

By the Committees on Rules; Community Affairs; and Ethics and Elections; and Senator Latvala

595-03969A-13

2013600c3

1 A bill to be entitled
2 An act relating to elections; amending s. 97.0555,
3 F.S.; revising qualifications for late voter
4 registration; amending s. 97.061, F.S.; revising
5 restrictions relating to electors requiring
6 assistance; prohibiting an individual from providing
7 assistance to more than 10 electors during any
8 election; creating s. 100.032, F.S.; requiring
9 supervisors of elections to submit a report to the
10 Secretary of State at least 3 months before a general
11 election; specifying the content of the report;
12 amending s. 100.061, F.S.; decreasing the time period
13 between a primary election and a general election;
14 amending s. 101.051, F.S.; revising restrictions
15 relating to electors requiring assistance in casting
16 ballots; conforming a provision to changes made by the
17 act; amending s. 101.161, F.S.; providing a limitation
18 on the number of words for certain ballot summaries in
19 joint resolutions proposed by the Legislature;
20 deleting a provision providing that a ballot statement
21 consisting of the full text of a constitutional
22 amendment or revision is presumed to be a clear and
23 unambiguous statement; amending s. 101.5605, F.S.;
24 requiring a person to provide the name, mailing
25 address, and telephone number of a registered agent of
26 a voting systems vendor to the Department of State
27 under certain circumstances; providing that proof of
28 delivery or attempt to deliver constitutes valid
29 notice; creating s. 101.56065, F.S.; providing

595-03969A-13

2013600c3

30 definitions; requiring a vendor to file a written
31 disclosure with the department; providing requirements
32 for the disclosure; providing what constitutes a cure
33 of a defect; requiring a vendor to file a new
34 disclosure with the department if a vendor becomes
35 aware of a defect within a specified period;
36 authorizing the department to suspend all sales or
37 leases or use in an election of a defective voting
38 system; providing procedures for the suspension of
39 voting systems; authorizing the department to withdraw
40 approval of voting systems under certain
41 circumstances; authorizing the department to initiate
42 an investigation of a defective voting system;
43 establishing procedures and requirements of
44 investigations; providing a penalty; repealing s.
45 101.56075(4), F.S., relating to the requirement that
46 all voting systems used by voters in a state election
47 allow placement of the full text of a constitutional
48 amendment or revision containing stricken or
49 underlined text by a specified date; amending s.
50 101.591, F.S.; authorizing use of automated,
51 independent audits of voting systems; providing audit
52 requirements; requiring the Division of Elections to
53 adopt rules; amending s. 101.62, F.S.; revising the
54 requirements for a valid absentee ballot request;
55 requiring the supervisor to record the absence of the
56 voter's signature on the voter's certificate under
57 specified circumstances; prohibiting the supervisor
58 from providing an absentee ballot on the day of an

595-03969A-13

2013600c3

59 election under certain circumstances; requiring a
60 person who requests an absentee ballot to complete an
61 affidavit under certain circumstances; amending s.
62 101.64, F.S.; revising the requirements for a voter's
63 certificate; amending s. 101.65, F.S.; revising the
64 instructions to absent electors; amending s. 101.657,
65 F.S.; revising the list of permissible sites available
66 for early voting; authorizing the supervisor to
67 designate one additional early voting site per
68 election; providing requirements; requiring each
69 county to operate at least the same number of early
70 voting sites as used for the 2012 general election;
71 revising the number of days and hours for early
72 voting; amending s. 101.67, F.S.; conforming a
73 provision to changes made by the act; amending s.
74 101.68, F.S., and reenacting subsection (2), relating
75 to the canvassing of absentee ballots; authorizing the
76 supervisor to use the elector's signature in a
77 precinct register to compare with the elector's
78 signature on the voter's certificate; providing that
79 an absentee ballot must clearly identify the name of
80 the witness in order to be considered legal; requiring
81 the supervisor to provide the elector with the
82 specific reason his or her ballot was rejected;
83 requiring the supervisor to allow electors to complete
84 an affidavit to cure an unsigned absentee ballot prior
85 to canvassing; providing the form and contents of the
86 affidavit; providing instructions to accompany each
87 absentee ballot affidavit; requiring the affidavit,

595-03969A-13

2013600c3

88 instructions, and the supervisor's office mailing
89 address to be posted on certain websites; requiring
90 the supervisor to attach a received affidavit to the
91 appropriate absentee ballot mailing envelope; amending
92 s. 101.6921, F.S.; revising the voter's certificate
93 accompanying a special absentee ballot; amending s.
94 101.6923, F.S.; revising special absentee ballot
95 instructions; amending s. 101.6952, F.S.; providing
96 that absentee ballots received from overseas voters in
97 certain elections may be received up to 10 days after
98 the date of the election; amending s. 102.031, F.S.;
99 revising restrictions relating to the solicitation of
100 voters; amending s. 102.141, F.S.; revising methods of
101 selecting canvassing board members; requiring a
102 supervisor to upload certain canvassed election
103 results into a county's election management system
104 prior to the election; prohibiting public disclosure
105 of uploaded results before the close of the polls on
106 election day; amending s. 104.0616, F.S.; providing a
107 definition for the term "immediate family";
108 prohibiting possession of more than two absentee
109 ballots under certain circumstances; providing an
110 effective date.

111
112 Be It Enacted by the Legislature of the State of Florida:

113
114 Section 1. Section 97.0555, Florida Statutes, is amended to
115 read:

116 97.0555 Late registration.—An individual or accompanying

595-03969A-13

2013600c3

117 family member who has been discharged or separated from the
118 uniformed services or the United States Merchant Marine, has
119 returned from a combat zone or forward-deployed area, or has
120 separated from employment outside the territorial limits of the
121 United States, after the book-closing date for an election
122 pursuant to s. 97.055 and who is otherwise qualified may
123 register to vote in such election until 5 p.m. on the Friday
124 before that election in the office of the supervisor of
125 elections. Such persons must produce sufficient documentation
126 showing evidence of qualifying for late registration pursuant to
127 this section.

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

130 97.061 Special registration for electors requiring
131 assistance.—

132 (3) The precinct register generated by the supervisor shall
133 contain a notation that such person is eligible for assistance
134 in voting, and the supervisor may make a notation on the voter
135 information card that such person is eligible for assistance in
136 voting. Such person shall be entitled to receive the assistance
137 of two election officials or some other person of his or her own
138 choice, other than the person's employer, an ~~the~~ agent of the
139 person's employer, or an officer or agent of the person's union,
140 without the necessity of executing the "Declaration to Secure
141 Assistance" prescribed in s. 101.051, so long as the person is
142 known to the elector before election day. Such person shall
143 notify the supervisor of any change in his or her condition
144 which makes it unnecessary for him or her to receive assistance
145 in voting. An individual may not provide assistance to more than

595-03969A-13

2013600c3

146 10 electors during any election.

147 Section 3. Section 100.032, Florida Statutes, is created to
148 read:

149 100.032 Election preparation report; general election.—Each
150 supervisor of elections must submit a report to the Secretary of
151 State at least 3 months before a general election which outlines
152 preparations for the upcoming general election. The report must
153 include, at a minimum, the following elements: the anticipated
154 staffing levels during the early voting period, on election day,
155 and after election day; and the anticipated amount of automatic
156 tabulating equipment at each early voting site and polling
157 place.

158 Section 4. Section 100.061, Florida Statutes, is amended to
159 read:

160 100.061 Primary election.—In each year in which a general
161 election is held, a primary election for nomination of
162 candidates of political parties shall be held on the Tuesday 10
163 ~~12~~ weeks prior to the general election. The candidate receiving
164 the highest number of votes cast in each contest in the primary
165 election shall be declared nominated for such office. If two or
166 more candidates receive an equal and highest number of votes for
167 the same office, such candidates shall draw lots to determine
168 which candidate is nominated.

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

171 101.051 Electors seeking assistance in casting ballots;
172 oath to be executed; forms to be furnished.—

173 (1) Any elector applying to vote in any election who
174 requires assistance to vote by reason of blindness, disability,

595-03969A-13

2013600c3

175 or inability to read or write may request the assistance of two
176 election officials or some other person of the elector's own
177 choice, other than the elector's employer, an agent of the
178 employer, or an officer or agent of his or her union, to assist
179 the elector in casting his or her vote, so long as the person is
180 known to the elector before election day. Any such elector,
181 before retiring to the voting booth, may have one of such
182 persons read over to him or her, without suggestion or
183 interference, the titles of the offices to be filled and the
184 candidates therefor and the issues on the ballot. After the
185 elector requests the aid of the two election officials or the
186 person of the elector's choice, they shall retire to the voting
187 booth for the purpose of casting the elector's vote according to
188 the elector's choice.

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

191 101.161 Referenda; ballots.—

192 (3) (a) Each joint resolution that proposes a constitutional
193 amendment or revision shall include one or more ballot
194 statements set forth in order of priority. Each ballot statement
195 shall consist of a ballot title, by which the measure is
196 commonly referred to or spoken of, not exceeding 15 words in
197 length, and ~~either~~ a ballot summary that describes the chief
198 purpose of the amendment or revision in clear and unambiguous
199 language, ~~or the full text of the amendment or revision.~~ If a
200 joint resolution that proposes a constitutional amendment or
201 revision contains only one ballot statement, the ballot summary
202 may not exceed 75 words in length. If a joint resolution that
203 proposes a constitutional amendment or revision contains more

595-03969A-13

2013600c3

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

206 (b) The Department of State shall furnish a designating
207 number pursuant to subsection (2) and the appropriate ballot
208 statement to the supervisor of elections of each county. The
209 ballot statement shall be printed on the ballot after the list
210 of candidates, followed by the word "yes" and also by the word
211 "no," and shall be styled in such a manner that a "yes" vote
212 will indicate approval of the amendment or revision and a "no"
213 vote will indicate rejection.

214 (c) ~~(b)~~ 1. Any action for a judicial determination that one
215 or more ballot statements embodied in a joint resolution are
216 defective must be commenced by filing a complaint or petition
217 with the appropriate court within 30 days after the joint
218 resolution is filed with the Secretary of State. The complaint
219 or petition shall assert all grounds for challenge to each
220 ballot statement. Any ground not asserted within 30 days after
221 the joint resolution is filed with the Secretary of State is
222 waived.

223 2. The court, including any appellate court, shall accord
224 an action described in subparagraph 1. priority over other
225 pending cases and render a decision as expeditiously as
226 possible. If the court finds that all ballot statements embodied
227 in a joint resolution are defective and further appeals are
228 declined, abandoned, or exhausted, unless otherwise provided in
229 the joint resolution, the Attorney General shall, within 10
230 days, prepare and submit to the Department of State a revised
231 ballot title or ballot summary that corrects the deficiencies
232 identified by the court, and the Department of State shall

595-03969A-13

2013600c3

233 furnish a designating number and the revised ballot title or
234 ballot summary to the supervisor of elections of each county for
235 placement on the ballot. The revised ballot summary may exceed
236 75 words in length. The court shall retain jurisdiction over
237 challenges to a revised ballot title or ballot summary prepared
238 by the Attorney General, and any challenge to a revised ballot
239 title or ballot summary must be filed within 10 days after a
240 revised ballot title or ballot summary is submitted to the
241 Department of State.

242 ~~3. A ballot statement that consists of the full text of an~~
243 ~~amendment or revision shall be presumed to be a clear and~~
244 ~~unambiguous statement of the substance and effect of the~~
245 ~~amendment or revision, providing fair notice to the electors of~~
246 ~~the content of the amendment or revision and sufficiently~~
247 ~~advising electors of the issue upon which they are to vote.~~

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

250 101.5605 Examination and approval of equipment.—

251 (3) (a) Before the Department of State approves the
252 electronic or electromechanical voting system, the person who
253 submitted it for examination shall provide the department with
254 the name, mailing address, and telephone number of a registered
255 agent, which agent must have and continuously maintain an office
256 in this state. Any change in the name, address, or telephone
257 number of the registered agent shall promptly be made known to
258 the department.

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

595-03969A-13

2013600c3

262 department with the name, mailing address, and telephone number
263 of a registered agent, which agent must have and continuously
264 maintain an office in this state. Any change in the name,
265 address, or telephone number of the registered agent shall
266 promptly be made known to the department.

267 (c) The department's proof of delivery or attempted
268 delivery to the last mailing address of the registered agent on
269 file with the department at the time of delivery or attempted
270 delivery is valid for all notice purposes.

271 (d) Within 30 days after completing the examination and
272 upon approval of any electronic or electromechanical voting
273 system, the Department of State shall make and maintain a report
274 on the system, together with a written or printed description
275 and drawings and photographs clearly identifying the system and
276 the operation thereof. As soon as practicable after such filing,
277 the department shall send a notice of certification and, upon
278 request, a copy of the report to the governing bodies of the
279 respective counties of the state. Any voting system that does
280 not receive the approval of the department may ~~shall~~ not be
281 adopted for or used at any election.

282 (e) ~~(b)~~ After a voting system has been approved by the
283 Department of State, any change or improvement in the system is
284 required to be approved by the department prior to the adoption
285 of such change or improvement by any county. If any such change
286 or improvement does not comply with the requirements of this
287 act, the department shall suspend all sales of the equipment or
288 system in the state until the equipment or system complies with
289 the requirements of this act.

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

595-03969A-13

2013600c3

291 to read:

292 101.56065 Voting system defects; disclosure;
293 investigations; penalties.-

294 (1) For purposes of this section, the term:

295 (a) "Defect" means:

296 1. Any failure, fault, or flaw in an electronic or
297 electromechanical voting system approved pursuant to s. 101.5605
298 which results in nonconformance with the standards in a manner
299 that affects the timeliness or accuracy of the casting or
300 counting of ballots; or

301 2. Any failure or inability of the voting system
302 manufacturer or vendor to make available or provide approved
303 replacements of hardware or software to the counties that have
304 purchased the approved voting system, the unavailability of
305 which results in the system's nonconformance with the standards
306 in a manner that affects the timeliness or accuracy of the
307 casting or counting of ballots.

308 (b) "Standards" refers to the requirements in ss. 101.5606
309 and 101.56062 under which a voting system was approved for use
310 in the state.

311 (c) "Vendor" means a person who submits or previously
312 submitted a voting system that was approved by the Department of
313 State in accordance with s. 101.5605, or a person who enters
314 into a contract for the sale or lease of a voting system to any
315 county, or that previously entered into such a contract that has
316 not expired.

317 (2) (a) No later than December 31, 2013, and, thereafter, on
318 January 1 of every odd-numbered year, each vendor shall file a
319 written disclosure with the department identifying any known

595-03969A-13

2013600c3

320 defect in the voting system or the fact that there is no known
321 defect, the effect of any defect on the operation and use of the
322 approved voting system, and any known corrective measures to
323 cure a defect, including, but not limited to, advisories and
324 bulletins issued to system users.

325 (b) Implementation of corrective measures approved by the
326 department which enable a system to conform to the standards and
327 ensure the timeliness and accuracy of the casting and counting
328 of ballots constitutes a cure of a defect.

329 (c) If a vendor becomes aware of the existence of a defect,
330 he or she must file a new disclosure with the department as
331 provided in paragraph (a) within 30 days after the date the
332 vendor determined or reasonably should have determined that the
333 defect existed.

334 (d) If a vendor discloses to the department that a defect
335 exists, the department may suspend all sales or leases of the
336 voting system in the state and may suspend the use of the system
337 in any election in the state. The department shall provide
338 written notice of any such suspension to each affected vendor
339 and supervisor of elections. If the department determines that
340 the defect no longer exists, the department shall lift the
341 suspension and provide written notice to each affected vendor
342 and supervisor of elections.

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

595-03969A-13

2013600c3

349 system is no longer approved.

350 (3) (a) If the department has reasonable cause to believe a
351 voting system approved pursuant to s. 101.5605 contains a defect
352 either before, during, or after an election which has not been
353 disclosed pursuant to subsection (2), the department may
354 investigate whether the voting system has a defect.

355 (b) The department may initiate an investigation pursuant
356 to paragraph (a) on its own initiative or upon the written
357 request of the supervisor of elections of a county that
358 purchased or leased a voting system that contains the alleged
359 defect.

360 (c) Upon initiating an investigation, the department shall
361 provide written notice to the vendor and all of the supervisors
362 of elections.

363 (4) (a) If the department determines by a preponderance of
364 the evidence that a defect exists in the voting system, or that
365 a vendor failed to timely disclose a defect pursuant to
366 subsection (2), the department shall provide written notice to
367 the affected vendor and supervisors of elections.

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

371 1. Denies that the alleged defect exists or existed as
372 alleged by the department or that the vendor failed to timely
373 disclose a defect, and sets forth the reasons for such denial;
374 or

375 2. Admits that the defect exists or existed as alleged by
376 the department or that the vendor failed to timely disclose a
377 defect.

595-03969A-13

2013600c3

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

380 (d) If the defect has not been cured, the vendor shall
381 inform the department whether the defect can be cured and shall
382 provide the department with a plan for curing the defect. If the
383 defect can be cured, the department shall establish a timeframe
384 within which to cure the defect.

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

389 (6) If the department determines that: a vendor failed to
390 timely disclose a defect; or that a defect exists and a vendor
391 has not filed a written response or has failed to cure within
392 the timeframe established by the department, or if the defect
393 cannot be cured, the department shall impose a civil penalty of
394 \$25,000 for the defect plus an amount equal to the actual costs
395 incurred by the department in conducting the investigation.

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

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

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

595-03969A-13

2013600c3

407 each affected vendor and supervisor of elections.

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

417 (d) Any vendor against whom a civil penalty was imposed
418 under this section may not submit a voting system for approval
419 by the Department of State in accordance with s. 101.5605 or
420 enter into a contract for sale or lease of a voting system in
421 the state until the civil penalties have been paid and the
422 department provides written confirmation to the supervisors of
423 elections of the payment.

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

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

429 (10) All proceedings under this section are exempt from
430 chapter 120.

431 Section 9. Subsection (4) of section 101.56075, Florida
432 Statutes, is repealed.

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

595-03969A-13

2013600c3

436 101.591 Voting system audit.—

437 (1) Immediately following the certification of each
438 election, the county canvassing board or the local board
439 responsible for certifying the election shall conduct a manual
440 audit or an automated, independent audit of the voting systems
441 used in randomly selected precincts.

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

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

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

595-03969A-13

2013600c3

465 1. Completely independent of the primary voting system.

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

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

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

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

477 101.62 Request for absentee ballots.—

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

488 (b) The supervisor may accept a written or telephonic
489 request for an absentee ballot to be mailed to an elector's
490 address on file in the Florida Voter Registration System from
491 the elector, or, if directly instructed by the elector, a member
492 of the elector's immediate family, or the elector's legal
493 guardian; if the ballot is requested to be mailed to an address

595-03969A-13

2013600c3

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

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

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

513 (3) For each request for an absentee ballot received, the
514 supervisor shall record the date the request was made, the date
515 the absentee ballot was delivered to the voter or the voter's
516 designee or the date the absentee ballot was delivered to the
517 post office or other carrier, the date the ballot was received
518 by the supervisor, the absence of the voter's signature on the
519 voter's certificate, if applicable, and such other information
520 he or she may deem necessary. This information shall be provided
521 in electronic format as provided by rule adopted by the
522 division. The information shall be updated and made available no

595-03969A-13

2013600c3

523 later than 8 a.m. of each day, including weekends, beginning 60
524 days before the primary until 15 days after the general election
525 and shall be contemporaneously provided to the division. This
526 information shall be confidential and exempt from ~~the provisions~~
527 ~~of~~ s. 119.07(1) and shall be made available to or reproduced
528 only for the voter requesting the ballot, a canvassing board, an
529 election official, a political party or official thereof, a
530 candidate who has filed qualification papers and is opposed in
531 an upcoming election, and registered political committees or
532 registered committees of continuous existence, for political
533 purposes only.

534 (4)

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

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

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

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

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

595-03969A-13

2013600c3

552 in writing a person to pick up the ballot for the elector;
553 however, the person designated may not pick up more than two
554 absentee ballots per election, other than the designee's own
555 ballot, except that additional ballots may be picked up for
556 members of the designee's immediate family. For purposes of this
557 section, "immediate family" means the designee's spouse or the
558 parent, child, grandparent, or sibling of the designee or of the
559 designee's spouse. The designee shall provide to the supervisor
560 the written authorization by the elector and a picture
561 identification of the designee and must complete an affidavit.
562 The designee shall state in the affidavit that the designee is
563 authorized by the elector to pick up that ballot and shall
564 indicate if the elector is a member of the designee's immediate
565 family and, if so, the relationship. The department shall
566 prescribe the form of the affidavit. If the supervisor is
567 satisfied that the designee is authorized to pick up the ballot
568 and that the signature of the elector on the written
569 authorization matches the signature of the elector on file, the
570 supervisor shall give the ballot to that designee for delivery
571 to the elector.

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

595-03969A-13

2013600c3

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

...(Signature of Witness)...

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

...(Date)...

...(Address)...

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

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

Witness signature and date:

...(Signature of Witness)...

595-03969A-13

2013600c3

639

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

641

642 ...(Address)...

643

...(Date)...

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

646 101.65 Instructions to absent electors.—The supervisor
647 shall enclose with each absentee ballot separate printed
648 instructions in substantially the following form:

649

650 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

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

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

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

595-03969A-13

2013600c3

668 your vote in that race will not be counted.

669 4. Place your marked ballot in the enclosed secrecy
670 envelope.

671 5. Insert the secrecy envelope into the enclosed mailing
672 envelope which is addressed to the supervisor.

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

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

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

695 ~~9.8.~~ VERY IMPORTANT. If you are an overseas voter, you must
696 include the date you signed the Voter's Certificate on the line

595-03969A-13

2013600c3

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

698 ~~10.9.~~ Mail, deliver, or have delivered the completed
699 mailing envelope. Be sure there is sufficient postage if mailed.

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

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

707 101.657 Early voting.—

708 (1) (a) As a convenience to the voter, the supervisor of
709 elections shall allow an elector to vote early in the main or
710 branch office of the supervisor. The supervisor shall mark,
711 code, indicate on, or otherwise track the voter's precinct for
712 each early voted ballot. In order for a branch office to be used
713 for early voting, it shall be a permanent facility of the
714 supervisor and shall have been designated and used as such for
715 at least 1 year prior to the election. The supervisor may also
716 designate any city hall, ~~or~~ permanent public library facility,
717 fairground, civic center, courthouse, county commission
718 building, stadium, convention center, government-owned senior
719 center, or government-owned community center as early voting
720 sites; however, if so designated, the sites must be
721 geographically located so as to provide all voters in the county
722 an equal opportunity to cast a ballot, insofar as is
723 practicable. In addition, a supervisor may designate one early
724 voting site per election in an area of the county that does not
725 have any of the eligible early voting locations. Such additional

595-03969A-13

2013600c3

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

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

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

749 101.67 Safekeeping of mailed ballots; deadline for
750 receiving absentee ballots.-

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

595-03969A-13

2013600c3

755 receipt and filed in the supervisor's office.

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

759 101.68 Canvassing of absentee ballot.—

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

777 (2) (a) The county canvassing board may begin the canvassing
778 of absentee ballots at 7 a.m. on the 15th day before the
779 election, but not later than noon on the day following the
780 election. In addition, for any county using electronic
781 tabulating equipment, the processing of absentee ballots through
782 such tabulating equipment may begin at 7 a.m. on the 15th day
783 before the election. However, notwithstanding any such

595-03969A-13

2013600c3

784 authorization to begin canvassing or otherwise processing
785 absentee ballots early, no result shall be released until after
786 the closing of the polls in that county on election day. Any
787 supervisor of elections, deputy supervisor of elections,
788 canvassing board member, election board member, or election
789 employee who releases the results of a canvassing or processing
790 of absentee ballots prior to the closing of the polls in that
791 county on election day commits a felony of the third degree,
792 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

595-03969A-13

2013600c3

813 the registration records or the precinct register, along with
814 the signature and legible address of an attesting witness;
815 however, if the signature of the attesting witness is illegible,
816 the printed name of the attesting witness must clearly identify
817 the name of the witness or the ballot shall be considered
818 illegal. However, an absentee ballot is ~~shall~~ not ~~be~~ considered
819 illegal if the signature of the elector does not cross the seal
820 of the mailing envelope. If the canvassing board determines that
821 any ballot is illegal, a member of the board shall, without
822 opening the envelope, mark across the face of the envelope:
823 "rejected as illegal." The absentee ballot affidavit, if
824 applicable, the envelope and the ballot contained therein shall
825 be preserved in the manner that official ballots voted are
826 preserved.

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

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

595-03969A-13

2013600c3

842 mailing envelope; however, in any county in which an electronic
843 or electromechanical voting system is used, the ballots may be
844 sorted by ballot styles and the mailing envelopes may be opened
845 and the secrecy envelopes mixed separately for each ballot
846 style. The votes on absentee ballots shall be included in the
847 total vote of the county.

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

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

867 (c) The elector shall provide identification to the
868 supervisor and must complete an absentee ballot affidavit in
869 substantially the following form:

870

595-03969A-13

2013600c3

871 ABSENTEE BALLOT AFFIDAVIT

872 I,, am a qualified voter in this election and

873 registered voter of County, Florida. I do solemnly swear or

874 affirm that I requested and returned the absentee ballot and

875 that I have not and will not vote more than one ballot in this

876 election. I understand that if I commit or attempt any fraud in

877 connection with voting, vote a fraudulent ballot, or vote more

878 than once in an election, I may be convicted of a felony of the

879 third degree and fined up to \$5,000 and imprisoned for up to 5

880 years. I understand that my failure to sign this affidavit means

881 that my absentee ballot will be invalidated.

882

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

884

885 ... (Address)...

886

887 Note: Your Signature Must Be Witnessed by One Witness 18 Years

888 of Age or Older.

889

890 I swear or affirm that the voter signed this Absentee

891 Ballot Affidavit in my presence.

892

893 ... (Signature of Witness)...

894

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

896

897 ... (Date)...

898 ... (Address)...

899

595-03969A-13

2013600c3

900 (d) Instructions must accompany the absentee ballot
901 affidavit in substantially the following form:

902
903 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
904 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
905 BALLOT NOT TO COUNT.

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

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

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

921 4. You must make a copy of one of the following forms of
922 identification:

923 a. Identification which must include your name and
924 photograph: United States passport; debit or credit card;
925 military identification; student identification; retirement
926 center identification; neighborhood association identification;
927 or public assistance identification; or

928 b. Identification which shows your name and current

595-03969A-13

2013600c3

929 residence address: current utility bill, bank statement,
930 government check, paycheck, or government document (excluding
931 voter identification card).

932 5. Place the envelope bearing the affidavit into a mailing
933 envelope addressed to the supervisor. Insert a copy of your
934 identification in the mailing envelope.

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

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

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

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

950 101.6921 Delivery of special absentee ballot to certain
951 first-time voters.—

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

954
955 Note: Please Read Instructions Carefully Before Marking Ballot
956 and Completing Voter's Certificate.

957

595-03969A-13

2013600c3

958

VOTER'S CERTIFICATE

959

960 I,, do solemnly swear or affirm that I am a qualified
961 and registered voter of County, Florida, and that I have
962 not and will not vote more than one ballot in this election. I
963 understand that if I commit or attempt to commit any fraud in
964 connection with voting, vote a fraudulent ballot, or vote more
965 than once in an election, I can be convicted of a felony of the
966 third degree and fined up to \$5,000 and/or imprisoned for up to
967 5 years. I also understand that failure to sign this certificate
968 will invalidate my ballot. I understand that unless I meet one
969 of the exemptions below, I must provide a copy of a current and
970 valid identification as provided in the instruction sheet to the
971 supervisor of elections in order for my ballot to count.

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

976 I am 65 years of age or older.

977 I have a permanent or temporary physical disability.

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

981 I am a member of the Merchant Marine who, by reason of
982 service in the Merchant Marine, will be absent from the county
983 on election day.

984 I am the spouse or dependent of a member of the uniformed
985 service or Merchant Marine who, by reason of the active duty or
986 service of the member, will be absent from the county on

595-03969A-13

2013600c3

1016 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
1017 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
1018 YOUR BALLOT NOT TO COUNT.

1019

1020 1. In order to ensure that your absentee ballot will be
1021 counted, it should be completed and returned as soon as possible
1022 so that it can reach the supervisor of elections of the county
1023 in which your precinct is located no later than 7 p.m. on the
1024 date of the election. However, if you are an overseas voter
1025 casting a ballot in a presidential preference primary or general
1026 election, your absentee ballot must be postmarked or signed and
1027 dated no later than the date of the election and received by the
1028 supervisor of elections of the county in which you are
1029 registered to vote no later than 10 days after the date of the
1030 election.

1031 2. Mark your ballot in secret as instructed on the ballot.
1032 You must mark your own ballot unless you are unable to do so
1033 because of blindness, disability, or inability to read or write.

1034 3. Mark only the number of candidates or issue choices for
1035 a race as indicated on the ballot. If you are allowed to "Vote
1036 for One" candidate and you vote for more than one, your vote in
1037 that race will not be counted.

1038 4. Place your marked ballot in the enclosed secrecy
1039 envelope and seal the envelope.

1040 5. Insert the secrecy envelope into the enclosed envelope
1041 bearing the Voter's Certificate. Seal the envelope and
1042 completely fill out the Voter's Certificate on the back of the
1043 envelope.

1044 a. You must sign your name on the line above (Voter's

595-03969A-13

2013600c3

1045 Signature).

1046 b. You must have your signature witnessed by a person 18
1047 years of age or older. Have the witness sign on the line above
1048 (Signature of Witness) and include his or her legible address.
1049 If the signature is illegible, the Voter's Certificate must also
1050 include a readable printed name of the attesting witness. A
1051 candidate may not serve as an attesting witness.

1052 ~~c.b.~~ If you are an overseas voter, you must include the
1053 date you signed the Voter's Certificate on the line above (Date)
1054 or your ballot may not be counted.

1055 ~~d.e.~~ An absentee ballot will be considered illegal and will
1056 not be counted if the signature on the Voter's Certificate does
1057 not match the signature on record. The signature on file at the
1058 start of the canvass of the absentee ballots is the signature
1059 that will be used to verify your signature on the Voter's
1060 Certificate. If you need to update your signature for this
1061 election, send your signature update on a voter registration
1062 application to your supervisor of elections so that it is
1063 received no later than the start of canvassing of absentee
1064 ballots, which occurs no earlier than the 15th day before
1065 election day.

1066 6. Unless you meet one of the exemptions in Item 7., you
1067 must make a copy of one of the following forms of
1068 identification:

1069 a. Identification which must include your name and
1070 photograph: United States passport; debit or credit card;
1071 military identification; student identification; retirement
1072 center identification; neighborhood association identification;
1073 or public assistance identification; or

595-03969A-13

2013600c3

- 1074 b. Identification which shows your name and current
1075 residence address: current utility bill, bank statement,
1076 government check, paycheck, or government document (excluding
1077 voter identification card).
- 1078 7. The identification requirements of Item 6. do not apply
1079 if you meet one of the following requirements:
- 1080 a. You are 65 years of age or older.
- 1081 b. You have a temporary or permanent physical disability.
- 1082 c. You are a member of a uniformed service on active duty
1083 who, by reason of such active duty, will be absent from the
1084 county on election day.
- 1085 d. You are a member of the Merchant Marine who, by reason
1086 of service in the Merchant Marine, will be absent from the
1087 county on election day.
- 1088 e. You are the spouse or dependent of a member referred to
1089 in paragraph c. or paragraph d. who, by reason of the active
1090 duty or service of the member, will be absent from the county on
1091 election day.
- 1092 f. You are currently residing outside the United States.
- 1093 8. Place the envelope bearing the Voter's Certificate into
1094 the mailing envelope addressed to the supervisor. Insert a copy
1095 of your identification in the mailing envelope. DO NOT PUT YOUR
1096 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
1097 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
1098 BALLOT WILL NOT COUNT.
- 1099 9. Mail, deliver, or have delivered the completed mailing
1100 envelope. Be sure there is sufficient postage if mailed.
- 1101 10. FELONY NOTICE. It is a felony under Florida law to
1102 accept any gift, payment, or gratuity in exchange for your vote

595-03969A-13

2013600c3

1103 for a candidate. It is also a felony under Florida law to vote
1104 in an election using a false identity or false address, or under
1105 any other circumstances making your ballot false or fraudulent.

1106 Section 19. Subsection (5) is added to section 101.6952,
1107 Florida Statutes, to read:

1108 101.6952 Absentee ballots for absent uniformed services and
1109 overseas voters.—

1110 (5) An absentee ballot from an overseas voter in any
1111 presidential preference primary or general election which is
1112 postmarked or signed and dated no later than the date of the
1113 election and is received by the supervisor of elections of the
1114 county in which the overseas voter is registered no later than
1115 10 days after the date of the election shall be counted as long
1116 as the absentee ballot is otherwise proper.

1117 Section 20. Paragraphs (a) and (b) of subsection (4) of
1118 section 102.031, Florida Statutes, are amended, and paragraph
1119 (d) is added to that subsection, to read:

1120 102.031 Maintenance of good order at polls; authorities;
1121 persons allowed in polling rooms and early voting areas;
1122 unlawful solicitation of voters.—

1123 (4) (a) No person, political committee, committee of
1124 continuous existence, or other group or organization may solicit
1125 voters inside the polling place or within 100 feet of the
1126 entrance to any polling place, ~~or~~ a polling room where the
1127 polling place is also a polling room, or an early voting site,
1128 or an office of the supervisor of elections where absentee
1129 ballots are requested and printed on demand for the convenience
1130 of electors who appear in person to request them. Before the
1131 opening of the polling place or early voting site, the clerk or

595-03969A-13

2013600c3

1132 supervisor shall designate the no-solicitation zone and mark the
1133 boundaries.

1134 (b) For the purpose of this subsection, the terms "solicit"
1135 or "solicitation" shall include, but not be limited to, seeking
1136 or attempting to seek any vote, fact, opinion, or contribution;
1137 distributing or attempting to distribute any political or
1138 campaign material, leaflet, or handout; conducting a poll except
1139 as specified in this paragraph; seeking or attempting to seek a
1140 signature on any petition; and selling or attempting to sell any
1141 item. The terms "solicit" or "solicitation" may ~~shall~~ not be
1142 construed to prohibit exit polling.

1143 (d) Except as provided in paragraph (a), the supervisor may
1144 not designate a no-solicitation zone or otherwise restrict
1145 access to any person, political committee, committee of
1146 continuous existence, candidate, or other group or organization
1147 for the purposes of soliciting voters. This paragraph applies to
1148 any public or private property used as a polling place or early
1149 voting site.

1150 Section 21. Subsections (1) and (4) of section 102.141,
1151 Florida Statutes, are amended to read:

1152 102.141 County canvassing board; duties.—

1153 (1) The county canvassing board shall be composed of the
1154 supervisor of elections; a county court judge, who shall act as
1155 chair; and the chair of the board of county commissioners.
1156 Alternate canvassing board members must be appointed pursuant to
1157 paragraph (e). In the event any member of the county canvassing
1158 board is unable to serve, is a candidate who has opposition in
1159 the election being canvassed, or is an active participant in the
1160 campaign or candidacy of any candidate who has opposition in the

595-03969A-13

2013600c3

1161 election being canvassed, such member shall be replaced as
1162 follows:

1163 (a) If no county court judge is able to serve or if all are
1164 disqualified, the chief judge of the judicial circuit in which
1165 the county is located shall appoint as a substitute member a
1166 qualified elector of the county who is not a candidate with
1167 opposition in the election being canvassed and who is not an
1168 active participant in the campaign or candidacy of any candidate
1169 with opposition in the election being canvassed. In such event,
1170 the members of the county canvassing board shall meet and elect
1171 a chair.

1172 (b) If the supervisor of elections is unable to serve or is
1173 disqualified, the chair of the board of county commissioners
1174 shall appoint as a substitute member a member of the board of
1175 county commissioners who is not a candidate with opposition in
1176 the election being canvassed and who is not an active
1177 participant in the campaign or candidacy of any candidate with
1178 opposition in the election being canvassed. The supervisor,
1179 however, shall act in an advisory capacity to the canvassing
1180 board.

1181 (c) If the chair of the board of county commissioners is
1182 unable to serve or is disqualified, the board of county
1183 commissioners shall appoint as a substitute member one of its
1184 members who is not a candidate with opposition in the election
1185 being canvassed and who is not an active participant in the
1186 campaign or candidacy of any candidate with opposition in the
1187 election being canvassed.

1188 (d) If a substitute member or alternate member cannot be
1189 appointed as provided elsewhere in this subsection, or in the

595-03969A-13

2013600c3

1190 event of a vacancy in such office, the chief judge of the
1191 judicial circuit in which the county is located shall appoint as
1192 a substitute member or alternate member a qualified elector of
1193 the county who is not a candidate with opposition in the
1194 election being canvassed and who is not an active participant in
1195 the campaign or candidacy of any candidate with opposition in
1196 the election being canvassed.

1197 (e)1. The chief judge of the judicial circuit in which the
1198 county is located shall appoint a county court judge as an
1199 alternate member of the county canvassing board or, if each
1200 county court judge is unable to serve or is disqualified, shall
1201 appoint an alternate member who is qualified to serve as a
1202 substitute member under paragraph (a).

1203 2. The chair of the board of county commissioners shall
1204 appoint a member of the board of county commissioners as an
1205 alternate member of the county canvassing board or, if each
1206 member of the board of county commissioners is unable to serve
1207 or is disqualified, shall appoint an alternate member who is
1208 qualified to serve as a substitute member under paragraph (d).

1209 3. If a member of the county canvassing board is unable to
1210 participate in a meeting of the board, the chair of the county
1211 canvassing board or his or her designee shall designate which
1212 alternate member will serve as a member of the board in the
1213 place of the member who is unable to participate at that
1214 meeting.

1215 4. If not serving as one of the three members of the county
1216 canvassing board, an alternate member may be present, observe,
1217 and communicate with the three members constituting the county
1218 canvassing board, but may not vote in the board's decisions or

595-03969A-13

2013600c3

1219 determinations.

1220 (4) (a) The supervisor of elections shall upload into the
1221 county's election management system by 7 p.m. on the day before
1222 the election the results of all early voting and absentee
1223 ballots that have been canvassed and tabulated by the end of the
1224 early voting period. Pursuant to ss. 101.5614(9), 101.657, and
1225 101.68(2), the tabulation of votes cast or the results of such
1226 uploads may not be made public before the close of the polls on
1227 election day.

1228 (b) The canvassing board shall report all early voting and
1229 all tabulated absentee results to the Department of State within
1230 30 minutes after the polls close. Thereafter, the canvassing
1231 board shall report, with the exception of provisional ballot
1232 results, updated precinct election results to the department at
1233 least every 45 minutes until all results are completely
1234 reported. The supervisor of elections shall notify the
1235 department immediately of any circumstances that do not permit
1236 periodic updates as required. Results shall be submitted in a
1237 format prescribed by the department.

1238 Section 22. Section 104.0616, Florida Statutes, is amended
1239 to read:

1240 104.0616 Absentee ballots and voting; violations.—

1241 (1) For purposes of this section, the term "immediate
1242 family" means a person's spouse or the parent, child,
1243 grandparent, or sibling of the person or the person's spouse.

1244 (2) Any person who provides or offers to provide, and any
1245 person who accepts, a pecuniary or other benefit in exchange for
1246 distributing, ordering, requesting, collecting, delivering, or
1247 otherwise physically possessing more than two absentee ballots

595-03969A-13

2013600c3

1248 per election in addition to his or her own ballot or a ballot
1249 belonging to an immediate family member, ~~with intent to alter,~~
1250 ~~change, modify, or erase any vote on the absentee ballot,~~ except
1251 as provided in ss. 101.6105-101.695, commits a felony of the
1252 third degree, punishable as provided in s. 775.082, s. 775.083,
1253 or s. 775.084.

1254 Section 23. This act shall take effect October 1, 2013.