendar quarter from the time the organization is registered.  
998 However, if the 10th day following the end of a calendar quarter  
999 occurs on a Saturday, Sunday, or legal holiday, the report shall



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1000 be filed on the next following day that is not a Saturday,  
1001 Sunday, or legal holiday. Quarterly reports shall include all  
1002 contributions received and expenditures made during the calendar  
1003 quarter that have not otherwise been reported pursuant to this  
1004 section.

1005 (b) Following the last day of candidates qualifying for  
1006 office, the reports shall be filed on the 32nd, 18th, and 4th  
1007 days immediately preceding the primary election and on the 46th,  
1008 32nd, 18th, and 4th days immediately preceding the general  
1009 election.

1010 (c) When a special election is called to fill a vacancy in  
1011 office, all electioneering communications organizations making  
1012 contributions or expenditures to influence the results of the  
1013 special election shall file reports with the filing officer on  
1014 the dates set by the Department of State pursuant to s. 100.111.

1015 (d) In addition, an electioneering communications  
1016 organization that is registered with the Department of State and  
1017 that makes a contribution or expenditure to influence the  
1018 results of a county or municipal election that is not being held  
1019 at the same time as a state or federal election must file  
1020 reports with the county or municipal filing officer on the same  
1021 dates as county or municipal candidates or committees for that  
1022 election. The electioneering communications organization must  
1023 also include the expenditure in the next report filed with the  
1024 Division of Elections pursuant to this section following the  
1025 county or municipal election.

1026 (e) The filing officer shall make available to each  
1027 electioneering communications organization a schedule  
1028 designating the beginning and end of reporting periods as well



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1029 as the corresponding designated due dates.

1030 (2) (a) Except as provided in s. 106.0705, the reports  
1031 required of an electioneering communications organization shall  
1032 be filed with the filing officer not later than 5 p.m. of the  
1033 day designated. However, any report postmarked by the United  
1034 States Postal Service no later than midnight of the day  
1035 designated shall be deemed to have been filed in a timely  
1036 manner. Any report received by the filing officer within 5 days  
1037 after the designated due date that was delivered by the United  
1038 States Postal Service shall be deemed timely filed unless it has  
1039 a postmark that indicates that the report was mailed after the  
1040 designated due date. A certificate of mailing obtained from and  
1041 dated by the United States Postal Service at the time of  
1042 mailing, or a receipt from an established courier company, which  
1043 bears a date on or before the date on which the report is due,  
1044 shall be proof of mailing in a timely manner. Reports shall  
1045 contain information of all previously unreported contributions  
1046 received and expenditures made as of the preceding Friday,  
1047 except that the report filed on the Friday immediately preceding  
1048 the election shall contain information of all previously  
1049 unreported contributions received and expenditures made as of  
1050 the day preceding the designated due date. All such reports  
1051 shall be open to public inspection.

1052 (b)1. Any report that is deemed to be incomplete by the  
1053 officer with whom the electioneering communications organization  
1054 files shall be accepted on a conditional basis. The treasurer of  
1055 the electioneering communications organization shall be  
1056 notified, by certified mail or other common carrier that can  
1057 establish proof of delivery for the notice, as to why the report



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1058 is incomplete. Within 7 days after receipt of such notice, the  
1059 treasurer must file an addendum to the report providing all  
1060 information necessary to complete the report in compliance with  
1061 this section. Failure to file a complete report after such  
1062 notice constitutes a violation of this chapter.

1063 2. Notice is deemed sufficient upon proof of delivery of  
1064 written notice to the mailing or street address of the treasurer  
1065 or registered agent of the electioneering communication  
1066 organization on record with the filing officer.

1067 (3) (a) Each report required by this section must contain:

1068 1. The full name, address, and occupation, if any, of each  
1069 person who has made one or more contributions to or for such  
1070 electioneering communications organization within the reporting  
1071 period, together with the amount and date of such contributions.  
1072 For corporations, the report must provide as clear a description  
1073 as practicable of the principal type of business conducted by  
1074 the corporation. However, if the contribution is \$100 or less,  
1075 the occupation of the contributor or the principal type of  
1076 business need not be listed.

1077 2. The name and address of each political committee from  
1078 which or to which the reporting electioneering communications  
1079 organization made any transfer of funds, together with the  
1080 amounts and dates of all transfers.

1081 3. Each loan for electioneering communication purposes to  
1082 or from any person or political committee within the reporting  
1083 period, together with the full names, addresses, and occupations  
1084 and principal places of business, if any, of the lender and  
1085 endorsers, if any, and the date and amount of such loans.

1086 4. A statement of each contribution, rebate, refund, or



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1087 other receipt not otherwise listed under subparagraphs 1.-3.

1088 5. The total sums of all loans, in-kind contributions, and  
1089 other receipts by or for such electioneering communications  
1090 organization during the reporting period. The reporting forms  
1091 shall be designed to elicit separate totals for in-kind  
1092 contributions, loans, and other receipts.

1093 6. The full name and address of each person to whom  
1094 expenditures have been made by or on behalf of the  
1095 electioneering communications organization within the reporting  
1096 period and the amount, date, and purpose of each expenditure.

1097 7. The full name and address of each person to whom an  
1098 expenditure for personal services, salary, or reimbursement for  
1099 expenses has been made and that is not otherwise reported,  
1100 including the amount, date, and purpose of the expenditure.

1101 8. The total sum of expenditures made by the electioneering  
1102 communications organization during the reporting period.

1103 9. The amount and nature of debts and obligations owed by  
1104 or to the electioneering communications organization that relate  
1105 to the conduct of any electioneering communication.

1106 10. The amount and nature of any separate interest-bearing  
1107 accounts or certificates of deposit and identification of the  
1108 financial institution in which such accounts or certificates of  
1109 deposit are located.

1110 11. The primary purposes of an expenditure made indirectly  
1111 through an electioneering communications organization for goods  
1112 and services, such as communications media placement or  
1113 procurement services and other expenditures that include  
1114 multiple components as part of the expenditure. The primary  
1115 purpose of an expenditure shall be that purpose, including



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1116 integral and directly related components, that comprises 80  
1117 percent of such expenditure.

1118 (b) The filing officer shall make available to any  
1119 electioneering communications organization a reporting form  
1120 which the electioneering communications organization may use to  
1121 indicate contributions received by the electioneering  
1122 communications organization but returned to the contributor  
1123 before deposit.

1124 (4) The treasurer of the electioneering communications  
1125 organization shall certify as to the correctness of each report,  
1126 and each person so certifying shall bear the responsibility for  
1127 the accuracy and veracity of each report. Any treasurer who  
1128 willfully certifies the correctness of any report while knowing  
1129 that such report is incorrect, false, or incomplete commits a  
1130 misdemeanor of the first degree, punishable as provided in s.  
1131 775.082 or s. 775.083.

1132 (5) The electioneering communications organization  
1133 depository shall provide statements reflecting deposits and  
1134 expenditures from the account to the treasurer, who shall retain  
1135 the records pursuant to s. 106.06. The records maintained by the  
1136 depository with respect to the account shall be subject to  
1137 inspection by an agent of the Division of Elections or the  
1138 Florida Elections Commission at any time during normal banking  
1139 hours, and such depository shall furnish certified copies of any  
1140 such records to the Division of Elections or the Florida  
1141 Elections Commission upon request.

1142 (6) Notwithstanding any other provisions of this chapter,  
1143 in any reporting period during which an electioneering  
1144 communications organization has not received funds, made any



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1145 contributions, or expended any reportable funds, the treasurer  
1146 shall file a written report with the filing officer by the  
1147 prescribed reporting date that no reportable contributions or  
1148 expenditures were made during the reporting period.

1149 (7) (a) Any electioneering communications organization  
1150 failing to file a report on the designated due date shall be  
1151 subject to a fine as provided in paragraph (b) for each late  
1152 day. The fine shall be assessed by the filing officer and the  
1153 moneys collected shall be deposited:

1154 1. In the General Revenue Fund, in the case of an  
1155 electioneering communications organization that registers with  
1156 the Division of Elections; or

1157 2. In the general revenue fund of the political  
1158 subdivision, in the case of an electioneering communications  
1159 organization that registers with an officer of a political  
1160 subdivision.

1161  
1162 No separate fine shall be assessed for failure to file a copy of  
1163 any report required by this section.

1164 (b) Upon determining that a report is late, the filing  
1165 officer shall immediately notify the electioneering  
1166 communications organization as to the failure to file a report  
1167 by the designated due date and that a fine is being assessed for  
1168 each late day. The fine shall be \$50 per day for the first 3  
1169 days late and, thereafter, \$500 per day for each late day, not  
1170 to exceed 25 percent of the total receipts or expenditures,  
1171 whichever is greater, for the period covered by the late report.  
1172 However, for the reports immediately preceding each primary and  
1173 general election, the fine shall be \$500 per day for each late



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1174 day, not to exceed 25 percent of the total receipts or  
1175 expenditures, whichever is greater, for the period covered by  
1176 the late report. Upon receipt of the report, the filing officer  
1177 shall determine the amount of the fine which is due and shall  
1178 notify the electioneering communications organization. The  
1179 filing officer shall determine the amount of the fine due based  
1180 upon the earliest of the following:

- 1181 1. When the report is actually received by such officer.
- 1182 2. When the report is postmarked.
- 1183 3. When the certificate of mailing is dated.
- 1184 4. When the receipt from an established courier company is  
1185 dated.
- 1186 5. When the electronic receipt issued pursuant to s.  
1187 106.0705 or other electronic filing system authorized in this  
1188 section is dated.

1189  
1190 Such fine shall be paid to the filing officer within 20 days  
1191 after receipt of the notice of payment due, unless appeal is  
1192 made to the Florida Elections Commission pursuant to paragraph  
1193 (c). Notice is deemed sufficient upon proof of delivery of  
1194 written notice to the mailing or street address on record with  
1195 the filing officer. An officer or member of an electioneering  
1196 communications organization shall not be personally liable for  
1197 such fine.

1198 (c) The treasurer of an electioneering communications  
1199 organization may appeal or dispute the fine, based upon, but not  
1200 limited to, unusual circumstances surrounding the failure to  
1201 file on the designated due date, and may request and shall be  
1202 entitled to a hearing before the Florida Elections Commission,



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1203 which shall have the authority to waive the fine in whole or in  
1204 part. The Florida Elections Commission must consider the  
1205 mitigating and aggravating circumstances contained in s.  
1206 106.265(1) when determining the amount of a fine, if any, to be  
1207 waived. Any such request shall be made within 20 days after  
1208 receipt of the notice of payment due. In such case, the  
1209 treasurer of the electioneering communications organization  
1210 shall, within the 20-day period, notify the filing officer in  
1211 writing of his or her intention to bring the matter before the  
1212 commission.

1213 (d) The appropriate filing officer shall notify the Florida  
1214 Elections Commission of the repeated late filing by an  
1215 electioneering communications organization, the failure of an  
1216 electioneering communications organization to file a report  
1217 after notice, or the failure to pay the fine imposed. The  
1218 commission shall investigate only those alleged late filing  
1219 violations specifically identified by the filing officer and as  
1220 set forth in the notification. Any other alleged violations must  
1221 be stated separately and reported by the division to the  
1222 commission under s. 106.25(2).

1223 ~~(8) In addition to the reporting requirements in s. 106.07,~~  
1224 An electioneering communications organization shall, within 2  
1225 days after receiving its initial password or secure sign-on from  
1226 the Department of State allowing confidential access to the  
1227 department's electronic campaign finance filing system,  
1228 electronically file the periodic ~~campaign finance~~ reports that  
1229 would have been required pursuant to this section ~~s. 106.07~~ for  
1230 reportable activities that occurred since the date of the last  
1231 general election.



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1232           (9) Electioneering communications organizations shall not  
1233 use credit cards.

1234           Section 24. Paragraph (b) of subsection (2) of section  
1235 106.0705, Florida Statutes, is reenacted, and subsections (3)  
1236 and (4) of that section are amended, to read:

1237           106.0705 Electronic filing of campaign treasurer's  
1238 reports.-

1239           (2)

1240           (b) Each political committee, committee of continuous  
1241 existence, electioneering communications organization, or state  
1242 executive committee that is required to file reports with the  
1243 division under s. 106.04, s. 106.07, s. 106.0703, or s. 106.29,  
1244 as applicable, must file such reports with the division by means  
1245 of the division's electronic filing system.

1246           (3) Reports filed pursuant to this section shall be  
1247 completed and filed through the electronic filing system not  
1248 later than midnight of the day designated. Reports not filed by  
1249 midnight of the day designated are late filed and are subject to  
1250 the penalties under s. 106.04(8), s. 106.07(8), s. 106.0703(7),  
1251 or s. 106.29(3), as applicable.

1252           (4) Each report filed pursuant to this section is  
1253 considered to be under oath by the candidate and treasurer, ~~or~~  
1254 the chair and treasurer, or the treasurer under s. 106.0703,  
1255 whichever is applicable, and such persons are subject to the  
1256 provisions of s. 106.04(4)(d), s. 106.07(5), s. 106.0703(4), or  
1257 s. 106.29(2), as applicable. Persons given a secure sign-on to  
1258 the electronic filing system are responsible for protecting such  
1259 from disclosure and are responsible for all filings using such  
1260 credentials, unless they have notified the division that their



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1261 credentials have been compromised.

1262 Section 25. Subsection (1) of section 106.071, Florida  
1263 Statutes, is reenacted and amended to read:

1264 106.071 Independent expenditures; electioneering  
1265 communications; reports; disclaimers.—

1266 (1) Each person who makes an independent expenditure with  
1267 respect to any candidate or issue, and each individual who makes  
1268 an expenditure for an electioneering communication which is not  
1269 otherwise reported pursuant to this chapter, which expenditure,  
1270 in the aggregate, is in the amount of \$5,000 ~~\$100~~ or more, shall  
1271 file periodic reports of such expenditures in the same manner,  
1272 at the same time, subject to the same penalties, and with the  
1273 same officer as a political committee supporting or opposing  
1274 such candidate or issue. The report shall contain the full name  
1275 and address of the person making the expenditure; the full name  
1276 and address of each person to whom and for whom each such  
1277 expenditure has been made; the amount, date, and purpose of each  
1278 such expenditure; a description of the services or goods  
1279 obtained by each such expenditure; the issue to which the  
1280 expenditure relates; and the name and address of, and office  
1281 sought by, each candidate on whose behalf such expenditure was  
1282 made.

1283 Section 26. Subsections (4) and (5) of section 106.08,  
1284 Florida Statutes, are amended, and subsection (7) of that  
1285 section is reenacted, to read:

1286 106.08 Contributions; limitations on.—

1287 (4)~~(a)~~ Any contribution received by the chair, campaign  
1288 treasurer, or deputy campaign treasurer of a political committee  
1289 supporting or opposing a candidate with opposition in an



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1290 election or supporting or opposing an issue on the ballot in an  
1291 election on the day of that election or less than 5 days prior  
1292 to the day of that election may not be obligated or expended by  
1293 the committee until after the date of the election.

1294 ~~(b) Any contribution received by an electioneering~~  
1295 ~~communications organization on the day of an election or less~~  
1296 ~~than 5 days prior to the day of that election may not be~~  
1297 ~~obligated or expended by the organization until after the date~~  
1298 ~~of the election and may not be expended to pay for any~~  
1299 ~~obligation arising prior to the election.~~

1300 (5) (a) A person may not make any contribution through or in  
1301 the name of another, directly or indirectly, in any election.

1302 (b) Candidates, political committees, and political parties  
1303 may not solicit contributions from any religious, charitable,  
1304 civic, or other causes or organizations established primarily  
1305 for the public good.

1306 (c) Candidates, political committees, and political parties  
1307 may not make contributions, in exchange for political support,  
1308 to any religious, charitable, civic, or other cause or  
1309 organization established primarily for the public good. It is  
1310 not a violation of this paragraph for:

1311 1. A candidate, political committee, or political party  
1312 executive committee to make gifts of money in lieu of flowers in  
1313 memory of a deceased person;

1314 2. A candidate to continue membership in, or make regular  
1315 donations from personal or business funds to, religious,  
1316 political party, civic, or charitable groups of which the  
1317 candidate is a member or to which the candidate has been a  
1318 regular donor for more than 6 months; or



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1319           3. A candidate to purchase, with campaign funds, tickets,  
1320 admission to events, or advertisements from religious, civic,  
1321 political party, or charitable groups.

1322           ~~(d) An electioneering communications organization may not~~  
1323 ~~accept a contribution from an organization exempt from taxation~~  
1324 ~~under s. 527 or s. 501(c)(4) of the Internal Revenue Code, other~~  
1325 ~~than a political committee, committee of continuous existence,~~  
1326 ~~or political party, unless the contributing organization has~~  
1327 ~~registered as if the organization were an electioneering~~  
1328 ~~communications organization pursuant to s. 106.03 and has filed~~  
1329 ~~all campaign finance reports required of electioneering~~  
1330 ~~communications organizations pursuant to ss. 106.07 and~~  
1331 ~~106.0703.~~

1332           (7) (a) Any person who knowingly and willfully makes or  
1333 accepts no more than one contribution in violation of subsection  
1334 (1) or subsection (5), or any person who knowingly and willfully  
1335 fails or refuses to return any contribution as required in  
1336 subsection (3), commits a misdemeanor of the first degree,  
1337 punishable as provided in s. 775.082 or s. 775.083. If any  
1338 corporation, partnership, or other business entity or any  
1339 political party, political committee, committee of continuous  
1340 existence, or electioneering communications organization is  
1341 convicted of knowingly and willfully violating any provision  
1342 punishable under this paragraph, it shall be fined not less than  
1343 \$1,000 and not more than \$10,000. If it is a domestic entity, it  
1344 may be ordered dissolved by a court of competent jurisdiction;  
1345 if it is a foreign or nonresident business entity, its right to  
1346 do business in this state may be forfeited. Any officer,  
1347 partner, agent, attorney, or other representative of a



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1348 corporation, partnership, or other business entity, or of a  
1349 political party, political committee, committee of continuous  
1350 existence, electioneering communications organization, or  
1351 organization exempt from taxation under s. 527 or s. 501(c)(4)  
1352 of the Internal Revenue Code, who aids, abets, advises, or  
1353 participates in a violation of any provision punishable under  
1354 this paragraph commits a misdemeanor of the first degree,  
1355 punishable as provided in s. 775.082 or s. 775.083.

1356 (b) Any person who knowingly and willfully makes or accepts  
1357 two or more contributions in violation of subsection (1) or  
1358 subsection (5) commits a felony of the third degree, punishable  
1359 as provided in s. 775.082, s. 775.083, or s. 775.084. If any  
1360 corporation, partnership, or other business entity or any  
1361 political party, political committee, committee of continuous  
1362 existence, or electioneering communications organization is  
1363 convicted of knowingly and willfully violating any provision  
1364 punishable under this paragraph, it shall be fined not less than  
1365 \$10,000 and not more than \$50,000. If it is a domestic entity,  
1366 it may be ordered dissolved by a court of competent  
1367 jurisdiction; if it is a foreign or nonresident business entity,  
1368 its right to do business in this state may be forfeited. Any  
1369 officer, partner, agent, attorney, or other representative of a  
1370 corporation, partnership, or other business entity, or of a  
1371 political committee, committee of continuous existence,  
1372 political party, or electioneering communications organization,  
1373 or organization exempt from taxation under s. 527 or s.  
1374 501(c)(4) of the Internal Revenue Code, who aids, abets,  
1375 advises, or participates in a violation of any provision  
1376 punishable under this paragraph commits a felony of the third



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1377 degree, punishable as provided in s. 775.082, s. 775.083, or s.  
1378 775.084.

1379 Section 27. Section 106.1437, Florida Statutes, is  
1380 reenacted to read:

1381 106.1437 Miscellaneous advertisements.—Any advertisement,  
1382 other than a political advertisement, independent expenditure,  
1383 or electioneering communication, on billboards, bumper stickers,  
1384 radio, or television, or in a newspaper, a magazine, or a  
1385 periodical, intended to influence public policy or the vote of a  
1386 public official, shall clearly designate the sponsor of such  
1387 advertisement by including a clearly readable statement of  
1388 sponsorship. If the advertisement is broadcast on television,  
1389 the advertisement shall also contain a verbal statement of  
1390 sponsorship. This section shall not apply to an editorial  
1391 endorsement.

1392 Section 28. Section 106.1439, Florida Statutes, is  
1393 reenacted and amended to read:

1394 106.1439 Electioneering communications; disclaimers.—

1395 (1) Any electioneering communication, other than a  
1396 telephone call, shall prominently state: "Paid electioneering  
1397 communication paid for by ...(Name and address of person paying  
1398 for the communication)...."

1399 (2) Any electioneering communication telephone call shall  
1400 identify the persons or organizations sponsoring the call by  
1401 stating either: "Paid for by ...(insert name of persons or  
1402 organizations sponsoring the call)...." or "Paid for on behalf  
1403 of ...(insert name of persons or organizations authorizing  
1404 call)...." This subsection does not apply to any telephone call  
1405 in which the individual making the call is not being paid and



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1406 the individuals participating in the call know each other prior  
1407 to the call.

1408 (3)~~(2)~~ Any person who fails to include the disclaimer  
1409 prescribed in this section in any electioneering communication  
1410 that is required to contain such disclaimer commits a  
1411 misdemeanor of the first degree, punishable as provided in s.  
1412 775.082 or s. 775.083.

1413 Section 29. Paragraphs (a) and (e) of subsection (1) of  
1414 section 106.147, Florida Statutes, are amended to read:

1415 106.147 Telephone solicitation; disclosure requirements;  
1416 prohibitions; exemptions; penalties.—

1417 (1) (a) Any ~~electioneering communication telephone call or~~  
1418 ~~any~~ telephone call supporting or opposing a candidate, elected  
1419 public official, or ballot proposal must identify the persons or  
1420 organizations sponsoring the call by stating either: "paid for  
1421 by ...." (insert name of persons or organizations sponsoring the  
1422 call) or "paid for on behalf of ...." (insert name of persons or  
1423 organizations authorizing call). This paragraph does not apply  
1424 to any telephone call in which both the individual making the  
1425 call is not being paid and the individuals participating in the  
1426 call know each other prior to the call.

1427 ~~(e) Any electioneering communication paid for with public~~  
1428 ~~funds must include a disclaimer containing the words "paid for~~  
1429 ~~by ... (Name of the government entity paying for the~~  
1430 ~~communication)...."~~

1431 Section 30. Section 106.17, Florida Statutes, is reenacted  
1432 to read:

1433 106.17 Polls and surveys relating to candidacies.—Any  
1434 candidate, political committee, committee of continuous



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1435 existence, electioneering communication organization, or state  
1436 or county executive committee of a political party may authorize  
1437 or conduct a political poll, survey, index, or measurement of  
1438 any kind relating to candidacy for public office so long as the  
1439 candidate, political committee, committee of continuous  
1440 existence, electioneering communication organization, or  
1441 political party maintains complete jurisdiction over the poll in  
1442 all its aspects.

1443 Section 31. Subsection (11) of section 379.352, Florida  
1444 Statutes, is amended to read:

1445 379.352 Recreational licenses, permits, and authorization  
1446 numbers to take wild animal life, freshwater aquatic life, and  
1447 marine life; issuance; costs; reporting.-

1448 (11) When acting in its official capacity pursuant to this  
1449 section, neither the commission nor a subagent is deemed a  
1450 third-party registration organization, as defined in s. 97.021  
1451 ~~s. 97.021(36)~~, or a voter registration agency, as defined in s.  
1452 97.021 ~~s. 97.021(40)~~, and is not authorized to solicit, accept,  
1453 or collect voter registration applications or provide voter  
1454 registration services.

1455 Section 32. Except as otherwise expressly provided in this  
1456 act, this act shall take effect upon becoming a law.

1457  
1458 ===== T I T L E A M E N D M E N T =====

1459 And the title is amended as follows:

1460 Delete everything before the enacting clause  
1461 and insert:

1462 A bill to be entitled

1463 An act relating to elections; creating s. 97.0115,



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1464 F.S.; providing that all matters in chapters 97  
1465 through 105, F.S., are preempted to the state, unless  
1466 otherwise specified; amending s. 97.021, F.S.;  
1467 defining the term "absent uniformed services voter";  
1468 revising the definition of the term "overseas voter";  
1469 amending s. 98.0981, F.S., relating to statewide voter  
1470 information; conforming a cross-reference; ; amending  
1471 s. 101.111, F.S.; revising voter challenge oath  
1472 requirements; providing circumstances under which a  
1473 challenged voter may execute a change of legal  
1474 residence, be directed to the proper precinct, or vote  
1475 a provisional ballot; amending s. 101.56075, F.S.;  
1476 extending the deadline by which persons with  
1477 disabilities will be required to vote on voter  
1478 interface devices meeting specified requirements;  
1479 amending s. 101.5612, F.S.; requiring the supervisor  
1480 of elections to publish on his or her website a notice  
1481 of testing of tabulating equipment; requiring the use  
1482 of certain ballots and technology for preelection  
1483 testing of tabulating equipment; amending s. 101.62,  
1484 F.S.; requiring the supervisor of elections to notify  
1485 the absent uniformed services voter and overseas voter  
1486 of the free access system for determining absentee  
1487 ballot status; providing a timeframe for an absentee  
1488 ballot to be sent to each absent uniformed services  
1489 voter and overseas voter; providing acceptable formats  
1490 for requesting an absentee ballot; modifying  
1491 circumstances under which the department is authorized  
1492 to prescribe rules for a ballot to be sent to absent



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1493 uniformed services voters and overseas voters;  
1494 amending s. 101.694, F.S.; requiring a supervisor to  
1495 send absentee ballots by specified means to certain  
1496 persons upon receipt of a federal postcard  
1497 application; deleting provisions relating to the  
1498 period for which an absentee ballot request is valid;  
1499 amending s. 101.6952, F.S.; revising responsibilities  
1500 of the supervisor of elections when an absent  
1501 uniformed services voter's or overseas voter's request  
1502 for an absentee ballot includes an e-mail address;  
1503 requiring the supervisor to record the e-mail address  
1504 in the absentee ballot record and, via e-mail, confirm  
1505 that the request was received, inform the voter of the  
1506 estimated date the absentee ballot will be sent, and  
1507 notify the voter when the voted absentee ballot is  
1508 received; amending s. 101.71, F.S.; requiring the  
1509 supervisor of elections to ensure the provision of  
1510 adequate supplies, equipment, and personnel when  
1511 precincts are collocated; requiring the supervisor of  
1512 elections to publish the relocation of a polling place  
1513 on his or her website; amending s. 102.012, F.S.;  
1514 allowing the supervisor of elections to appoint one  
1515 election board for collocated precincts and requiring  
1516 the appointment of adequate personnel for the  
1517 collocated precincts; amending s. 102.111, F.S.;  
1518 clarifying that the Governor and Cabinet members shall  
1519 serve ex officio on the Elections Canvassing  
1520 Commission; establishing meeting times for the  
1521 commission; amending s. 102.112, F.S.; conforming a



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1522 cross-reference; amending s. 102.141, F.S.; requiring  
1523 the supervisor of elections to publish on his or her  
1524 website notice of the time for canvassing absentee and  
1525 provisional ballots; providing circumstances under  
1526 which the Secretary of State, county canvassing board,  
1527 or local board is responsible for ordering recounts in  
1528 elections; specifying the time for filing returns for  
1529 elections in which a recount was ordered; amending s.  
1530 102.166, F.S.; providing circumstances under which the  
1531 Secretary of State, county canvassing board, or local  
1532 board is responsible for ordering a manual recount of  
1533 overvotes and undervotes; amending s. 106.25, F.S.;  
1534 authorizing the Florida Elections Commission to  
1535 determine whether a person's conduct was willful in an  
1536 informal hearing following a finding of probable  
1537 cause; providing a short title; amending s. 106.143,  
1538 F.S.; providing an alternative statement that may be  
1539 used to identify a candidate as the sponsor of a  
1540 political advertisement under certain circumstances;  
1541 providing circumstances under which certain campaign  
1542 messages and political advertisements are not required  
1543 to state or display specific information regarding the  
1544 identity of the candidate, his or her party  
1545 affiliation, and the office sought in the message or  
1546 advertisement; authorizing a candidate or political  
1547 committee to place a statement on a social networking  
1548 website or account indicating that the site or account  
1549 is an official site or account approved by the  
1550 candidate or political committee; prohibiting an



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1551 official designation without the prior approval by the  
1552 candidate or political committee; amending s. 106.011,  
1553 F.S.; revising the definition of the term "political  
1554 committee" to remove certain reporting requirements  
1555 included in the exclusion of electioneering  
1556 communications organizations from the definition;  
1557 revising the definition of the term "filing officer"  
1558 to expand applicability to electioneering  
1559 communications organizations; revising the definition  
1560 of the term "electioneering communication" to conform  
1561 to certain federal requirements and to delineate what  
1562 constitutes such a communication; revising the  
1563 definition of the term "electioneering communications  
1564 organization"; amending s. 106.03, F.S.; revising the  
1565 registration requirements for electioneering  
1566 communications organizations; revising the statement  
1567 of organization requirements; revising rule adoption  
1568 requirements relating to dissolution of political  
1569 committees and electioneering communications  
1570 organizations; amending s. 106.0703, F.S.;  
1571 consolidating reporting requirements in ch. 106, F.S.,  
1572 applicable to electioneering communications  
1573 organizations; providing penalties; conforming  
1574 provisions; prohibiting the use of credit cards by  
1575 electioneering communications organizations; amending  
1576 s. 106.0705, F.S., relating to electronic filing of  
1577 campaign treasurer's reports; conforming provisions;  
1578 amending s. 106.071, F.S.; increasing the aggregate  
1579 amount of expenditures required for filing certain



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1580 reports related to independent expenditures or  
1581 electioneering communications; amending s. 106.08,  
1582 F.S.; removing certain limitations on contributions  
1583 received by an electioneering communications  
1584 organization; amending s. 106.1439, F.S.; providing  
1585 identification requirements for certain electioneering  
1586 communications; providing an exception for telephone  
1587 calls; amending s. 106.147, F.S., relating to  
1588 telephone solicitation disclosure requirements;  
1589 removing requirements relating to electioneering  
1590 communication, to conform; reenacting ss.  
1591 106.011(1)(b), (3), (4), (18), and (19), 106.022(1),  
1592 106.03(1)(b), 106.04(5), 106.0703, 106.0705(2)(b),  
1593 106.071(1), 106.08(7), 106.1437, 106.1439, and 106.17,  
1594 F.S., relating to definitions, registered office and  
1595 agent requirements, registration requirements,  
1596 prohibited activities for committees of continuous  
1597 existence, additional reporting requirements,  
1598 electronic filing requirements, expenditure reports,  
1599 penalties for violations pertaining to limitations on  
1600 contributions, miscellaneous advertisements,  
1601 electioneering communications disclaimers and  
1602 penalties for failure to include disclaimers, and  
1603 polls and surveys pertaining to candidacies, to cure  
1604 and conform; amending s. 379.352, F.S., relating to  
1605 recreational licenses and permits; conforming cross-  
1606 references; providing effective dates.