

By the Committee on Ethics and Elections; and Senators Powell
and Campbell

582-03407-17

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1 A bill to be entitled
2 An act relating to vote-by-mail ballots; amending s.
3 101.69, F.S.; providing supervisors of elections the
4 option to allow an elector to vote by personally
5 delivering his or her completed vote-by-mail ballot to
6 an early voting site in the elector's county of
7 residence during the site's hours of operation;
8 requiring the Division of Elections to adopt rules;
9 providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Section 101.69, Florida Statutes, is amended to
14 read:

15 101.69 Voting in person; return of vote-by-mail ballot.—

16 (1) The provisions of this code shall not be construed to
17 prohibit any elector from voting in person at the elector's
18 precinct on the day of an election or at an early voting site,
19 notwithstanding that the elector has requested a vote-by-mail
20 ballot for that election. An elector who has returned a voted
21 vote-by-mail ballot to the supervisor, however, is deemed to
22 have cast his or her ballot and is not entitled to vote another
23 ballot or to have a provisional ballot counted by the county
24 canvassing board. An elector who has received a vote-by-mail
25 ballot and has not returned the voted ballot to the supervisor,
26 but desires to vote in person, shall return the ballot, whether
27 voted or not, to the election board in the elector's precinct or
28 to an early voting site. The returned ballot shall be marked
29 " canceled " by the board and placed with other canceled ballots.

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30 However, if the elector does not return the ballot and the
31 election official:

32 (a)~~(1)~~ Confirms that the supervisor has received the
33 elector's vote-by-mail ballot, the elector shall not be allowed
34 to vote in person. If the elector maintains that he or she has
35 not returned the vote-by-mail ballot or remains eligible to
36 vote, the elector shall be provided a provisional ballot as
37 provided in s. 101.048.

38 (b)~~(2)~~ Confirms that the supervisor has not received the
39 elector's vote-by-mail ballot, the elector shall be allowed to
40 vote in person as provided in this code. The elector's vote-by-
41 mail ballot, if subsequently received, shall not be counted and
42 shall remain in the mailing envelope, and the envelope shall be
43 marked "Rejected as Illegal."

44 (c)~~(3)~~ Cannot determine whether the supervisor has received
45 the elector's vote-by-mail ballot, the elector may vote a
46 provisional ballot as provided in s. 101.048.

47 (2) (a) If the supervisor in the elector's county of
48 residence provides written notice to the division no later than
49 the 30th day before an election, the elector may also vote by
50 personally delivering his or her completed vote-by-mail ballot
51 to an early voting site in the county during the early voting
52 site's hours of operation.

53 (b) The division shall adopt uniform rules for the receipt
54 of the ballots.

55 Section 2. This act shall take effect July 1, 2017.