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LEGISLATIVE ACTION

Senate

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House

The Committee on Rules (Rodriguez) recommended the following:

1 **Senate Amendment to Amendment (834194) (with title**
2 **amendment)**

3
4 Delete lines 241 - 947

5 and insert:

6 (b) Until 5 p.m. on the 11th day after an election, the
7 supervisor shall allow an elector who has submitted a
8 provisional ballot with a signature deficiency to complete and
9 submit a cure affidavit.

10 (c) The elector must complete a cure affidavit in
11 substantially the following form:



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PROVISIONAL BALLOT CURE AFFIDAVIT

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

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

...(Address)...

(d) Instructions must accompany the cure affidavit in substantially the following form:

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

1. In order to cure the missing signature or the signature discrepancy on your Provisional Ballot Voter's Certificate and Affirmation, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no



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41 later than 5 p.m. on the 11th day after the election.

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

44 3. You must make a copy of one of the following forms of
45 identification:

46 a. Tier 1 identification.—Current and valid identification
47 that includes your name and photograph: Florida driver license;
48 Florida identification card issued by the Department of Highway
49 Safety and Motor Vehicles; United States passport; debit or
50 credit card; military identification; student identification;
51 retirement center identification; neighborhood association
52 identification; public assistance identification; veteran health
53 identification card issued by the United States Department of
54 Veterans Affairs; Florida license to carry a concealed weapon or
55 firearm; or employee identification card issued by any branch,
56 department, agency, or entity of the Federal Government, the
57 state, a county, or a municipality; or

58 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
59 FORM OF IDENTIFICATION, identification that shows your name and
60 current residence address: current utility bill; bank statement;
61 government check; paycheck; or government document (excluding
62 voter information card).

63 4. Place the envelope bearing the affidavit into a mailing
64 envelope addressed to the supervisor. Insert a copy of your
65 identification in the mailing envelope. Mail (if time permits),
66 deliver, or have delivered the completed affidavit along with
67 the copy of your identification to your county supervisor of
68 elections. Be sure there is sufficient postage if mailed and
69 that the supervisor's address is correct. Remember, your



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70 information MUST reach your county supervisor of elections no
71 later than 5 p.m. on the 11th day following the election or your
72 ballot will not count.

73 5. Alternatively, you may fax or e-mail your completed
74 affidavit and a copy of your identification to the supervisor of
75 elections. If e-mailing, please provide these documents as
76 attachments.

77 6. Submitting a provisional ballot affidavit does not
78 establish your eligibility to vote in this election or guarantee
79 that your ballot will be counted. The county canvassing board
80 determines your eligibility to vote through information provided
81 on the Provisional Ballot Voter's Certificate and Affirmation,
82 written evidence provided by you, including information in your
83 cure affidavit along with any supporting identification, and any
84 other evidence presented by the supervisor of elections or a
85 challenger. You may still be required to present additional
86 written evidence to support your eligibility to vote.

87 (e) The department and each supervisor shall include the
88 affidavit and instructions on their respective websites. The
89 supervisor shall include his or her office mailing address, e-
90 mail address, and fax number on the page containing the
91 affidavit instructions, and the department's instruction page
92 shall include the office mailing addresses, e-mail addresses,
93 and fax numbers of all supervisors or provide a conspicuous link
94 to such addresses.

95 (f) The supervisor shall attach each affidavit received to
96 the appropriate provisional ballot envelope containing the
97 Provisional Ballot Voter's Certificate and Affirmation.

98 (7) (a) ~~(6)~~ Each supervisor of elections shall establish a



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99 free access system that allows each person who casts a
100 provisional ballot to determine whether his or her provisional
101 ballot was counted in the final canvass of votes and, if not,
102 the reasons why. Information regarding provisional ballots shall
103 be available no later than 30 days following the election. The
104 system established must restrict information regarding an
105 individual ballot to the person who cast the ballot.

106 (b) Unless processed as a signature update pursuant to
107 subsection (2), the supervisor shall mail a voter registration
108 application to the elector to be completed indicating the
109 elector's current signature if the signature on the voter's
110 certificate or cure affidavit did not match the elector's
111 signature in the registration books or precinct register.

112 Section 9. Paragraph (b) of subsection (1) and subsection
113 (9) of section 101.151, Florida Statutes, are amended to read:

114 101.151 Specifications for ballots.—

115 (1)

116 (b) Polling places and early voting sites may employ a
117 ballot-on-demand production system to print individual marksense
118 ballots, including provisional ballots, for eligible electors
119 ~~pursuant to s. 101.657~~. Ballot-on-demand technology may be used
120 to produce marksense vote-by-mail and election-day ballots.

121 (9) (a) The Department of State shall adopt rules
122 prescribing a uniform primary and general election ballot for
123 each certified voting system. The rules shall incorporate the
124 requirements set forth in this section and shall prescribe
125 additional matters and forms that include, without limitation:

126 1. The ballot title followed by clear and unambiguous
127 ballot instructions and directions limited to a single location



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128 on the ballot, either:

129 a. Centered across the top of the ballot; or

130 b. In the leftmost column, with no individual races in that
131 column unless it is the only column on the ballot;

132 2. Individual race layout; ~~and~~

133 3. Overall ballot layout; ~~and-~~

134 4. Oval vote targets as the only permissible type of vote
135 target.

136 (b) The ~~department~~ rules must ~~shall~~ graphically depict a
137 sample uniform primary and general election ballot form for each
138 certified voting system.

139 Section 10. Subsection (2) of section 101.20, Florida
140 Statutes, is amended to read:

141 101.20 Publication of ballot form; sample ballots.-

142 (2) (a) Upon completion of the list of qualified candidates,
143 a sample ballot shall be published by the supervisor ~~of~~
144 ~~elections~~ in a newspaper of general circulation in the county,
145 before the day of election.

146 (b) In lieu of the publication required under paragraph
147 (a), a supervisor may send a sample ballot to each registered
148 elector by e-mail at least 7 days before an election if an e-
149 mail address has been provided and the elector has opted to
150 receive a sample ballot by electronic delivery. If an e-mail
151 address has not been provided, or if the elector has not opted
152 for electronic delivery, a sample ballot may be mailed to each
153 registered elector or to each household in which there is a
154 registered elector at least 7 days before an election.

155 Section 11. Effective January 1, 2020, section 101.56075,
156 Florida Statutes, is amended to read:



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157 101.56075 Voting methods.—For the purpose of designating
158 ballot selections,

159 ~~(1) Except as provided in subsection (2), all voting must~~
160 ~~shall be by marksense ballot, using utilizing a marking device~~
161 ~~or a voter interface device that produces a voter-verifiable~~
162 ~~paper output and for the purpose of designating ballot~~
163 ~~selections.~~

164 ~~(2) Persons with disabilities may vote on a voter interface~~
165 ~~device that meets the voting system accessibility requirements~~
166 ~~for individuals with disabilities pursuant to s. 301 of the~~
167 ~~federal Help America Vote Act of 2002 and s. 101.56062.~~

168 ~~(3) By 2020, persons with disabilities shall vote on a~~
169 ~~voter interface device that meets the voter accessibility~~
170 ~~requirements for individuals with disabilities under s. 301 of~~
171 ~~the federal Help America Vote Act of 2002 and s. 101.56062 which~~
172 ~~are consistent with subsection (1) of this section.~~

173 Section 12. Paragraph (a) of subsection (4) of section
174 101.5614, Florida Statutes, is amended to read:

175 101.5614 Canvass of returns.—

176 (4) (a) If any vote-by-mail ballot is physically damaged so
177 that it cannot properly be counted by the automatic tabulating
178 equipment, a true duplicate copy shall be made of the damaged
179 ballot in the presence of witnesses and substituted for the
180 damaged ballot. Likewise, a duplicate ballot shall be made of a
181 vote-by-mail ballot containing an overvoted race or a marked
182 vote-by-mail ballot in which every race is undervoted which
183 shall include all valid votes as determined by the canvassing
184 board based on rules adopted by the division pursuant to s.
185 102.166(4). Upon request, a physically present candidate, a



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186 political party official, a political committee official, or an
187 authorized designee thereof, must be allowed to observe the
188 duplication of ballots. All duplicate ballots shall be clearly
189 labeled "duplicate," bear a serial number which shall be
190 recorded on the defective ballot, and be counted in lieu of the
191 defective ballot. After a ballot has been duplicated, the
192 defective ballot shall be placed in an envelope provided for
193 that purpose, and the duplicate ballot shall be tallied with the
194 other ballots for that precinct.

195 Section 13. Subsection (2) and paragraphs (b) and (c) of
196 subsection (4) of section 101.62, Florida Statutes, are amended
197 to read:

198 101.62 Request for vote-by-mail ballots.-

199 (2) A request for a vote-by-mail ballot to be mailed to a
200 voter must be received no later than 5 p.m. on the 10th ~~sixth~~
201 day before the election by the supervisor ~~of elections~~. The
202 supervisor ~~of elections~~ shall mail vote-by-mail ballots to
203 voters requesting ballots by such deadline no later than 8 4
204 days before the election.

205 (4)

206 (b) The supervisor ~~of elections~~ shall mail a vote-by-mail
207 ballot to each absent qualified voter, other than those listed
208 in paragraph (a), who has requested such a ballot, between the
209 40th ~~35th~~ and 33rd ~~28th~~ days before the presidential preference
210 primary election, primary election, and general election. Except
211 as otherwise provided in subsection (2) and after the period
212 described in this paragraph, the supervisor shall mail vote-by-
213 mail ballots within 2 business days after receiving a request
214 for such a ballot.



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215 (c) The supervisor shall provide a vote-by-mail ballot to
216 each elector by whom a request for that ballot has been made by
217 one of the following means:

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

221 2. By forwardable mail, e-mail, or facsimile machine
222 transmission to absent uniformed services voters and overseas
223 voters. The absent uniformed services voter or overseas voter
224 may designate in the vote-by-mail ballot request the preferred
225 method of transmission. If the voter does not designate the
226 method of transmission, the vote-by-mail ballot shall be mailed.

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

230 4. By delivery to a designee on election day or up to 9 ~~5~~
231 days prior to the day of an election. Any elector may designate
232 in writing a person to pick up the ballot for the elector;
233 however, the person designated may not pick up more than two
234 vote-by-mail ballots per election, other than the designee's own
235 ballot, except that additional ballots may be picked up for
236 members of the designee's immediate family. For purposes of this
237 section, "immediate family" means the designee's spouse or the
238 parent, child, grandparent, or sibling of the designee or of the
239 designee's spouse. The designee shall provide to the supervisor
240 the written authorization by the elector and a picture
241 identification of the designee and must complete an affidavit.
242 The designee shall state in the affidavit that the designee is
243 authorized by the elector to pick up that ballot and shall



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244 indicate if the elector is a member of the designee's immediate
245 family and, if so, the relationship. The department shall
246 prescribe the form of the affidavit. If the supervisor is
247 satisfied that the designee is authorized to pick up the ballot
248 and that the signature of the elector on the written
249 authorization matches the signature of the elector on file, the
250 supervisor shall give the ballot to that designee for delivery
251 to the elector.

252 5. Except as provided in s. 101.655, the supervisor may not
253 deliver a vote-by-mail ballot to an elector or an elector's
254 immediate family member on the day of the election unless there
255 is an emergency, to the extent that the elector will be unable
256 to go to his or her assigned polling place. If a vote-by-mail
257 ballot is delivered, the elector or his or her designee shall
258 execute an affidavit affirming to the facts which allow for
259 delivery of the vote-by-mail ballot. The department shall adopt
260 a rule providing for the form of the affidavit.

261 Section 14. Subsection (1) of section 101.64, Florida
262 Statutes, is amended, and subsection (5) is added to that
263 section, to read:

264 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

265 (1) The supervisor shall enclose with each vote-by-mail
266 ballot two envelopes: a secrecy envelope, into which the absent
267 elector shall enclose his or her marked ballot; and a mailing
268 envelope, into which the absent elector shall then place the
269 secrecy envelope, which shall be addressed to the supervisor and
270 also bear on the back side a certificate in substantially the
271 following form:

272 Note: Please Read Instructions Carefully Before



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273 Marking Ballot and Completing Voter's Certificate.

274 VOTER'S CERTIFICATE

275 I,, do solemnly swear or affirm that I am a qualified
276 and registered voter of County, Florida, and that I have
277 not and will not vote more than one ballot in this election. I
278 understand that if I commit or attempt to commit any fraud in
279 connection with voting, vote a fraudulent ballot, or vote more
280 than once in an election, I can be convicted of a felony of the
281 third degree and fined up to \$5,000 and/or imprisoned for up to
282 5 years. I also understand that failure to sign this certificate
283 will invalidate my ballot.

284
285 ... (Date) ... (Voter's Signature) ...
286 ... (E-Mail Address) (Home Telephone Number) ...
287 ... (Mobile Telephone Number) ...

288 (5) The secrecy envelope must include, in bold font,
289 substantially the following message:

290
291 IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR
292 OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY.
293 IF YOU WAIT TO MAIL YOUR BALLOT, YOUR VOTE MIGHT NOT COUNT. TO
294 PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT
295 AS SOON AS POSSIBLE.

296 Section 15. Section 101.65, Florida Statutes, is amended to
297 read:

298 101.65 Instructions to absent electors.—The supervisor
299 shall enclose with each vote-by-mail ballot separate printed
300 instructions in substantially the following form; however, where
301 the instructions appear in capitalized text, the text of the



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302 printed instructions must be in bold font:

303 READ THESE INSTRUCTIONS CAREFULLY
304 BEFORE MARKING BALLOT.

305 1. VERY IMPORTANT. In order to ensure that your vote-by-
306 mail ballot will be counted, it should be completed and returned
307 as soon as possible so that it can reach the supervisor of
308 elections of the county in which your precinct is located no
309 later than 7 p.m. on the day of the election. However, if you
310 are an overseas voter casting a ballot in a presidential
311 preference primary or general election, your vote-by-mail ballot
312 must be postmarked or dated no later than the date of the
313 election and received by the supervisor of elections of the
314 county in which you are registered to vote no later than 10 days
315 after the date of the election. Note that the later you return
316 your ballot, the less time you will have to cure any signature
317 deficiencies, which is authorized until 5 p.m. on the 11th day
318 after the election.

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

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

326 4. Place your marked ballot in the enclosed secrecy
327 envelope.

328 5. Insert the secrecy envelope into the enclosed mailing
329 envelope which is addressed to the supervisor.

330 6. Seal the mailing envelope and completely fill out the



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331 Voter's Certificate on the back of the mailing envelope.

332 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
333 be counted, you must sign your name on the line above (Voter's
334 Signature). A vote-by-mail ballot will be considered illegal and
335 not be counted if the signature on the voter's certificate does
336 not match the signature on record. The signature on file at the
337 time the supervisor of elections in the county in which your
338 precinct is located receives your vote-by-mail ballot ~~start of~~
339 ~~the canvass of the vote-by-mail ballots~~ is the signature that
340 will be used to verify your signature on the voter's
341 certificate. If you need to update your signature for this
342 election, send your signature update on a voter registration
343 application to your supervisor of elections so that it is
344 received before your vote-by-mail ballot is received ~~no later~~
345 ~~than the start of the canvassing of vote-by-mail ballots, which~~
346 ~~occurs no earlier than the 15th day before election day.~~

347 8. VERY IMPORTANT. If you are an overseas voter, you must
348 include the date you signed the Voter's Certificate on the line
349 above (Date) or your ballot may not be counted.

350 9. Mail, deliver, or have delivered the completed mailing
351 envelope. Be sure there is sufficient postage if mailed. THE
352 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE
353 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS
354 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE DROP BOX,
355 AVAILABLE AT EACH EARLY VOTING LOCATION.

356 10. FELONY NOTICE. It is a felony under Florida law to
357 accept any gift, payment, or gratuity in exchange for your vote
358 for a candidate. It is also a felony under Florida law to vote
359 in an election using a false identity or false address, or under



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360 any other circumstances making your ballot false or fraudulent.

361 Section 16. Subsection (2) of section 101.657, Florida
362 Statutes, is amended to read:

363 101.657 Early voting.—

364 (2) During any early voting period, each supervisor ~~of~~
365 ~~elections~~ shall make available the total number of voters
366 casting a ballot at each early voting location and the total
367 number of vote-by-mail ballots received under s. 101.69(2)
368 during the previous day. Each supervisor shall prepare an
369 electronic data file listing the individual voters who cast a
370 ballot during the early voting period. This information shall be
371 provided in electronic format as provided by rule adopted by the
372 division. The information shall be updated and made available no
373 later than noon of each day and shall be contemporaneously
374 provided to the division.

375 Section 17. Paragraphs (a) and (c) of subsection (2) and
376 subsection (4) of section 101.68, Florida Statutes, are amended
377 to read:

378 101.68 Canvassing of vote-by-mail ballot.—

379 (2) (a) The county canvassing board may begin the canvassing
380 of vote-by-mail ballots at 7 a.m. on the 22nd ~~15th~~ day before
381 the election, but not later than noon on the day following the
382 election. In addition, for any county using electronic
383 tabulating equipment, the processing of vote-by-mail ballots
384 through such tabulating equipment may begin at 7 a.m. on the
385 22nd ~~15th~~ day before the election. However, notwithstanding any
386 such authorization to begin canvassing or otherwise processing
387 vote-by-mail ballots early, no result shall be released until
388 after the closing of the polls in that county on election day.



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389 Any supervisor ~~of elections~~, deputy supervisor ~~of elections~~,
390 canvassing board member, election board member, or election
391 employee who releases the results of a canvassing or processing
392 of vote-by-mail ballots prior to the closing of the polls in
393 that county on election day commits a felony of the third
394 degree, punishable as provided in s. 775.082, s. 775.083, or s.
395 775.084.

396 (c)1. The canvassing board must, if the supervisor has not
397 already done so, compare the signature of the elector on the
398 voter's certificate or on the vote-by-mail ballot cure affidavit
399 as provided in subsection (4) with the signature of the elector
400 in the registration books or the precinct register to see that
401 the elector is duly registered in the county and to determine
402 the legality of that vote-by-mail ballot. A vote-by-mail ballot
403 may only be counted if:

404 a. The signature on the voter's certificate or the cure
405 affidavit matches the elector's signature in the registration
406 books or precinct register; however, in the case of a cure
407 affidavit, the supporting identification listed in subsection
408 (4) must also confirm the identity of the elector; or

409 b. The cure affidavit contains a signature that does not
410 match the elector's signature in the registration books or
411 precinct register, but the elector has submitted a current and
412 valid Tier 1 identification pursuant to subsection (4) which
413 confirms the identity of the elector.

414
415 For purposes of this subparagraph, any canvassing board finding
416 that an elector's signatures do not match must be by majority
417 vote and beyond a reasonable doubt.



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418 2. The ballot of an elector who casts a vote-by-mail ballot
419 shall be counted even if the elector dies on or before election
420 day, as long as, before the death of the voter, the ballot was
421 postmarked by the United States Postal Service, date-stamped
422 with a verifiable tracking number by a common carrier, or
423 already in the possession of the supervisor ~~of elections~~.

424 3. A vote-by-mail ballot is not considered illegal if the
425 signature of the elector does not cross the seal of the mailing
426 envelope.

427 4. If any elector or candidate present believes that a
428 vote-by-mail ballot is illegal due to a defect apparent on the
429 voter's certificate or the cure affidavit, he or she may, at any
430 time before the ballot is removed from the envelope, file with
431 the canvassing board a protest against the canvass of that
432 ballot, specifying the precinct, the ballot, and the reason he
433 or she believes the ballot to be illegal. A challenge based upon
434 a defect in the voter's certificate or cure affidavit may not be
435 accepted after the ballot has been removed from the mailing
436 envelope.

437 5. If the canvassing board determines that a ballot is
438 illegal, a member of the board must, without opening the
439 envelope, mark across the face of the envelope: "rejected as
440 illegal." The cure affidavit, if applicable, the envelope, and
441 the ballot therein shall be preserved in the manner that
442 official ballots are preserved.

443 (4) (a) As soon as practicable, the supervisor shall, on
444 behalf of the county canvassing board, attempt to immediately
445 notify an elector who has returned a vote-by-mail ballot that
446 does not include the elector's signature or contains a signature



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447 that does not match the elector's signature in the registration
448 books or precinct register by:-

449 1. Notifying the elector of the signature deficiency by e-
450 mail and directing the elector to the cure affidavit and
451 instructions on the supervisor's website;

452 2. Notifying the elector of the signature deficiency by
453 text message and directing the elector to the cure affidavit and
454 instructions on the supervisor's website; or

455 3. Notifying the elector of the signature deficiency by
456 telephone and directing the elector to the cure affidavit and
457 instructions on the supervisor's website.

458
459 In addition to the notification required under subparagraph 1.,
460 subparagraph 2., or subparagraph 3., the supervisor must notify
461 the elector of the signature deficiency by first-class mail and
462 direct the elector to the cure affidavit and instructions on the
463 supervisor's website. Beginning the day before the election, the
464 supervisor is not required to provide notice of the signature
465 deficiency by first-class mail, but shall continue to provide
466 notice as required under subparagraph 1., subparagraph 2., or
467 subparagraph 3.

468 (b) The supervisor shall allow such an elector to complete
469 and submit an affidavit in order to cure the vote-by-mail ballot
470 until 5 p.m. on the 11th day after ~~before~~ the election.

471 (c) ~~(b)~~ The elector must complete a cure affidavit in
472 substantially the following form:

473 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

474 I,, am a qualified voter in this election and
475 registered voter of County, Florida. I do solemnly swear or



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476 affirm that I requested and returned the vote-by-mail ballot and
477 that I have not and will not vote more than one ballot in this
478 election. I understand that if I commit or attempt any fraud in
479 connection with voting, vote a fraudulent ballot, or vote more
480 than once in an election, I may be convicted of a felony of the
481 third degree and fined up to \$5,000 and imprisoned for up to 5
482 years. I understand that my failure to sign this affidavit means
483 that my vote-by-mail ballot will be invalidated.

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

485 ... (Address) ...

486 (d)~~(e)~~ Instructions must accompany the cure affidavit in
487 substantially the following form:

488 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
489 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
490 BALLOT NOT TO COUNT.

491 1. In order to ensure that your vote-by-mail ballot will be
492 counted, your affidavit should be completed and returned as soon
493 as possible so that it can reach the supervisor of elections of
494 the county in which your precinct is located no later than 5
495 p.m. on the 11th day after ~~before~~ the election.

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

498 3. You must make a copy of one of the following forms of
499 identification:

500 a. Tier 1 identification.—Current and valid identification
501 that includes your name and photograph: Florida driver license;
502 Florida identification card issued by the Department of Highway
503 Safety and Motor Vehicles; United States passport; debit or
504 credit card; military identification; student identification;



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505 retirement center identification; neighborhood association
506 identification; public assistance identification; veteran health
507 identification card issued by the United States Department of
508 Veterans Affairs; a Florida license to carry a concealed weapon
509 or firearm; or an employee identification card issued by any
510 branch, department, agency, or entity of the Federal Government,
511 the state, a county, or a municipality; or

512 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
513 FORM OF IDENTIFICATION, identification that shows your name and
514 current residence address: current utility bill, bank statement,
515 government check, paycheck, or government document (excluding
516 voter information ~~identification~~ card).

517 4. Place the envelope bearing the affidavit into a mailing
518 envelope addressed to the supervisor. Insert a copy of your
519 identification in the mailing envelope. Mail (if time permits),
520 deliver, or have delivered the completed affidavit along with
521 the copy of your identification to your county supervisor of
522 elections. Be sure there is sufficient postage if mailed and
523 that the supervisor's address is correct. Remember, your
524 information MUST reach your county supervisor of elections no
525 later than 5 p.m. on the 11th day after the election, or your
526 ballot will not count.

527 5. Alternatively, you may fax or e-mail your completed
528 affidavit and a copy of your identification to the supervisor of
529 elections. If e-mailing, please provide these documents as
530 attachments.

531 (e) ~~(d)~~ The department and each supervisor shall include the
532 affidavit and instructions on their respective websites. The
533 supervisor must include his or her office's mailing address, e-



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534 mail address, and fax number on the page containing the
535 affidavit instructions, ~~and~~ the department's instruction page
536 must include the office mailing addresses, e-mail addresses, and
537 fax numbers of all supervisors of elections or provide a
538 conspicuous link to such addresses.

539 (f) ~~(e)~~ The supervisor shall attach each affidavit received
540 to the appropriate vote-by-mail ballot mailing envelope.

541 (g) ~~(f)~~ If a vote-by-mail ballot is validated following the
542 submission of a cure affidavit, the supervisor shall make a copy
543 of the affidavit, affix it to a voter registration application,
544 and immediately process it as a valid request for a signature
545 update pursuant to s. 98.077.

546 (h) After all election results on the ballot have been
547 certified, the supervisor shall, on behalf of the county
548 canvassing board, notify each elector whose ballot has been
549 rejected as illegal and provide the specific reason the ballot
550 was rejected. In addition, unless processed as a signature
551 update pursuant to paragraph (g), the supervisor shall mail a
552 voter registration application to the elector to be completed
553 indicating the elector's current signature if the signature on
554 the voter's certificate or cure affidavit did not match the
555 elector's signature in the registration books or precinct
556 register. ~~This section does not prohibit the supervisor from~~
557 ~~providing additional methods for updating an elector's~~
558 ~~signature.~~

559 Section 18. Section 101.69, Florida Statutes, is amended to
560 read:

561 101.69 Voting in person; return of vote-by-mail ballot.—

562 (1) The provisions of this code shall not be construed to



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563 prohibit any elector from voting in person at the elector's
564 precinct on the day of an election or at an early voting site,
565 notwithstanding that the elector has requested a vote-by-mail
566 ballot for that election. An elector who has returned a voted
567 vote-by-mail ballot to the supervisor, however, is deemed to
568 have cast his or her ballot and is not entitled to vote another
569 ballot or to have a provisional ballot counted by the county
570 canvassing board. An elector who has received a vote-by-mail
571 ballot and has not returned the voted ballot to the supervisor,
572 but desires to vote in person, shall return the ballot, whether
573 voted or not, to the election board in the elector's precinct or
574 to an early voting site. The returned ballot shall be marked
575 "canceled" by the board and placed with other canceled ballots.
576 However, if the elector does not return the ballot and the
577 election official:

578 (a)~~(1)~~ Confirms that the supervisor has received the
579 elector's vote-by-mail ballot, the elector shall not be allowed
580 to vote in person. If the elector maintains that he or she has
581 not returned the vote-by-mail ballot or remains eligible to
582 vote, the elector shall be provided a provisional ballot as
583 provided in s. 101.048.

584 (b)~~(2)~~ Confirms that the supervisor has not received the
585 elector's vote-by-mail ballot, the elector shall be allowed to
586 vote in person as provided in this code. The elector's vote-by-
587 mail ballot, if subsequently received, shall not be counted and
588 shall remain in the mailing envelope, and the envelope shall be
589 marked "Rejected as Illegal."

590 (c)~~(3)~~ Cannot determine whether the supervisor has received
591 the elector's vote-by-mail ballot, the elector may vote a



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592 provisional ballot as provided in s. 101.048.

593 (2) The supervisor shall allow an elector who has received
594 a vote-by-mail ballot to physically return a voted vote-by-mail
595 ballot to the supervisor by placing the envelope containing his
596 or her marked ballot in a secure drop box. Secure drop boxes
597 shall only be placed at the main office of the supervisor, at
598 each branch office of the supervisor, and at each early voting
599 site.

600 Section 19. Subsection (2) of section 101.6923, Florida
601 Statutes, is amended to read:

602 101.6923 Special vote-by-mail ballot instructions for
603 certain first-time voters.-

604 (2) A voter covered by this section shall be provided with
605 printed instructions with his or her vote-by-mail ballot in
606 substantially the following form:

607 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
608 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
609 TO COUNT.

610 1. In order to ensure that your vote-by-mail ballot will be
611 counted, it should be completed and returned as soon as possible
612 so that it can reach the supervisor of elections of the county
613 in which your precinct is located no later than 7 p.m. on the
614 date of the election. However, if you are an overseas voter
615 casting a ballot in a presidential preference primary or general
616 election, your vote-by-mail ballot must be postmarked or dated
617 no later than the date of the election and received by the
618 supervisor of elections of the county in which you are
619 registered to vote no later than 10 days after the date of the
620 election.



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

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

628 4. Place your marked ballot in the enclosed secrecy
629 envelope and seal the envelope.

630 5. Insert the secrecy envelope into the enclosed envelope
631 bearing the Voter's Certificate. Seal the envelope and
632 completely fill out the Voter's Certificate on the back of the
633 envelope.

634 a. You must sign your name on the line above (Voter's
635 Signature).

636 b. If you are an overseas voter, you must include the date
637 you signed the Voter's Certificate on the line above (Date) or
638 your ballot may not be counted.

639 c. A vote-by-mail ballot will be considered illegal and
640 will not be counted if the signature on the Voter's Certificate
641 does not match the signature on record. The signature on file at
642 the start of the canvass of the vote-by-mail ballots is the
643 signature that will be used to verify your signature on the
644 Voter's Certificate. If you need to update your signature for
645 this election, send your signature update on a voter
646 registration application to your supervisor of elections so that
647 it is received before your vote-by-mail ballot is received ~~no~~
648 ~~later than the start of canvassing of vote-by-mail ballots,~~
649 ~~which occurs no earlier than the 15th day before election day.~~



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650 6. Unless you meet one of the exemptions in Item 7., you
651 must make a copy of one of the following forms of
652 identification:

653 a. Identification which must include your name and
654 photograph: United States passport; debit or credit card;
655 military identification; student identification; retirement
656 center identification; neighborhood association identification;
657 public assistance identification; veteran health identification
658 card issued by the United States Department of Veterans Affairs;
659 a Florida license to carry a concealed weapon or firearm; or an
660 employee identification card issued by any branch, department,
661 agency, or entity of the Federal Government, the state, a
662 county, or a municipality; or

663 b. Identification which shows your name and current
664 residence address: current utility bill, bank statement,
665 government check, paycheck, or government document (excluding
666 voter information ~~identification~~ card).

667 7. The identification requirements of Item 6. do not apply
668 if you meet one of the following requirements:

669 a. You are 65 years of age or older.

670 b. You have a temporary or permanent physical disability.

671 c. You are a member of a uniformed service on active duty
672 who, by reason of such active duty, will be absent from the
673 county on election day.

674 d. You are a member of the Merchant Marine who, by reason
675 of service in the Merchant Marine, will be absent from the
676 county on election day.

677 e. You are the spouse or dependent of a member referred to
678 in paragraph c. or paragraph d. who, by reason of the active



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679 duty or service of the member, will be absent from the county on
680 election day.

681 f. You are currently residing outside the United States.

682 8. Place the envelope bearing the Voter's Certificate into
683 the mailing envelope addressed to the supervisor. Insert a copy
684 of your identification in the mailing envelope. DO NOT PUT YOUR
685 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
686 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
687 BALLOT WILL NOT COUNT.

688 9. Mail, deliver, or have delivered the completed mailing
689 envelope. Be sure there is sufficient postage if mailed.

690 10. FELONY NOTICE. It is a felony under Florida law to
691 accept any gift, payment, or gratuity in exchange for your vote
692 for a candidate. It is also a felony under Florida law to vote
693 in an election using a false identity or false address, or under
694 any other circumstances making your ballot false or fraudulent.

695 Section 20. Paragraph (a) of subsection (4) and subsection
696 (5) of section 102.031, Florida Statutes, are amended to read:

697 102.031 Maintenance of good order at polls; authorities;
698 persons allowed in polling rooms and early voting areas;
699 unlawful solicitation of voters.—

700 (4) (a) No person, political committee, or other group or
701 organization may solicit voters inside the polling place or
702 within 150 ~~100~~ feet of the entrance to any polling place, a
703 polling room where the polling place is also a polling room, an
704 early voting site, or an office of the supervisor ~~of elections~~
705 where vote-by-mail ballots are requested and printed on demand
706 for the convenience of electors who appear in person to request
707 them. Before the opening of the polling place or early voting



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708 site, the clerk or supervisor shall designate the no-
709 solicitation zone and mark the boundaries.

710 (5) No photography is permitted in the polling room or
711 early voting area, except an elector may photograph his or her
712 own ballot.

713 Section 21. Subsection (2) of section 102.111, Florida
714 Statutes, is amended to read:

715 102.111 Elections Canvassing Commission.—

716 (2) The Elections Canvassing Commission shall meet at 9
717 a.m. on the ~~9th day after a primary election and at 9 a.m. on~~
718 ~~the~~ 14th day after a primary election or a general election to
719 certify the returns of the election for each federal, state, and
720 multicounty office. If a member of a county canvassing board
721 that was constituted pursuant to s. 102.141 determines, within 5
722 days after the certification by the Elections Canvassing
723 Commission, that a typographical error occurred in the official
724 returns of the county, the correction of which could result in a
725 change in the outcome of an election, the county canvassing
726 board must certify corrected returns to the Department of State
727 within 24 hours, and the Elections Canvassing Commission must
728 correct and recertify the election returns as soon as
729 practicable.

730 Section 22. Subsection (2) of section 102.112, Florida
731 Statutes, is amended to read:

732 102.112 Deadline for submission of county returns to the
733 Department of State.—

734 (2) Returns must be filed by 5 p.m. ~~on the 7th day~~
735 ~~following a primary election and by noon on the 12th day~~
736 following the primary election and the general election.



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737 However, the Department of State may correct typographical
738 errors, including the transposition of numbers, in any returns
739 submitted to the Department of State pursuant to s. 102.111(2).
740

741 ===== T I T L E A M E N D M E N T =====

742 And the title is amended as follows:

743 Between lines 1141 and 1142

744 insert:

745 s. 102.111, F.S.; revising the date on which the
746 Elections Canvassing Commission certifies the primary
747 election; amending s. 102.112, F.S.; modifying the
748 deadline for submitting county ballot returns to the
749 Department of State for the primary election to
750 conform to changes made by the act; amending