By the Committee on Ethics and Elections

A bill to be entitled
An act relating to ballot processes; amending 98.077, F.S.; modifying requirements for updating voter registration signatures, to conform; amending s. 99.063, F.S.; revising dates relating to the selection and qualification of a lieutenant governor running mate, to conform; amending s. 100.061, F.S.; revising the date of the primary election; amending s. 101.048, F.S.; modifying the Provisional Ballot Voter’s Certificate and Affirmation; establishing a process to cure a provisional ballot with a signature deficiency; establishing related requirements and deadlines; revising requirements for the canvassing and counting of provisional ballots; creating exemptions; requiring the supervisor to process a signature update following submission of a valid provisional ballot cure affidavit; modifying post-election elector notification processes, to conform; amending 101.151, F.S.; revising requirements for department rules governing ballot design; amending s. 101.62, F.S.; revising deadlines for requests for, and the mailing of, vote-by-mail ballots; removing a limitation as to when the supervisor may begin mailing domestic vote-by-mail ballots before an election; amending s. 101.64, F.S.; modifying the vote-by-mail ballot Voter’s Certificate; amending s. 101.65, F.S.; modifying vote-by-mail ballot instructions, to conform; amending 101.68, F.S.; clarifying that supervisors must immediately compare voters’
signatures on vote-by-mail ballots upon receipt;  
revising requirements related to the canvassing and  
counting of vote-by-mail ballots; providing for  
éarlier canvassing of vote-by-mail ballots;  
prescribing additional notification requirements for  
certain vote-by-mail ballots with defective  
signatures; creating exemptions; revising the deadline  
by which vote-by-mail ballot cure affidavits must be  
submitted; requiring the supervisor to process a  
signature update following submission of a valid vote-  
by-mail ballot cure affidavit; modifying post-election  
elector notification processes, to conform; amending  
101.6923, F.S.; modifying special vote-by-mail ballot  
instructions for certain first-time voters, to  
conform; amending 102.111, F.S.; revising the date on  
which the Elections Canvassing Commission certifies  
the primary election; adding an additional meeting of  
the Elections Canvassing Commission for certification  
of ballot votes in any general election races with  
pending recounts; amending s. 102.112, F.S.; modifying  
deadlines for submitting certain county ballot returns  
to the Department of State, to conform; amending s.  
102.141, F.S.; modifying immediate reporting times for  
certain types of ballots and deadlines for unofficial  
results in primary elections and certain general  
election contests; amending s. 102.166, F.S.;  
modifying certification requirements for voting  
systems to require the functionality to simultaneously  
sort and count ballot overvotes and undervotes;
Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (4) of section 98.077, Florida Statutes, is amended to read:

98.077 Update of voter signature.—
(4) Except as authorized in ss. 101.048 and 101.68:

(a) All signature updates for use in verifying vote-by-mail and provisional ballots must be received by the appropriate supervisor of elections no later than the start of the canvassing of vote-by-mail ballots by the canvassing board.

(b) The signature on file at the start of the canvass of the vote-by-mail ballots is the signature that shall be used in verifying the signature on the vote-by-mail and provisional ballot certificates.

Section 2. Subsections (1) and (2) of section 99.063, Florida Statutes, are amended to read

99.063 Candidates for Governor and Lieutenant Governor.—
(1) No later than 5 p.m. of the 14th 9th day following the primary election, each candidate for Governor shall designate a Lieutenant Governor as a running mate. Such designation must be made in writing to the Department of State.

(2) No later than 5 p.m. of the 14th 9th day following the primary election, each designated candidate for Lieutenant Governor shall file with the Department of State:

(a) The candidate’s oath required by s. 99.021, which must contain the name of the candidate as it is to appear on the ballot; the office sought; and the signature of the candidate,
which must be verified under oath or affirmation pursuant to s. 92.525(1)(a).

(b) If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b).

(c) The full and public disclosure of financial interests pursuant to s. 8, Art. II of the State Constitution. A public officer who has filed the full and public disclosure with the Commission on Ethics prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

Section 3. Section 100.061, Florida Statutes, is amended to read:

100.061 Primary election.—In each year in which a general election is held, a primary election for nomination of candidates of political parties shall be held on the Tuesday 11 weeks prior to the general election. The candidate receiving the highest number of votes cast in each contest in the primary election shall be declared nominated for such office. If two or more candidates receive an equal and highest number of votes for the same office, such candidates shall draw lots to determine which candidate is nominated.

Section 4. Section 101.048, Florida Statutes, is amended to read:

101.048 Provisional ballots.—

(1) At all elections, a voter claiming to be properly registered in the state and eligible to vote at the precinct in the election but whose eligibility cannot be determined, a person whom an election official asserts is not eligible, and other persons specified in the code shall be entitled to vote a provisional ballot. Once voted, the provisional ballot shall be
placed in a secrecy envelope and thereafter sealed in a provisional ballot envelope. The provisional ballot shall be deposited in a ballot box. All provisional ballots shall remain sealed in their envelopes for return to the supervisor of elections. The department shall prescribe the form of the provisional ballot envelope. A person casting a provisional ballot shall have the right to present written evidence supporting his or her eligibility to vote to the supervisor of elections by not later than 5 p.m. on the second day following the election.

(2)(a) The county canvassing board shall examine each Provisional Ballot Voter’s Certificate and Affirmation to determine if the person voting that ballot was entitled to vote at the precinct where the person cast a vote in the election and that the person had not already cast a ballot in the election. In determining whether a person casting a provisional ballot is entitled to vote, the county canvassing board shall review the information provided in the Voter’s Certificate and Affirmation, written evidence provided by the person pursuant to subsection (1), information provided in any cure affidavit and accompanying supporting documentation pursuant to subsection (6), any other evidence presented by the supervisor of elections, and, in the case of a challenge, any evidence presented by the challenger. A ballot of a person casting a provisional ballot shall be canvassed pursuant to paragraph (b) counted unless the canvassing board determines by a preponderance of the evidence that the person was not entitled to vote.

(b) If it is determined that the person was registered and entitled to vote at the precinct where the person cast a
vote in the election, the canvassing board must compare the signature on the Provisional Ballot Voter’s Certificate and Affirmation or the provisional ballot cure affidavit with the signature on the voter’s registration or precinct register and, if it matches, shall count the ballot. A provisional ballot may be counted only if:

1. The signature on the voter’s certificate or the cure affidavit matches the elector’s signature in the registration books or the precinct register; however, in the case of a cure affidavit, the supporting identification listed in subsection (6) must also confirm the identity of the elector; or

2. The cure affidavit contains a signature that does not match the elector’s signature in the registration books or the precinct register, but the elector has submitted a current and valid Tier 1 form of identification confirming his or her identity pursuant to subsection (6).

For purposes of this paragraph, any canvassing board finding that signatures do not match must be by majority vote and beyond a reasonable doubt.

2. If it is determined that the person voting the provisional ballot was not registered or entitled to vote at the precinct where the person cast a vote in the election, the (c) Any provisional ballot shall not be counted and the ballot shall remain in the envelope containing the Provisional Ballot Voter’s Certificate and Affirmation and the envelope shall be marked “Rejected as Illegal.”

(d) If a provisional ballot is validated following the submission of a cure affidavit, the supervisor must make a copy
of the affidavit, affix it to a voter registration application,
and immediately process it as a valid request for a signature
update pursuant to s. 98.077.

(3) The Provisional Ballot Voter’s Certificate and
Affirmation shall be in substantially the following form:

STATE OF FLORIDA
COUNTY OF ....

I do solemnly swear (or affirm) that my name is ....; that
my date of birth is ....; that I am registered and qualified to
vote in .... County, Florida; that I am registered in the ....
Party; that I am a qualified voter of the county; and that I
have not voted in this election. I understand that if I commit
any fraud in connection with voting, vote a fraudulent ballot,
or vote more than once in an election, I can be convicted of a
felony of the third degree and fined up to $5,000 and/or
imprisoned for up to 5 years.

Further, by providing my information below, I authorize the
use of e-mail, text message, and phone call for the limited
purpose of signature and ballot validation.

...(Printed Name of Voter)...
...(Signature of Voter)...
...(Current Residence Address)...
...(Current Mailing Address)...
...(City, State, Zip Code)...
...(Driver License Number or Last Four Digits of Social Security
Number)...
...(E-Mail Address)...

Page 7 of 33
CODING: Words stricken are deletions; words underlined are additions.
(4) Notwithstanding the requirements of subsections (1), (2), and (3), the supervisor of elections may, and for persons with disabilities shall, provide the appropriate provisional ballot to the voter by electronic means that meet the requirements of s. 101.56062, as provided for by the certified voting system. Each person casting a provisional ballot by electronic means shall, prior to casting his or her ballot, complete the Provisional Ballot Voter’s Certificate and Affirmation as provided in subsection (3).

(5) Each person casting a provisional ballot shall be given written instructions regarding the person’s right to provide the supervisor of elections with written evidence of his or her eligibility to vote and regarding the free access system established pursuant to subsection (7) (6). The instructions must contain the supervisors’ contact information along with information on how to access the system and the information the voter will need to provide to obtain information on his or her particular ballot. The instructions shall also include the following statement: “If this is a primary election, you

CODING: Words stricken are deletions; words underlined are additions.
should contact the supervisor of elections’ office immediately
to confirm that you are registered and can vote in the general
election.”

(6)(a) As soon as practicable, the supervisor shall, on
behalf of the county canvassing board, attempt to notify an
elector who has submitted a provisional ballot that does not
include the elector’s signature or contains a signature that
does not match the elector’s signature in the registration books
or precinct register by:

1. Providing the notice to the elector by e-mail;
2. Notifying the elector of the signature deficiency by
text message and directing the elector to the cure affidavit and
instructions on the supervisor’s website; and
3. Notifying the elector of the signature deficiency by
telephone and directing the elector to the cure affidavit and
instructions on the supervisor’s website.

If the voter’s certificate or the elector’s records do not
contain any telephone or electronic contact information, the
supervisor must immediately send the notice to the elector by
first-class mail. If the elector has provided such information,
the supervisor may continue to attempt to contact the elector by
telephone or electronic means for up to 48 hours before mailing
the physical notice. The supervisor need not provide any notice
required by this paragraph if the canvassing board has already
determined that the elector is not entitled to vote pursuant to
paragraph (2)(a), or if the supervisor has already confirmed the
elector’s receipt of notice.

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

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

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

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

3. You must make a copy of one of the following forms of identification:
   a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; Florida license to carry a concealed weapon or firearm; or employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality; or
   b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1 FORM OF IDENTIFICATION, identification that shows your name and current residence address: current utility bill; bank statement; government check; paycheck; or government document (excluding voter information card).

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

5. Alternatively, you may fax or e-mail your completed
affidavit and a copy of your identification to the supervisor of
elections. If e-mailing, please provide these documents as
attachments. E-mail should be used only as a last resort, as it
is not a secure communication method and could result in third
parties having access to your personal information.

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

(e) The department and each supervisor of elections shall
include the affidavit and instructions on their respective
websites. The supervisor of elections shall include his or her
office mailing address, e-mail address, and fax number on the
page containing the affidavit instructions, and the department’s
349 instruction page must include the office mailing addresses, e-
350 mail addresses, and fax numbers of all supervisors of elections
351 or provide a conspicuous link to such addresses.
352 (f) The supervisor of elections shall attach each affidavit
353 received to the appropriate provisional ballot envelope
354 containing the Provisional Ballot Voter’s Certificate and
355 Affirmation.
356 (7)(a) (c) Each supervisor of elections shall establish a
357 free access system that allows each person who casts a
358 provisional ballot to determine whether his or her provisional
359 ballot was counted in the final canvass of votes and, if not,
360 the reasons why. Information regarding provisional ballots shall
361 be available no later than 30 days following the election. The
362 system established must restrict information regarding an
363 individual ballot to the person who cast the ballot.
364 (b) In addition, unless processed as a signature update
365 pursuant to subsection (2), the supervisor shall mail a voter
366 registration application to the elector to be completed
367 indicating the elector’s current signature if the signature on
368 the voter’s certificate or cure affidavit did not match the
369 elector’s signature in the registration books or precinct
370 register.
371 Section 5. Subsection (9) of section 101.151, Florida
372 Statutes, is amended to read:
373 101.151 Specifications for ballots.—
374 (9)(a) The Department of State shall adopt rules
375 prescribing a uniform primary and general election ballot for
376 each certified voting system. The rules must incorporate
377 the requirements set forth in this section and must shall
378
prescribe additional matters and forms that include, without limitation:

1. The ballot title followed by clear and unambiguous ballot instructions and directions limited to a single location on the ballot, either:
   a. Centered across the top; or
   b. In the leftmost column, with no individual races in that column unless it is the only column on the ballot;
2. Individual race layout; and
3. Overall ballot layout.

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

Section 6. Subsection (2) and paragraph (b) of subsection (4) of section 101.62, Florida Statutes, are amended to read:

101.62 Request for vote-by-mail ballots.—

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

(4)

(b) The supervisor of elections shall mail a vote-by-mail ballot to each absent qualified voter, other than those listed in paragraph (a), who has requested such a ballot, no later than the 28th day between the 35th and 28th days before the presidential preference primary election, primary election, and general election. Except as otherwise provided in subsection (2)
and after the period described in this paragraph, the supervisor shall mail vote-by-mail ballots within 2 business days after receiving a request for such a ballot.

Section 7. Subsection (1) of section 101.64, Florida Statutes, is amended to read:

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

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

Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter’s Certificate.

VOTER’S CERTIFICATE

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

Further, by providing my information below, I authorize the use of e-mail, text messages, and telephone calls for the
limited purpose of correcting a missing or nonmatching signature.

...(Date)...
...(Voter’s Signature)...
...(E-Mail Address)...
...(Home Telephone Number)...
...(Mobile Telephone Number)...

Section 8. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each vote-by-mail ballot separate printed instructions in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your vote-by-mail ballot will be counted, it 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 later than 7 p.m. on the day of the election. However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your vote-by-mail ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election. Note that the later you return your ballot, the less time you will have to cure any signature deficiencies, which is authorized until 5 p.m. on the 11th day after the election.

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

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

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

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

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

7. VERY IMPORTANT. In order for your vote-by-mail ballot to be counted, you must sign your name on the line above (Voter’s Signature). A vote-by-mail ballot will be considered illegal and not be counted if the signature on the voter’s certificate does not match the signature on record. The signature on file at the start of the canvass of the vote-by-mail ballots is the signature that will be used to verify your signature on the voter’s certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of the canvassing of vote-by-mail ballots, which occurs no earlier than the 22nd day before election day.

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

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

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

Section 9. Subsection (1), paragraphs (a) and (c) of subsection (2), and subsection (4) of section 101.68, Florida Statutes, are amended to read:

101.68 Canvassing of vote-by-mail ballot.—

(1) The supervisor of the county where the absent elector resides shall receive the voted ballot, at which time the supervisor immediately shall compare the signature of the elector on the voter’s certificate with the signature of the elector in the registration books or the precinct register to determine whether the elector is duly registered in the county and may record on the elector’s registration certificate that the elector has voted. An elector who dies after casting a vote-by-mail ballot but on or before election day shall remain listed in the registration books until the results have been certified for the election in which the ballot was cast. The supervisor shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. Except as provided in subsection (4), after a vote-by-mail ballot is received by the supervisor, the ballot is deemed to have been cast, and changes or additions may not be made to the voter’s certificate.

(2)(a) The county canvassing board may begin the canvassing of vote-by-mail ballots at 7 a.m. on the 22nd 15th day before
the election, but not later than noon on the day following the
election. In addition, for any county using electronic
tabulating equipment, the processing of vote-by-mail ballots
through such tabulating equipment may begin at 7 a.m. on the
22nd 15th day before the election. However, notwithstanding any
such authorization to begin canvassing or otherwise processing
vote-by-mail ballots early, no result shall be released until
after the closing of the polls in that county on election day.
Any supervisor of elections, deputy supervisor of elections,
canvassing board member, election board member, or election
employee who releases the results of a canvassing or processing
of vote-by-mail ballots prior to the closing of the polls in
that county on election day commits a felony of the third
degree, punishable as provided in s. 775.082, s. 775.083, or s.
775.084.

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

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

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

For purposes of this paragraph, any canvassing board finding that signatures do not match must be by majority vote and beyond a reasonable doubt.

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

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

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

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

(4)(a) Except as provided in paragraph (b), the supervisor must shall, on behalf of the county canvassing board, immediately notify an elector who has returned a vote-by-mail ballot that does not include the elector’s signature or contains a signature that does not match the elector’s signature in the registration books or precinct register.

(b) For timely domestic vote-by-mail ballots received beginning on the 4th day before an election, and for timely overseas vote-by-mail ballots received beginning on the 10th day before an election, the supervisor must attempt to:

1. Provide the notice to the elector by e-mail;
2. Notify the elector of the signature deficiency by text message and direct the elector to the cure affidavit and instructions on the supervisor’s website; and
3. Notify the elector of the signature deficiency by telephone and direct the elector to the cure affidavit and instructions on the supervisor’s website.

If the voter’s certificate or the elector’s records do not contain any telephone or electronic contact information, the supervisor must immediately send the notice to an in-county elector by first-class mail or to any other elector by expedited delivery. If the elector has provided such information, the supervisor may continue to attempt to contact the elector by telephone or electronic means for up to 48 hours before sending
physical notice, time permitting. The supervisor need not provide any notice required by this subsection which is not expected to reach the elector until after 5 p.m. on the 11th day after the election, or when the supervisor has already confirmed the elector’s receipt of notice.

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

(d) The elector must complete a cure affidavit in substantially the following form:

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

I, ...., am a qualified voter in this election and registered voter of .... County, Florida. I do solemnly swear or affirm that I requested and returned the vote-by-mail 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 and fined up to $5,000 and imprisoned for up to 5 years. I understand that my failure to sign this affidavit may invalidate my ballot means that my vote-by-mail ballot will be invalidated.

...(Voter’s Signature)...

...(Address)...

(e) 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 ensure that your vote-by-mail ballot will be counted, 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 later than 5 p.m. on the 11th day after before the election.

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

3. You must make a copy of one of the following forms of identification:
   a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; a Florida license to carry a concealed weapon or firearm; or an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality; or
   b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1 FORM OF IDENTIFICATION, identification that shows your name and current residence address: current utility bill, bank statement,
government check, paycheck, or government document (excluding voter information identification card).

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

5. Alternatively, you may fax or e-mail your completed affidavit and a copy of your identification to the supervisor of elections. If e-mailing, please provide these documents as attachments. E-mail should be used only as a last resort, as it is not a secure communication method and could result in third parties having access to your personal information.

(f) The department and each supervisor shall include the affidavit and instructions on their respective websites. The supervisor must include his or her office’s mailing address, e-mail address, and fax number on the page containing the affidavit instructions, and the department’s instruction page must include the office mailing addresses, e-mail addresses, and fax numbers of all supervisors of elections or provide a conspicuous link to such addresses.

(g) The supervisor shall attach each affidavit received to the appropriate vote-by-mail ballot mailing envelope.

(h) If a vote-by-mail ballot is validated following the
submission of a cure affidavit, the supervisor must make a copy
of the affidavit, affix it to a voter registration application,
and immediately process it as a valid request for a signature
update pursuant to s. 98.077.

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

Section 10. Section 101.6923, Florida Statutes, is amended
to read:

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

(1) The provisions of this section apply to voters who are
subject to the provisions of s. 97.0535 and who have not
provided the identification or information required by s.
97.0535 by the time the vote-by-mail ballot is mailed.

(2) A voter covered by this section shall be provided with
printed instructions with his or her vote-by-mail ballot in
substantially the following form:
READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote-by-mail ballot will be counted, it 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 later than 7 p.m. on the date of the election. However, if you are an overseas voter casting a ballot in a presidential preference primary or general election, your vote-by-mail ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.

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

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

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

5. Insert the secrecy envelope into the enclosed envelope bearing the Voter’s Certificate. Seal the envelope and completely fill out the Voter’s Certificate on the back of the envelope.

   a. You must sign your name on the line above (Voter’s
b. If you are an overseas voter, you must include the date you signed the Voter’s Certificate on the line above (Date) or your ballot may not be counted.

c. A vote-by-mail ballot will be considered illegal and will not be counted if the signature on the Voter’s Certificate does not match the signature on record. The signature on file at the start of the canvass of the vote-by-mail ballots is the signature that will be used to verify your signature on the Voter’s Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received no later than the start of canvassing of vote-by-mail ballots, which occurs no earlier than the 22nd 15th day before election day.

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

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

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

7. The identification requirements of Item 6. do not apply if you meet one of the following requirements:
   a. You are 65 years of age or older.
   b. You have a temporary or permanent physical disability.
   c. You are a member of a uniformed service on active duty who, by reason of such active duty, will be absent from the county on election day.
   d. You are a member of the Merchant Marine who, by reason of service in the Merchant Marine, will be absent from the county on election day.
   e. You are the spouse or dependent of a member referred to in paragraph c. or paragraph d. who, by reason of the active duty or service of the member, will be absent from the county on election day.
   f. You are currently residing outside the United States.

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

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

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

Section 11. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2)(a) The Elections Canvassing Commission shall meet at 9 a.m. on the 9th day after a primary election and at 9 a.m. on the 14th day after a primary election or a general election to certify the returns of the election for each federal, state, and multicounty office, except for those contests with a pending general election recount.

(b) The commission shall meet at 9 a.m. on the 21st day after a general election to certify the returns in the remaining recount contests.

If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 12. Subsection (2) of section 102.112, Florida Statutes, is amended to read:

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

(2)(a) Returns must be filed by 5 p.m. on the 7th day...
following a primary election and by noon on the 12th day following the primary election and the general election for all contests, except those contests with a pending general election recount.

(b) For contests with a pending general election recount, returns must be filed by noon on the 19th day following the general election.

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

Section 13. Paragraph (b) of subsection (4), subsection (5), and paragraph (c) of subsection (7) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—

(4)

(b) The canvassing board shall report all early voting and all tabulated vote-by-mail results to the Department of State within 30 minutes after the polls close. Thereafter, the canvassing board shall report, with the exception of provisional ballot results, updated precinct election results to the department at least every hour 45 minutes until 2 a.m. the next day. Thereafter, the canvassing board must report results on an hourly basis from 9 a.m. until 8 p.m. each day until all results are completely reported. The supervisor of elections shall notify the department immediately of any circumstances that do not permit periodic updates as required. Results shall be submitted in a format prescribed by the department.

(5) The canvassing board shall submit on forms or in
formats provided by the division unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure no later than noon on the third day after any primary election and no later than noon on the fourth day after any primary, general or other election. Such returns shall include the canvass of all ballots as required by subsection (2).

(7) If the unofficial returns reflect that a candidate for any office was defeated or eliminated by one-half of a percent or less of the votes cast for such office, that a candidate for retention to a judicial office was retained or not retained by one-half of a percent or less of the votes cast on the question of retention, or that a measure appearing on the ballot was approved or rejected by one-half of a percent or less of the votes cast on such measure, a recount shall be ordered of the votes cast with respect to such office or measure. The Secretary of State is responsible for ordering recounts in federal, state, and multicounty races. The county canvassing board or the local board responsible for certifying the election is responsible for ordering recounts in all other races. A recount need not be ordered with respect to the returns for any office, however, if the candidate or candidates defeated or eliminated from contention for such office by one-half of a percent or less of the votes cast for such office request in writing that a recount not be made.

(c) The canvassing board shall submit on forms or in formats provided by the division a second set of unofficial returns to the Department of State for each federal, statewide, state, or multicounty office or ballot measure. The returns for...
all primary election contests and general election contests not
subject to a recount shall be filed no later than 3 p.m. on the
9th 5th day after the any primary or general election, and no
later than 5 p.m. 3 p.m. on the 12th 9th day after the any
general election for any contest in which a recount was ordered
by the Secretary of State. If the canvassing board is unable to
complete the recount prescribed in this subsection by the
deadline, the second set of unofficial returns submitted by the
canvassing board shall be identical to the initial unofficial
returns and the submission shall also include a detailed
explanation of why it was unable to timely complete the recount.
However, the canvassing board shall complete the recount
prescribed in this subsection, along with any manual recount
prescribed in s. 102.166, and certify election returns in
accordance with the requirements of this chapter.

Section 14. Subsection (2) of section 102.166, Florida
Statutes, is amended to read:

102.166 Manual recounts of overvotes and undervotes.—
(2) (a) Any hardware or software used to identify and sort
overvotes and undervotes for a given race or ballot measure must
be certified by the Department of State as part of the voting
system pursuant to s. 101.015. Any such hardware or software
must be capable of simultaneously identifying and sorting
overvotes and undervotes in multiple races while simultaneously
counting votes.

(b) Overvotes and undervotes shall be identified and
sorted while recounting ballots pursuant to s. 102.141, if the
hardware or software for this purpose has been certified or the
department’s rules so provide.
Section 15. This act shall take effect January 1, 2020.