

20197066e2

1 A bill to be entitled
2 An act relating to election administration; amending
3 s. 97.012, F.S.; requiring the Secretary of State to
4 provide signature matching training to certain
5 persons; amending s. 97.021, F.S.; revising the
6 definition of the term "voter interface device";
7 amending s. 98.077, F.S.; revising deadlines for voter
8 signature updates for purposes of vote-by-mail and
9 provisional ballots; providing an exception; amending
10 s. 98.0981, F.S.; revising the voter threshold
11 necessary to require the reporting of certain
12 precinct-level results by ballot; amending s. 99.063,
13 F.S.; removing a provision requiring certain language
14 to follow the name of gubernatorial candidates in
15 specified circumstances; amending s. 100.061, F.S.;
16 revising the date of the primary election; amending s.
17 101.015, F.S.; requiring the Department of State to
18 establish minimum security standards to address chain
19 of custody of ballots, transport of ballots, and
20 ballot security; amending s. 101.048, F.S.; requiring
21 a county canvassing board to review certain
22 information; providing requirements for the canvassing
23 and counting of provisional ballots; requiring the
24 supervisor of elections to process a valid provisional
25 ballot cure affidavit as a voter signature update;
26 revising the Provisional Ballot Voter's Certificate
27 and Affirmation form; providing a process to cure a
28 provisional ballot with a signature deficiency;
29 requiring a supervisor to mail a voter registration

20197066e2

30 application to an elector in certain circumstances;
31 amending s. 101.151, F.S.; revising requirements for
32 department rules governing ballot design; amending s.
33 101.657, F.S.; requiring sufficient nonpermitting
34 parking for voters at certain early voting locations;
35 amending s. 102.031, F.S.; conforming a provision to
36 changes made by the act; prohibiting the owners or
37 operators of a location on which a polling place or
38 early voting site is located from restricting
39 solicitation in certain areas; amending s. 101.20,
40 F.S.; authorizing the distribution of sample ballots
41 by e-mail or mail in lieu of newspaper publication;
42 amending s. 101.56075, F.S.; authorizing voting to be
43 conducted using a voter interface device that produces
44 a voter-verifiable paper output; amending s. 101.5614,
45 F.S.; authorizing certain individuals to serve as
46 witnesses during the ballot duplication process;
47 amending s. 101.62, F.S.; revising the deadlines by
48 which requests for vote-by-mail ballots must be
49 received and by which vote-by-mail ballots shall be
50 mailed by the supervisor; expanding the period during
51 which a designee may physically collect a vote-by-mail
52 ballot; amending s. 101.64, F.S.; requiring the
53 secrecy envelope included with a vote-by-mail ballot
54 to include a specified statement; amending s. 101.65,
55 F.S.; revising requirements for vote-by-mail ballot
56 instructions; amending s. 101.657, F.S.; requiring a
57 supervisor to report the total number of vote-by-mail
58 ballots received at each early voting location;

20197066e2

59 amending s. 101.68, F.S.; revising the date that
60 canvassing of vote-by-mail ballots may begin; revising
61 requirements related to the canvassing and counting of
62 vote-by-mail ballots; revising the deadline by which
63 vote-by-mail ballot cure affidavits must be submitted;
64 requiring the supervisor to process a valid vote-by-
65 mail ballot cure affidavit as a voter signature
66 update; amending s. 101.69, F.S.; requiring a
67 supervisor to provide secure drop boxes in specified
68 locations for an elector to place his or her vote-by-
69 mail ballot; authorizing placement of secure drop
70 boxes at additional locations, subject to specified
71 limitations; amending ss. 97.052 and 97.053, F.S.;
72 revising requirements for the uniform statewide voter
73 registration application to modify statements an
74 applicant must affirm; revising terminology regarding
75 voting rights restoration to conform to the State
76 Constitution; amending s. 98.045, F.S.; revising
77 terminology regarding voting rights restoration to
78 conform to the State Constitution; amending s. 98.075,
79 F.S.; revising terminology regarding voting rights
80 restoration to conform to the State Constitution;
81 requiring the supervisor of elections of the county in
82 which an ineligible voter is registered to notify the
83 voter of instructions for seeking restoration of
84 voting rights pursuant to s. 4, Art. VI of the State
85 Constitution, in addition to restoration of civil
86 rights pursuant to s. 8, Art. IV of the State
87 Constitution; requiring a notice of a registered

20197066e2

88 voter's potential ineligibility to include specified
89 information; creating s. 98.0751, F.S.; requiring the
90 voting disqualification of certain felons to be
91 removed and voting rights restored pursuant to s. 4,
92 Art. VI of the State Constitution; providing that the
93 voting disqualification arising from specified factors
94 is not removed unless a person's civil rights are
95 restored through the clemency process pursuant to s.
96 8, Art. IV of the State Constitution; providing
97 definitions; requiring the Department of State to
98 review information and make an initial determination
99 regarding certain credible and reliable information;
100 requiring the department to forward specified
101 information to supervisors of elections; requiring the
102 supervisor of elections to make a final determination
103 of whether a person who has been convicted of a felony
104 offense is eligible to register to vote, including if
105 he or she has completed all the terms of his or her
106 sentence; authorizing the department to assist the
107 supervisor of elections with such final determination,
108 if necessary; requiring specified provisions to be
109 construed in favor of a voter registrant; amending s.
110 104.011, F.S.; prohibiting a person from being charged
111 or convicted for violations regarding false swearing
112 or submitting false voter registration information
113 under certain conditions; amending s. 940.061, F.S.;
114 requiring the Department of Corrections to inform
115 inmates and offenders of voting rights restoration
116 pursuant to s. 4, Art. VI of the State Constitution,

20197066e2

117 in addition to executive clemency and civil rights
118 restoration; amending s. 944.292, F.S.; conforming a
119 provision regarding the suspension of civil rights;
120 amending s. 944.705, F.S.; requiring the Department of
121 Corrections to include notification of all outstanding
122 terms of sentence in an inmate's release documents;
123 providing an exception to the notification requirement
124 for inmates who are released to any type of
125 supervision monitored by the department; amending s.
126 947.24, F.S.; requiring the Florida Commission on
127 Offender Review, upon the termination of an offender's
128 term of parole, control release, or conditional
129 release, to provide written notification to the
130 offender of all outstanding terms of sentence;
131 creating s. 948.041, F.S.; requiring the department,
132 upon the termination of an offender's term of
133 probation or community control, to provide written
134 notification to the offender of all outstanding terms
135 of sentence; amending s. 951.29, F.S.; requiring each
136 county detention facility to provide information on
137 the restoration of voting rights pursuant to s. 4,
138 Art. VI of the State Constitution to certain
139 prisoners; requiring each county detention facility to
140 provide written notification to certain prisoners of
141 all outstanding terms of sentence upon release;
142 creating the Restoration of Voting Rights Work Group
143 within the Department of State; specifying membership
144 of the work group; establishing the manner of
145 appointments and the terms of membership; prescribing

20197066e2

146 the duties of the work group; requiring the work group
147 to submit a report to the Legislature by a specified
148 date; providing for staffing; authorizing
149 reimbursement for per diem and travel expenses;
150 providing for expiration of the work group; amending
151 s. 101.6923, F.S.; revising vote-by-mail ballot
152 instructions for certain first-time voters; amending
153 s. 102.031, F.S.; expanding the area in which voter
154 solicitation is prohibited; authorizing an elector to
155 photograph his or her own ballot; amending s. 102.141,
156 F.S.; providing notice requirements for meetings of a
157 county canvassing board; requiring certain individuals
158 to wear identification badges during certain periods;
159 amending s. 102.166, F.S.; modifying certification
160 requirements for voting systems to require the
161 functionality to simultaneously sort and count ballot
162 overvotes and undervotes; revising requirements for
163 department rules regarding manual recounts of certain
164 ballots; amending s. 102.168, F.S.; modifying
165 provisions governing election contests to authorize
166 judicial review of additional information related to
167 determining validity of provisional and vote-by-mail
168 ballot signatures to conform to changes made by the
169 act; amending s. 104.051, F.S.; providing a penalty
170 for certain supervisors who willfully violate the
171 Florida Election Code; providing effective dates.

172
173 Be It Enacted by the Legislature of the State of Florida:
174

20197066e2

175 Section 1. Subsection (17) is added to section 97.012,
176 Florida Statutes, to read:

177 97.012 Secretary of State as chief election officer.—The
178 Secretary of State is the chief election officer of the state,
179 and it is his or her responsibility to:

180 (17) Provide formal signature matching training to
181 supervisors of elections and county canvassing board members.

182 Section 2. Effective January 1, 2020, subsection (41) of
183 section 97.021, Florida Statutes, is amended to read:

184 97.021 Definitions.—For the purposes of this code, except
185 where the context clearly indicates otherwise, the term:

186 (41) "Voter interface device" means any device that
187 communicates voting instructions and ballot information to a
188 voter and allows the voter to select and vote for candidates and
189 issues. A voter interface device may not be used to tabulate
190 votes. Any vote tabulation must be based upon a subsequent scan
191 of the marked marksense ballot or the voter-verifiable paper
192 output after the voter interface device process has been
193 completed.

194 Section 3. Subsection (4) of section 98.077, Florida
195 Statutes, is amended to read:

196 98.077 Update of voter signature.—

197 (4) Except as authorized in ss. 101.048 and 101.68:

198 (a) All signature updates for use in verifying vote-by-mail
199 and provisional ballots must be received by the appropriate
200 supervisor before the elector's ballot is received by the
201 supervisor or, in the case of provisional ballots, before the
202 elector's ballot is cast ~~of elections no later than the start of~~
203 ~~the canvassing of vote by mail ballots by the canvassing board.~~

20197066e2

204 (b) The signature on file at the time the vote-by-mail
205 ballot is received or at the time the provisional ballot is cast
206 ~~start of the canvass of the vote-by-mail ballots~~ is the
207 signature that shall be used in verifying the signature on the
208 vote-by-mail and provisional ballot certificates, respectively.

209 Section 4. Paragraph (a) of subsection (2) of section
210 98.0981, Florida Statutes, is amended to read:

211 98.0981 Reports; voting history; statewide voter
212 registration system information; precinct-level election
213 results; book closing statistics.—

214 (2) PRECINCT-LEVEL ELECTION RESULTS.—

215 (a) Within 30 days after certification by the Elections
216 Canvassing Commission of a presidential preference primary
217 election, special election, primary election, or general
218 election, the supervisors of elections shall collect and submit
219 to the department precinct-level election results for the
220 election in a uniform electronic format specified by paragraph
221 (c). The precinct-level election results shall be compiled
222 separately for the primary or special primary election that
223 preceded the general or special general election, respectively.
224 The results shall specifically include for each precinct the
225 total of all ballots cast for each candidate or nominee to fill
226 a national, state, county, or district office or proposed
227 constitutional amendment, with subtotals for each candidate and
228 ballot type, unless fewer than 30 ~~10~~ voters voted a ballot type.
229 "All ballots cast" means ballots cast by voters who cast a
230 ballot whether at a precinct location, by vote-by-mail ballot
231 including overseas vote-by-mail ballots, during the early voting
232 period, or by provisional ballot.

20197066e2

233 Section 5. Subsection (4) of section 99.063, Florida
234 Statutes, is amended to read:

235 99.063 Candidates for Governor and Lieutenant Governor.—

236 (4) In order to have the name of the candidate for
237 Lieutenant Governor printed on the primary election ballot, a
238 candidate for Governor participating in the primary must
239 designate the candidate for Lieutenant Governor, and the
240 designated candidate must qualify no later than the end of the
241 qualifying period specified in s. 99.061. ~~If the candidate for~~
242 ~~Lieutenant Governor has not been designated and has not~~
243 ~~qualified by the end of the qualifying period specified in s.~~
244 ~~99.061, the phrase "Not Yet Designated" must be included in lieu~~
245 ~~of the candidate's name on the primary election ballot.~~

246 Section 6. Section 100.061, Florida Statutes, is amended to
247 read:

248 100.061 Primary election.—In each year in which a general
249 election is held, a primary election for nomination of
250 candidates of political parties shall be held on the Tuesday 11
251 ~~10~~ weeks prior to the general election. The candidate receiving
252 the highest number of votes cast in each contest in the primary
253 election shall be declared nominated for such office. If two or
254 more candidates receive an equal and highest number of votes for
255 the same office, such candidates shall draw lots to determine
256 which candidate is nominated.

257 Section 7. Subsection (4) of section 101.015, Florida
258 Statutes, is amended to read:

259 101.015 Standards for voting systems.—

260 (4) (a) The Department of State shall adopt rules
261 establishing minimum security standards for voting systems. The

20197066e2

262 standards, at a minimum, must address the following:

263 1. Chain of custody of ballots, including a detailed
264 description of procedures to create a complete written record of
265 the chain of custody of ballots and paper outputs beginning with
266 their receipt from a printer or manufacturer until such time as
267 they are destroyed.

268 2. Transport of ballots, including a description of the
269 method and equipment used and a detailed list of the names of
270 all individuals involved in such transport.

271 3. Ballot security, including a requirement that all
272 ballots be kept in a locked room in the supervisor's office, a
273 facility controlled by the supervisor or county canvassing
274 board, or a public place in which the county canvassing board is
275 canvassing votes until needed for canvassing and returned
276 thereafter.

277 (b)1. Each supervisor ~~of elections~~ shall establish written
278 procedures to assure accuracy and security in his or her county,
279 including procedures related to early voting pursuant to s.
280 101.657. Such procedures shall be reviewed in each odd-numbered
281 year by the department ~~of State~~.

282 2.(e) Each supervisor ~~of elections~~ shall submit any
283 revisions to the security procedures to the department ~~of State~~
284 at least 45 days before early voting commences pursuant to s.
285 101.657 in an election in which they are to take effect.

286 Section 8. Present subsection (6) of section 101.048,
287 Florida Statutes, is renumbered as subsection (7), subsections
288 (2), (3), and (5) and present subsection (6) of that section are
289 amended, and a new subsection (6) is added to that section, to
290 read:

20197066e2

291 101.048 Provisional ballots.-

292 (2) (a) The county canvassing board shall examine each
293 Provisional Ballot Voter's Certificate and Affirmation to
294 determine if the person voting that ballot was entitled to vote
295 at the precinct where the person cast a vote in the election and
296 that the person had not already cast a ballot in the election.
297 In determining whether a person casting a provisional ballot is
298 entitled to vote, the county canvassing board shall review the
299 information provided in the Voter's Certificate and Affirmation,
300 written evidence provided by the person pursuant to subsection
301 (1), information provided in any cure affidavit and accompanying
302 supporting documentation pursuant to subsection (6), any other
303 evidence presented by the supervisor ~~of elections~~, and, in the
304 case of a challenge, any evidence presented by the challenger. A
305 ballot of a person casting a provisional ballot shall be
306 canvassed pursuant to paragraph (b) ~~counted~~ unless the
307 canvassing board determines by a preponderance of the evidence
308 that the person was not entitled to vote.

309 (b) ~~1.~~ If it is determined that the person was registered
310 and entitled to vote at the precinct where the person cast a
311 vote in the election, the canvassing board must ~~shall~~ compare
312 the signature on the Provisional Ballot Voter's Certificate and
313 Affirmation or the provisional ballot cure affidavit with the
314 signature on the voter's registration or precinct register and,
315 ~~if it matches, shall count the ballot.~~ A provisional ballot may
316 be counted only if:

317 1. The signature on the voter's certificate or the cure
318 affidavit matches the elector's signature in the registration
319 books or the precinct register; however, in the case of a cure

20197066e2

320 affidavit, the supporting identification listed in subsection
321 (6) must also confirm the identity of the elector; or

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

327

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

331 ~~2. If it is determined that the person voting the~~
332 ~~provisional ballot was not registered or entitled to vote at the~~
333 ~~precinct where the person cast a vote in the election, the~~

334 (c) Any provisional ballot shall not be counted must and
335 ~~the ballot shall~~ remain in the envelope containing the
336 Provisional Ballot Voter's Certificate and Affirmation and the
337 envelope shall be marked "Rejected as Illegal."

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

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

345 STATE OF FLORIDA

346 COUNTY OF

347 I do solemnly swear (or affirm) that my name is; that
348 my date of birth is; that I am registered and qualified to

20197066e2

349 vote in County, Florida; that I am registered in the
 350 Party; that I am a qualified voter of the county; and that I
 351 have not voted in this election. I understand that if I commit
 352 any fraud in connection with voting, vote a fraudulent ballot,
 353 or vote more than once in an election, I can be convicted of a
 354 felony of the third degree and fined up to \$5,000 and/or
 355 imprisoned for up to 5 years. Further, by providing my
 356 information below, I authorize the use of e-mail, text message,
 357 and telephone call for the limited purpose of signature and
 358 ballot validation.

359 ...(Printed Name of Voter)...

360 ...(Signature of Voter)...

361 ...(Current Residence Address)...

362 ...(Current Mailing Address)...

363 ...(City, State, Zip Code)...

364 ...(Driver License Number or Last Four Digits of Social Security
 365 Number)...

366 ...(E-Mail Address)...

367 ...(Home Telephone Number)...

368 ...(Mobile Telephone Number)...

369 Sworn to and subscribed before me this day of,
 370 ...(year)....

371 ...(Election Official)...

372 Precinct # Ballot Style/Party Issued:

373 (5) Each person casting a provisional ballot shall be given
 374 written instructions regarding the person's right to provide the
 375 supervisor ~~of elections~~ with written evidence of his or her
 376 eligibility to vote and regarding the free access system
 377 established pursuant to subsection (7) ~~(6)~~. The instructions

20197066e2

378 must ~~shall~~ contain the supervisor's contact information along
379 with information on how to access the system and the information
380 the voter will need to provide to obtain information on his or
381 her particular ballot. The instructions shall also include the
382 following statement: "If this is a primary election, you should
383 contact the supervisor of elections' office immediately to
384 confirm that you are registered and can vote in the general
385 election."

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

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

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

398 3. Notifying the elector of the signature deficiency by
399 telephone and directing the elector to the cure affidavit and
400 instructions on the supervisor's website.

401
402 In addition to the notification required under subparagraph 1.,
403 subparagraph 2., or subparagraph 3., the supervisor must notify
404 the elector of the signature deficiency by first-class mail and
405 direct the elector to the cure affidavit and instructions on the
406 supervisor's website. Beginning the day before the election, the

20197066e2

407 supervisor is not required to provide notice of the signature
408 deficiency by first-class mail, but shall continue to provide
409 notice as required in subparagraph 1., subparagraph 2., or
410 subparagraph 3.

411 (b) Until 5 p.m. on the 2nd day after an election, the
412 supervisor shall allow an elector who has submitted a
413 provisional ballot with a signature deficiency to complete and
414 submit a cure affidavit.

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

417

418 PROVISIONAL BALLOT CURE AFFIDAVIT

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

429

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

431

432 ...(Address)...

433

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

20197066e2

436
437 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
438 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
439 BALLOT NOT TO COUNT.

440
441 1. In order to cure the missing signature or the signature
442 discrepancy on your Provisional Ballot Voter's Certificate and
443 Affirmation, your affidavit should be completed and returned as
444 soon as possible so that it can reach the supervisor of
445 elections of the county in which your precinct is located no
446 later than 5 p.m. on the 2nd day after the election.

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

449 3. You must make a copy of one of the following forms of
450 identification:

451 a. Tier 1 identification.—Current and valid identification
452 that includes your name and photograph: Florida driver license;
453 Florida identification card issued by the Department of Highway
454 Safety and Motor Vehicles; United States passport; debit or
455 credit card; military identification; student identification;
456 retirement center identification; neighborhood association
457 identification; public assistance identification; veteran health
458 identification card issued by the United States Department of
459 Veterans Affairs; Florida license to carry a concealed weapon or
460 firearm; or employee identification card issued by any branch,
461 department, agency, or entity of the Federal Government, the
462 state, a county, or a municipality; or

463 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
464 FORM OF IDENTIFICATION, identification that shows your name and

20197066e2

465 current residence address: current utility bill; bank statement;
466 government check; paycheck; or government document (excluding
467 voter information card).

468 4. Place the envelope bearing the affidavit into a mailing
469 envelope addressed to the supervisor. Insert a copy of your
470 identification in the mailing envelope. Mail (if time permits),
471 deliver, or have delivered the completed affidavit along with
472 the copy of your identification to your county supervisor of
473 elections. Be sure there is sufficient postage if mailed and
474 that the supervisor's address is correct. Remember, your
475 information MUST reach your county supervisor of elections no
476 later than 5 p.m. on the 2nd day following the election or your
477 ballot will not count.

478 5. Alternatively, you may fax or e-mail your completed
479 affidavit and a copy of your identification to the supervisor of
480 elections. If e-mailing, please provide these documents as
481 attachments.

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

492 (e) The department and each supervisor shall include the
493 affidavit and instructions on their respective websites. The

20197066e2

494 supervisor shall include his or her office mailing address, e-
495 mail address, and fax number on the page containing the
496 affidavit instructions, and the department's instruction page
497 shall include the office mailing addresses, e-mail addresses,
498 and fax numbers of all supervisors or provide a conspicuous link
499 to such addresses.

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

503 (7) (a) ~~(6)~~ Each supervisor of elections shall establish a
504 free access system that allows each person who casts a
505 provisional ballot to determine whether his or her provisional
506 ballot was counted in the final canvass of votes and, if not,
507 the reasons why. Information regarding provisional ballots shall
508 be available no later than 30 days following the election. The
509 system established must restrict information regarding an
510 individual ballot to the person who cast the ballot.

511 (b) Unless processed as a signature update pursuant to
512 subsection (2), the supervisor shall mail a voter registration
513 application to the elector to be completed indicating the
514 elector's current signature if the signature on the voter's
515 certificate or cure affidavit did not match the elector's
516 signature in the registration books or precinct register.

517 Section 9. Paragraph (b) of subsection (1) and subsection
518 (9) of section 101.151, Florida Statutes, are amended to read:
519 101.151 Specifications for ballots.—

520 (1)

521 (b) Polling places and early voting sites may employ a
522 ballot-on-demand production system to print individual marksense

20197066e2

523 ballots, including provisional ballots, for eligible electors
524 ~~pursuant to s. 101.657~~. Ballot-on-demand technology may be used
525 to produce marksense vote-by-mail and election-day ballots.

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

531 1. The ballot title followed by clear and unambiguous
532 ballot instructions and directions limited to a single location
533 on the ballot, either:

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

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

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

538 3. Overall ballot layout; and

539 4. Oval vote targets as the only permissible type of vote
540 target, except as provided in s. 101.56075.

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

544 Section 10. Paragraph (a) of subsection (1) of section
545 101.657, Florida Statutes, is amended to read:

546 101.657 Early voting.—

547 (1) (a) As a convenience to the voter, the supervisor of
548 elections shall allow an elector to vote early in the main or
549 branch office of the supervisor. The supervisor shall mark,
550 code, indicate on, or otherwise track the voter's precinct for
551 each early voted ballot. In order for a branch office to be used

20197066e2

552 for early voting, it shall be a permanent facility of the
553 supervisor and shall have been designated and used as such for
554 at least 1 year prior to the election. The supervisor may also
555 designate any city hall, permanent public library facility,
556 fairground, civic center, courthouse, county commission
557 building, stadium, convention center, government-owned senior
558 center, or government-owned community center as early voting
559 sites; however, if so designated, the sites must be
560 geographically located so as to provide all voters in the county
561 an equal opportunity to cast a ballot, insofar as is
562 practicable, and must provide sufficient nonpermitted parking to
563 accommodate the anticipated amount of voters. In addition, a
564 supervisor may designate one early voting site per election in
565 an area of the county that does not have any of the eligible
566 early voting locations. Such additional early voting site must
567 be geographically located so as to provide all voters in that
568 area with an equal opportunity to cast a ballot, insofar as is
569 practicable, and must provide sufficient nonpermitted parking to
570 accommodate the anticipated amount of voters. Each county shall,
571 at a minimum, operate the same total number of early voting
572 sites for a general election which the county operated for the
573 2012 general election. The results or tabulation of votes cast
574 during early voting may not be made before the close of the
575 polls on election day. Results shall be reported by precinct.

576 Section 11. Paragraph (c) of subsection (4) of section
577 102.031, Florida Statutes, is amended, and paragraph (e) is
578 added to that subsection, to read:

579 102.031 Maintenance of good order at polls; authorities;
580 persons allowed in polling rooms and early voting areas;

20197066e2

581 unlawful solicitation of voters.-

582 (4)

583 (c) Each supervisor of elections shall inform the clerk of
584 the area within which soliciting is unlawful, based on the
585 particular characteristics of that polling place. The supervisor
586 or the clerk may take any reasonable action necessary to ensure
587 order at the polling places, including, but not limited to,
588 having disruptive and unruly persons removed by law enforcement
589 officers from the polling room or place or from the 150-foot
590 ~~100-foot~~ zone surrounding the polling place.

591 (e) The owner, operator, or lessee of the property on which
592 a polling place or an early voting site is located, or an agent
593 or employee thereof, may not prohibit the solicitation of voters
594 outside of the no-solicitation zone during polling hours.

595 Section 12. Subsection (2) of section 101.20, Florida
596 Statutes, is amended to read:

597 101.20 Publication of ballot form; sample ballots.-

598 (2) (a) Upon completion of the list of qualified candidates,
599 a sample ballot shall be published by the supervisor ~~of~~
600 ~~elections~~ in a newspaper of general circulation in the county,
601 before the day of election.

602 (b) In lieu of the publication required under paragraph
603 (a), a supervisor may send a sample ballot to each registered
604 elector by e-mail at least 7 days before an election if an e-
605 mail address has been provided and the elector has opted to
606 receive a sample ballot by electronic delivery. If an e-mail
607 address has not been provided, or if the elector has not opted
608 for electronic delivery, a sample ballot may be mailed to each
609 registered elector or to each household in which there is a

20197066e2

610 registered elector at least 7 days before an election.

611 Section 13. Effective January 1, 2020, section 101.56075,
612 Florida Statutes, is amended to read:

613 101.56075 Voting methods.—For the purpose of designating
614 ballot selections,

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

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

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

629 Section 14. Paragraph (a) of subsection (4) of section
630 101.5614, Florida Statutes, is amended to read:

631 101.5614 Canvass of returns.—

632 (4) (a) If any vote-by-mail ballot is physically damaged so
633 that it cannot properly be counted by the automatic tabulating
634 equipment, a true duplicate copy shall be made of the damaged
635 ballot in the presence of witnesses and substituted for the
636 damaged ballot. Likewise, a duplicate ballot shall be made of a
637 vote-by-mail ballot containing an overvoted race or a marked
638 vote-by-mail ballot in which every race is undervoted which

20197066e2

639 shall include all valid votes as determined by the canvassing
640 board based on rules adopted by the division pursuant to s.
641 102.166(4). Upon request, a physically present candidate, a
642 political party official, a political committee official, or an
643 authorized designee thereof, must be allowed to observe the
644 duplication of ballots. All duplicate ballots shall be clearly
645 labeled "duplicate," bear a serial number which shall be
646 recorded on the defective ballot, and be counted in lieu of the
647 defective ballot. After a ballot has been duplicated, the
648 defective ballot shall be placed in an envelope provided for
649 that purpose, and the duplicate ballot shall be tallied with the
650 other ballots for that precinct.

651 Section 15. Subsection (2) and paragraphs (b) and (c) of
652 subsection (4) of section 101.62, Florida Statutes, are amended
653 to read:

654 101.62 Request for vote-by-mail ballots.—

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

661 (4)

662 (b) The supervisor ~~of elections~~ shall mail a vote-by-mail
663 ballot to each absent qualified voter, other than those listed
664 in paragraph (a), who has requested such a ballot, between the
665 40th ~~35th~~ and 33rd ~~28th~~ days before the presidential preference
666 primary election, primary election, and general election. Except
667 as otherwise provided in subsection (2) and after the period

20197066e2

668 described in this paragraph, the supervisor shall mail vote-by-
669 mail ballots within 2 business days after receiving a request
670 for such a ballot.

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

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

677 2. By forwardable mail, e-mail, or facsimile machine
678 transmission to absent uniformed services voters and overseas
679 voters. The absent uniformed services voter or overseas voter
680 may designate in the vote-by-mail ballot request the preferred
681 method of transmission. If the voter does not designate the
682 method of transmission, the vote-by-mail ballot shall be mailed.

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

686 4. By delivery to a designee on election day or up to 9 ~~5~~
687 days prior to the day of an election. Any elector may designate
688 in writing a person to pick up the ballot for the elector;
689 however, the person designated may not pick up more than two
690 vote-by-mail ballots per election, other than the designee's own
691 ballot, except that additional ballots may be picked up for
692 members of the designee's immediate family. For purposes of this
693 section, "immediate family" means the designee's spouse or the
694 parent, child, grandparent, or sibling of the designee or of the
695 designee's spouse. The designee shall provide to the supervisor
696 the written authorization by the elector and a picture

20197066e2

697 identification of the designee and must complete an affidavit.
698 The designee shall state in the affidavit that the designee is
699 authorized by the elector to pick up that ballot and shall
700 indicate if the elector is a member of the designee's immediate
701 family and, if so, the relationship. The department shall
702 prescribe the form of the affidavit. If the supervisor is
703 satisfied that the designee is authorized to pick up the ballot
704 and that the signature of the elector on the written
705 authorization matches the signature of the elector on file, the
706 supervisor shall give the ballot to that designee for delivery
707 to the elector.

708 5. Except as provided in s. 101.655, the supervisor may not
709 deliver a vote-by-mail ballot to an elector or an elector's
710 immediate family member on the day of the election unless there
711 is an emergency, to the extent that the elector will be unable
712 to go to his or her assigned polling place. If a vote-by-mail
713 ballot is delivered, the elector or his or her designee shall
714 execute an affidavit affirming to the facts which allow for
715 delivery of the vote-by-mail ballot. The department shall adopt
716 a rule providing for the form of the affidavit.

717 Section 16. Subsection (1) of section 101.64, Florida
718 Statutes, is amended, and subsection (5) is added to that
719 section, to read:

720 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

721 (1) The supervisor shall enclose with each vote-by-mail
722 ballot two envelopes: a secrecy envelope, into which the absent
723 elector shall enclose his or her marked ballot; and a mailing
724 envelope, into which the absent elector shall then place the
725 secrecy envelope, which shall be addressed to the supervisor and

20197066e2

755 shall enclose with each vote-by-mail ballot separate printed
756 instructions in substantially the following form; however, where
757 the instructions appear in capitalized text, the text of the
758 printed instructions must be in bold font:

759 READ THESE INSTRUCTIONS CAREFULLY
760 BEFORE MARKING BALLOT.

761 1. VERY IMPORTANT. In order to ensure that your vote-by-
762 mail ballot will be counted, it should be completed and returned
763 as soon as possible so that it can reach the supervisor of
764 elections of the county in which your precinct is located no
765 later than 7 p.m. on the day of the election. However, if you
766 are an overseas voter casting a ballot in a presidential
767 preference primary or general election, your vote-by-mail ballot
768 must be postmarked or dated no later than the date of the
769 election and received by the supervisor of elections of the
770 county in which you are registered to vote no later than 10 days
771 after the date of the election. Note that the later you return
772 your ballot, the less time you will have to cure any signature
773 deficiencies, which is authorized until 5 p.m. on the 2nd day
774 after the election.

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

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

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

20197066e2

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

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

788 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
789 be counted, you must sign your name on the line above (Voter's
790 Signature). A vote-by-mail ballot will be considered illegal and
791 not be counted if the signature on the voter's certificate does
792 not match the signature on record. The signature on file at the
793 time the supervisor of elections in the county in which your
794 precinct is located receives your vote-by-mail ballot ~~start of~~
795 ~~the canvass of the vote-by-mail ballots~~ is the signature that
796 will be used to verify your signature on the voter's
797 certificate. If you need to update your signature for this
798 election, send your signature update on a voter registration
799 application to your supervisor of elections so that it is
800 received before your vote-by-mail ballot is received ~~no later~~
801 ~~than the start of the canvassing of vote-by-mail ballots, which~~
802 ~~occurs no earlier than the 15th day before election day.~~

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

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

812 10. FELONY NOTICE. It is a felony under Florida law to

20197066e2

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

817 Section 18. Subsection (2) of section 101.657, Florida
818 Statutes, is amended to read:

819 101.657 Early voting.—

820 (2) During any early voting period, each supervisor ~~of~~
821 ~~elections~~ shall make available the total number of voters
822 casting a ballot at each early voting location and the total
823 number of vote-by-mail ballots received under s. 101.69(2)
824 during the previous day. Each supervisor shall prepare an
825 electronic data file listing the individual voters who cast a
826 ballot during the early voting period. This information shall be
827 provided in electronic format as provided by rule adopted by the
828 division. The information shall be updated and made available no
829 later than noon of each day and shall be contemporaneously
830 provided to the division.

831 Section 19. Paragraphs (a) and (c) of subsection (2) and
832 subsection (4) of section 101.68, Florida Statutes, are amended
833 to read:

834 101.68 Canvassing of vote-by-mail ballot.—

835 (2) (a) The county canvassing board may begin the canvassing
836 of vote-by-mail ballots at 7 a.m. on the 22nd ~~15th~~ day before
837 the election, but not later than noon on the day following the
838 election. In addition, for any county using electronic
839 tabulating equipment, the processing of vote-by-mail ballots
840 through such tabulating equipment may begin at 7 a.m. on the
841 22nd ~~15th~~ day before the election. However, notwithstanding any

20197066e2

842 such authorization to begin canvassing or otherwise processing
843 vote-by-mail ballots early, no result shall be released until
844 after the closing of the polls in that county on election day.
845 Any supervisor ~~of elections~~, deputy supervisor ~~of elections~~,
846 canvassing board member, election board member, or election
847 employee who releases the results of a canvassing or processing
848 of vote-by-mail ballots prior to the closing of the polls in
849 that county on election day commits a felony of the third
850 degree, punishable as provided in s. 775.082, s. 775.083, or s.
851 775.084.

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

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

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

870

20197066e2

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

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

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

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

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

899 (4) (a) As soon as practicable, the supervisor shall, on

20197066e2

900 behalf of the county canvassing board, attempt to immediately
901 notify an elector who has returned a vote-by-mail ballot that
902 does not include the elector's signature or contains a signature
903 that does not match the elector's signature in the registration
904 books or precinct register by:

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

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

911 3. Notifying the elector of the signature deficiency by
912 telephone and directing the elector to the cure affidavit and
913 instructions on the supervisor's website.

914
915 In addition to the notification required under subparagraph 1.,
916 subparagraph 2., or subparagraph 3., the supervisor must notify
917 the elector of the signature deficiency by first-class mail and
918 direct the elector to the cure affidavit and instructions on the
919 supervisor's website. Beginning the day before the election, the
920 supervisor is not required to provide notice of the signature
921 deficiency by first-class mail, but shall continue to provide
922 notice as required under subparagraph 1., subparagraph 2., or
923 subparagraph 3.

924 (b) The supervisor shall allow such an elector to complete
925 and submit an affidavit in order to cure the vote-by-mail ballot
926 until 5 p.m. on the 2nd day after ~~before~~ the election.

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

20197066e2

929 VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

930 I,, am a qualified voter in this election and
931 registered voter of County, Florida. I do solemnly swear or
932 affirm that I requested and returned the vote-by-mail ballot and
933 that I have not and will not vote more than one ballot in this
934 election. I understand that if I commit or attempt any fraud in
935 connection with voting, vote a fraudulent ballot, or vote more
936 than once in an election, I may be convicted of a felony of the
937 third degree and fined up to \$5,000 and imprisoned for up to 5
938 years. I understand that my failure to sign this affidavit means
939 that my vote-by-mail ballot will be invalidated.

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

941 ... (Address) ...

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

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

947 1. In order to ensure that your vote-by-mail ballot will be
948 counted, your affidavit should be completed and returned as soon
949 as possible so that it can reach the supervisor of elections of
950 the county in which your precinct is located no later than 5
951 p.m. on the 2nd day after ~~before~~ the election.

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

954 3. You must make a copy of one of the following forms of
955 identification:

956 a. Tier 1 identification.—Current and valid identification
957 that includes your name and photograph: Florida driver license;

20197066e2

958 Florida identification card issued by the Department of Highway
959 Safety and Motor Vehicles; United States passport; debit or
960 credit card; military identification; student identification;
961 retirement center identification; neighborhood association
962 identification; public assistance identification; veteran health
963 identification card issued by the United States Department of
964 Veterans Affairs; a Florida license to carry a concealed weapon
965 or firearm; or an employee identification card issued by any
966 branch, department, agency, or entity of the Federal Government,
967 the state, a county, or a municipality; or

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

973 4. Place the envelope bearing the affidavit into a mailing
974 envelope addressed to the supervisor. Insert a copy of your
975 identification in the mailing envelope. Mail (if time permits),
976 deliver, or have delivered the completed affidavit along with
977 the copy of your identification to your county supervisor of
978 elections. Be sure there is sufficient postage if mailed and
979 that the supervisor's address is correct. Remember, your
980 information MUST reach your county supervisor of elections no
981 later than 5 p.m. on the 2nd day after the election, or your
982 ballot will not count.

983 5. Alternatively, you may fax or e-mail your completed
984 affidavit and a copy of your identification to the supervisor of
985 elections. If e-mailing, please provide these documents as
986 attachments.

20197066e2

987 (e)~~(d)~~ The department and each supervisor shall include the
988 affidavit and instructions on their respective websites. The
989 supervisor must include his or her office's mailing address, e-
990 mail address, and fax number on the page containing the
991 affidavit instructions, and~~the~~ department's instruction page
992 must include the office mailing addresses, e-mail addresses, and
993 fax numbers of all supervisors of elections or provide a
994 conspicuous link to such addresses.

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

997 (g)~~(f)~~ If a vote-by-mail ballot is validated following the
998 submission of a cure affidavit, the supervisor shall make a copy
999 of the affidavit, affix it to a voter registration application,
1000 and immediately process it as a valid request for a signature
1001 update pursuant to s. 98.077.

1002 (h) After all election results on the ballot have been
1003 certified, the supervisor shall, on behalf of the county
1004 canvassing board, notify each elector whose ballot has been
1005 rejected as illegal and provide the specific reason the ballot
1006 was rejected. In addition, unless processed as a signature
1007 update pursuant to paragraph (g), the supervisor shall mail a
1008 voter registration application to the elector to be completed
1009 indicating the elector's current signature if the signature on
1010 the voter's certificate or cure affidavit did not match the
1011 elector's signature in the registration books or precinct
1012 register. ~~This section does not prohibit the supervisor from~~
1013 ~~providing additional methods for updating an elector's~~
1014 ~~signature.~~

1015 Section 20. Section 101.69, Florida Statutes, is amended to

20197066e2

1016 read:

1017 101.69 Voting in person; return of vote-by-mail ballot.—

1018 (1) The provisions of this code shall not be construed to
1019 prohibit any elector from voting in person at the elector's
1020 precinct on the day of an election or at an early voting site,
1021 notwithstanding that the elector has requested a vote-by-mail
1022 ballot for that election. An elector who has returned a voted
1023 vote-by-mail ballot to the supervisor, however, is deemed to
1024 have cast his or her ballot and is not entitled to vote another
1025 ballot or to have a provisional ballot counted by the county
1026 canvassing board. An elector who has received a vote-by-mail
1027 ballot and has not returned the voted ballot to the supervisor,
1028 but desires to vote in person, shall return the ballot, whether
1029 voted or not, to the election board in the elector's precinct or
1030 to an early voting site. The returned ballot shall be marked
1031 "canceled" by the board and placed with other canceled ballots.
1032 However, if the elector does not return the ballot and the
1033 election official:

1034 (a)~~(1)~~ Confirms that the supervisor has received the
1035 elector's vote-by-mail ballot, the elector shall not be allowed
1036 to vote in person. If the elector maintains that he or she has
1037 not returned the vote-by-mail ballot or remains eligible to
1038 vote, the elector shall be provided a provisional ballot as
1039 provided in s. 101.048.

1040 (b)~~(2)~~ Confirms that the supervisor has not received the
1041 elector's vote-by-mail ballot, the elector shall be allowed to
1042 vote in person as provided in this code. The elector's vote-by-
1043 mail ballot, if subsequently received, shall not be counted and
1044 shall remain in the mailing envelope, and the envelope shall be

20197066e2

1045 marked "Rejected as Illegal."

1046 (c)~~(3)~~ Cannot determine whether the supervisor has received
1047 the elector's vote-by-mail ballot, the elector may vote a
1048 provisional ballot as provided in s. 101.048.

1049 (2) The supervisor shall allow an elector who has received
1050 a vote-by-mail ballot to physically return a voted vote-by-mail
1051 ballot to the supervisor by placing the envelope containing his
1052 or her marked ballot in a secure drop box. Secure drop boxes
1053 shall be placed at the main office of the supervisor, at each
1054 branch office of the supervisor, and at each early voting site.
1055 Secure drop boxes may also be placed at any other site that
1056 would otherwise qualify as an early voting site under s.
1057 101.657(1); provided, however, that any such site must be
1058 staffed during the county's early voting hours of operation by
1059 an employee of the supervisor's office or a sworn law
1060 enforcement officer.

1061 Section 21. Subsection (2) of section 97.052, Florida
1062 Statutes, is amended to read:

1063 97.052 Uniform statewide voter registration application.—

1064 (2) The uniform statewide voter registration application
1065 must be designed to elicit the following information from the
1066 applicant:

1067 (a) Last, first, and middle name, including any suffix.

1068 (b) Date of birth.

1069 (c) Address of legal residence.

1070 (d) Mailing address, if different.

1071 (e) E-mail address and whether the applicant wishes to
1072 receive sample ballots by e-mail.

1073 (f) County of legal residence.

20197066e2

- 1074 (g) Race or ethnicity that best describes the applicant:
1075 1. American Indian or Alaskan Native.
1076 2. Asian or Pacific Islander.
1077 3. Black, not Hispanic.
1078 4. White, not Hispanic.
1079 5. Hispanic.
- 1080 (h) State or country of birth.
- 1081 (i) Sex.
- 1082 (j) Party affiliation.
- 1083 (k) Whether the applicant needs assistance in voting.
- 1084 (l) Name and address where last registered.
- 1085 (m) Last four digits of the applicant's social security
1086 number.
- 1087 (n) Florida driver license number or the identification
1088 number from a Florida identification card issued under s.
1089 322.051.
- 1090 (o) An indication, if applicable, that the applicant has
1091 not been issued a Florida driver license, a Florida
1092 identification card, or a social security number.
- 1093 (p) Telephone number (optional).
- 1094 (q) Signature of applicant under penalty for false swearing
1095 pursuant to s. 104.011, by which the person subscribes to the
1096 oath required by s. 3, Art. VI of the State Constitution and s.
1097 97.051, and swears or affirms that the information contained in
1098 the registration application is true.
- 1099 (r) Whether the application is being used for initial
1100 registration, to update a voter registration record, or to
1101 request a replacement voter information card.
- 1102 (s) Whether the applicant is a citizen of the United States

20197066e2

1103 by asking the question "Are you a citizen of the United States
1104 of America?" and providing boxes for the applicant to check to
1105 indicate whether the applicant is or is not a citizen of the
1106 United States.

1107 (t) 1. Whether the applicant has never been convicted of a
1108 felony, and, if convicted, has had his or her civil rights
1109 restored by including the statement "I affirm I have never been
1110 am not a convicted of a felony felon, or, if I am, my rights
1111 relating to voting have been restored." and providing a box for
1112 the applicant to check to affirm the statement.

1113 2. Whether the applicant has been convicted of a felony,
1114 and if convicted, has had his or her civil rights restored
1115 through executive clemency, by including the statement "If I
1116 have been convicted of a felony, I affirm my voting rights have
1117 been restored by the Board of Executive Clemency." and providing
1118 a box for the applicant to check to affirm the statement.

1119 3. Whether the applicant has been convicted of a felony
1120 and, if convicted, has had his or her voting rights restored
1121 pursuant s. 4, Art. VI of the State Constitution, by including
1122 the statement "If I have been convicted of a felony, I affirm my
1123 voting rights have been restored pursuant to s. 4, Art. VI of
1124 the State Constitution upon the completion of all terms of my
1125 sentence, including parole or probation." and providing a box
1126 for the applicant to check to affirm the statement.

1127 (u) Whether the applicant has been adjudicated mentally
1128 incapacitated with respect to voting or, if so adjudicated, has
1129 had his or her right to vote restored by including the statement
1130 "I affirm I have not been adjudicated mentally incapacitated
1131 with respect to voting, or, if I have, my competency has been

20197066e2

1132 restored." and providing a box for the applicant to check to
1133 affirm the statement. The registration application must be in
1134 plain language and designed so that persons who have been
1135 adjudicated mentally incapacitated are not required to reveal
1136 their prior adjudication.

1137
1138 ~~The registration application must be in plain language and~~
1139 ~~designed so that convicted felons whose civil rights have been~~
1140 ~~restored and persons who have been adjudicated mentally~~
1141 ~~incapacitated and have had their voting rights restored are not~~
1142 ~~required to reveal their prior conviction or adjudication.~~

1143 Section 22. Paragraph (a) of subsection (5) of section
1144 97.053, Florida Statutes, is amended to read:

1145 97.053 Acceptance of voter registration applications.-

1146 (5) (a) A voter registration application is complete if it
1147 contains the following information necessary to establish the
1148 applicant's eligibility pursuant to s. 97.041, including:

1149 1. The applicant's name.

1150 2. The applicant's address of legal residence, including a
1151 distinguishing apartment, suite, lot, room, or dormitory room
1152 number or other identifier, if appropriate. Failure to include a
1153 distinguishing apartment, suite, lot, room, or dormitory room or
1154 other identifier on a voter registration application does not
1155 impact a voter's eligibility to register to vote or cast a
1156 ballot, and such an omission may not serve as the basis for a
1157 challenge to a voter's eligibility or reason to not count a
1158 ballot.

1159 3. The applicant's date of birth.

1160 4. A mark in the checkbox affirming that the applicant is a

20197066e2

1161 citizen of the United States.

1162 5.a. The applicant's current and valid Florida driver
1163 license number or the identification number from a Florida
1164 identification card issued under s. 322.051, or

1165 b. If the applicant has not been issued a current and valid
1166 Florida driver license or a Florida identification card, the
1167 last four digits of the applicant's social security number.

1168
1169 In case an applicant has not been issued a current and valid
1170 Florida driver license, Florida identification card, or social
1171 security number, the applicant shall affirm this fact in the
1172 manner prescribed in the uniform statewide voter registration
1173 application.

1174 6. A mark in the applicable checkbox affirming that the
1175 applicant has not been convicted of a felony or that, if
1176 convicted, has had his or her civil rights restored through
1177 executive clemency, or has had his or her voting ~~civil~~ rights
1178 restored pursuant s. 4, Art. VI of the State Constitution.

1179 7. A mark in the checkbox affirming that the applicant has
1180 not been adjudicated mentally incapacitated with respect to
1181 voting or that, if so adjudicated, has had his or her right to
1182 vote restored.

1183 8. The original signature or a digital signature
1184 transmitted by the Department of Highway Safety and Motor
1185 Vehicles of the applicant swearing or affirming under the
1186 penalty for false swearing pursuant to s. 104.011 that the
1187 information contained in the registration application is true
1188 and subscribing to the oath required by s. 3, Art. VI of the
1189 State Constitution and s. 97.051.

20197066e2

1190 Section 23. Paragraph (c) of subsection (1) of section
1191 98.045, Florida Statutes, is amended to read:

1192 98.045 Administration of voter registration.—

1193 (1) ELIGIBILITY OF APPLICANT.—The supervisor must ensure
1194 that any eligible applicant for voter registration is registered
1195 to vote and that each application for voter registration is
1196 processed in accordance with law. The supervisor shall determine
1197 whether a voter registration applicant is ineligible based on
1198 any of the following:

1199 (c) The applicant has been convicted of a felony for which
1200 his or her voting ~~civil~~ rights have not been restored.

1201 Section 24. Subsections (5) and (6) and paragraph (a) of
1202 subsection (7) of section 98.075, Florida Statutes, are amended
1203 to read:

1204 98.075 Registration records maintenance activities;
1205 ineligibility determinations.—

1206 (5) FELONY CONVICTION.—The department shall identify those
1207 registered voters who have been convicted of a felony and whose
1208 voting rights have not been restored by comparing information
1209 received from, but not limited to, a clerk of the circuit court,
1210 the Board of Executive Clemency, the Department of Corrections,
1211 the Department of Law Enforcement, or a United States Attorney's
1212 Office, as provided in s. 98.093. The department shall review
1213 such information and make an initial determination as to whether
1214 the information is credible and reliable. If the department
1215 determines that the information is credible and reliable, the
1216 department shall notify the supervisor and provide a copy of the
1217 supporting documentation indicating the potential ineligibility
1218 of the voter to be registered. Upon receipt of the notice that

20197066e2

1219 the department has made a determination of initial credibility
1220 and reliability, the supervisor shall adhere to the procedures
1221 set forth in subsection (7) prior to the removal of a registered
1222 voter's name from the statewide voter registration system.

1223 (6) OTHER BASES FOR INELIGIBILITY.—If the department or
1224 supervisor receives information from sources other than those
1225 identified in subsections (2)-(5) that a registered voter is
1226 ineligible because he or she is deceased, adjudicated a
1227 convicted felon without having had his or her voting ~~civil~~
1228 rights restored, adjudicated mentally incapacitated without
1229 having had his or her voting rights restored, does not meet the
1230 age requirement pursuant to s. 97.041, is not a United States
1231 citizen, is a fictitious person, or has listed a residence that
1232 is not his or her legal residence, the supervisor must adhere to
1233 the procedures set forth in subsection (7) prior to the removal
1234 of a registered voter's name from the statewide voter
1235 registration system.

1236 (7) PROCEDURES FOR REMOVAL.—

1237 (a) If the supervisor receives notice or information
1238 pursuant to subsections (4)-(6), the supervisor of the county in
1239 which the voter is registered shall:

1240 1. Notify the registered voter of his or her potential
1241 ineligibility by mail within 7 days after receipt of notice or
1242 information. The notice shall include:

1243 a. A statement of the basis for the registered voter's
1244 potential ineligibility and a copy of any documentation upon
1245 which the potential ineligibility is based. Such documentation
1246 must include any conviction from another jurisdiction determined
1247 to be a similar offense to murder or a felony sexual offense, as

20197066e2

1248 those terms are defined in s. 98.0751.

1249 b. A statement that failure to respond within 30 days after
1250 receipt of the notice may result in a determination of
1251 ineligibility and in removal of the registered voter's name from
1252 the statewide voter registration system.

1253 c. A return form that requires the registered voter to
1254 admit or deny the accuracy of the information underlying the
1255 potential ineligibility for purposes of a final determination by
1256 the supervisor.

1257 d. A statement that, if the voter is denying the accuracy
1258 of the information underlying the potential ineligibility, the
1259 voter has a right to request a hearing for the purpose of
1260 determining eligibility.

1261 e. Instructions for the registered voter to contact the
1262 supervisor of elections of the county in which the voter is
1263 registered if assistance is needed in resolving the matter.

1264 f. Instructions for seeking restoration of civil rights
1265 pursuant to s. 8, Art. IV of the State Constitution and
1266 information explaining voting rights restoration pursuant to s.
1267 4., Art. VI of the State Constitution following a felony
1268 conviction, if applicable.

1269 2. If the mailed notice is returned as undeliverable, the
1270 supervisor shall publish notice once in a newspaper of general
1271 circulation in the county in which the voter was last
1272 registered. The notice shall contain the following:

1273 a. The voter's name and address.

1274 b. A statement that the voter is potentially ineligible to
1275 be registered to vote.

1276 c. A statement that failure to respond within 30 days after

20197066e2

1277 the notice is published may result in a determination of
1278 ineligibility by the supervisor and removal of the registered
1279 voter's name from the statewide voter registration system.

1280 d. An instruction for the voter to contact the supervisor
1281 no later than 30 days after the date of the published notice to
1282 receive information regarding the basis for the potential
1283 ineligibility and the procedure to resolve the matter.

1284 e. An instruction to the voter that, if further assistance
1285 is needed, the voter should contact the supervisor of elections
1286 of the county in which the voter is registered.

1287 3. If a registered voter fails to respond to a notice
1288 pursuant to subparagraph 1. or subparagraph 2., the supervisor
1289 shall make a final determination of the voter's eligibility. If
1290 the supervisor determines that the voter is ineligible, the
1291 supervisor shall remove the name of the registered voter from
1292 the statewide voter registration system. The supervisor shall
1293 notify the registered voter of the supervisor's determination
1294 and action.

1295 4. If a registered voter responds to the notice pursuant to
1296 subparagraph 1. or subparagraph 2. and admits the accuracy of
1297 the information underlying the potential ineligibility, the
1298 supervisor shall make a final determination of ineligibility and
1299 shall remove the voter's name from the statewide voter
1300 registration system. The supervisor shall notify the registered
1301 voter of the supervisor's determination and action.

1302 5. If a registered voter responds to the notice issued
1303 pursuant to subparagraph 1. or subparagraph 2. and denies the
1304 accuracy of the information underlying the potential
1305 ineligibility but does not request a hearing, the supervisor

20197066e2

1306 shall review the evidence and make a final determination of
1307 eligibility. If such registered voter requests a hearing, the
1308 supervisor shall send notice to the registered voter to attend a
1309 hearing at a time and place specified in the notice. Upon
1310 hearing all evidence presented at the hearing, the supervisor
1311 shall make a determination of eligibility. If the supervisor
1312 determines that the registered voter is ineligible, the
1313 supervisor shall remove the voter's name from the statewide
1314 voter registration system and notify the registered voter of the
1315 supervisor's determination and action.

1316 Section 25. Section 98.0751, Florida Statutes, is created
1317 to read:

1318 98.0751 Restoration of voting rights; termination of
1319 ineligibility subsequent to a felony conviction.-

1320 (1) A person who has been disqualified from voting based on
1321 a felony conviction for an offense other than murder or a felony
1322 sexual offense must have such disqualification terminated and
1323 his or her voting rights restored pursuant to s. 4, Art. VI of
1324 the State Constitution upon the completion of all terms of his
1325 or her sentence, including parole or probation. The voting
1326 disqualification does not terminate unless a person's civil
1327 rights are restored pursuant to s. 8, Art. IV of the State
1328 Constitution if the disqualification arises from a felony
1329 conviction of murder or a felony sexual offense, or if the
1330 person has not completed all terms of sentence, as specified in
1331 subsection (2).

1332 (2) For purposes of this section, the term:

1333 (a) "Completion of all terms of sentence" means any portion
1334 of a sentence that is contained in the four corners of the

20197066e2

1335 sentencing document, including, but not limited to:

1336 1. Release from any term of imprisonment ordered by the
1337 court as a part of the sentence;

1338 2. Termination from any term of probation or community
1339 control ordered by the court as a part of the sentence;

1340 3. Fulfillment of any term ordered by the court as a part
1341 of the sentence;

1342 4. Termination from any term of any supervision, which is
1343 monitored by the Florida Commission on Offender Review,
1344 including, but not limited to, parole; and

1345 5.a. Full payment of restitution ordered to a victim by the
1346 court as a part of the sentence. A victim includes, but is not
1347 limited to, a person or persons, the estate or estates thereof,
1348 an entity, the state, or the Federal Government.

1349 b. Full payment of fines or fees ordered by the court as a
1350 part of the sentence or that are ordered by the court as a
1351 condition of any form of supervision, including, but not limited
1352 to, probation, community control, or parole.

1353 c. The financial obligations required under sub-
1354 subparagraph a. or sub-subparagraph b. include only the amount
1355 specifically ordered by the court as part of the sentence and do
1356 not include any fines, fees, or costs that accrue after the date
1357 the obligation is ordered as a part of the sentence.

1358 d. For the limited purpose of addressing a plea for relief
1359 pursuant to sub-subparagraph e. and notwithstanding any other
1360 statute, rule, or provision of law, a court may not be
1361 prohibited from modifying the financial obligations of an
1362 original sentence required under sub-subparagraph a. or sub-
1363 subparagraph b. Such modification shall not infringe on a

20197066e2

1364 defendant's or a victim's rights provided in United States
1365 Constitution or the State Constitution.

1366 e. Financial obligations required under sub-subparagraph a.
1367 or sub-subparagraph b. are considered completed in the following
1368 manner or in any combination thereof:

1369 (I) Actual payment of the obligation in full.

1370 (II) Upon the payee's approval, either through appearance
1371 in open court or through the production of a notarized consent
1372 by the payee, the termination by the court of any financial
1373 obligation to a payee, including, but not limited to, a victim,
1374 or the court.

1375 (III) Completion of all community service hours, if the
1376 court, unless otherwise prohibited by law or the State
1377 Constitution, converts the financial obligation to community
1378 service.

1379
1380 A term required to be completed in accordance with this
1381 paragraph shall be deemed completed if the court modifies the
1382 original sentencing order to no longer require completion of
1383 such term. The requirement to pay any financial obligation
1384 specified in this paragraph is not deemed completed upon
1385 conversion to a civil lien.

1386 (b) "Felony sexual offense" means any of the following:

1387 1. Any felony offense that serves as a predicate to
1388 registration as a sexual offender in accordance with s.
1389 943.0435;

1390 2. Section 491.0112;

1391 3. Section 784.049(3)(b);

1392 4. Section 794.08;

20197066e2

1393 5. Section 796.08;
1394 6. Section 800.101;
1395 7. Section 826.04;
1396 8. Section 847.012;
1397 9. Section 872.06(2);
1398 10. Section 944.35(3)(b)2.;
1399 11. Section 951.221(1); or
1400 12. Any similar offense committed in another jurisdiction
1401 which would be an offense listed in this paragraph if it had
1402 been committed in violation of the laws of this state.

1403 (c) "Murder" means either of the following:

1404 1. A violation of any of the following sections which
1405 results in the actual killing of a human being:

1406 a. Section 775.33(4).

1407 b. Section 782.04(1), (2), or (3).

1408 c. Section 782.09.

1409 2. Any similar offense committed in another jurisdiction
1410 which would be an offense listed in this paragraph if it had
1411 been committed in violation of the laws of this state.

1412 (3)(a) The department shall obtain and review information
1413 pursuant to s. 98.075(5) related to a person who registers to
1414 vote and make an initial determination on whether such
1415 information is credible and reliable regarding whether the
1416 person is eligible pursuant to s. 4., Art. VI of the State
1417 Constitution and this section. Upon making an initial
1418 determination of the credibility and reliability of such
1419 information, the department shall forward such information to
1420 the supervisor of elections pursuant to s. 98.075.

1421 (b) A local supervisor of elections shall verify and make a

20197066e2

1422 final determination pursuant to s. 98.075 regarding whether the
1423 person who registers to vote is eligible pursuant to s. 4., Art.
1424 VI of the State Constitution and this section.

1425 (c) The supervisor of elections may request additional
1426 assistance from the department in making the final
1427 determination, if necessary.

1428 (4) For the purpose of determining a voter registrant's
1429 eligibility, the provisions of this section shall be strictly
1430 construed. If a provision is susceptible to differing
1431 interpretations, it shall be construed in favor of the
1432 registrant.

1433 Section 26. Section 104.011, Florida Statutes, is amended
1434 to read:

1435 104.011 False swearing; submission of false voter
1436 registration information; prosecution prohibited.—

1437 (1) A person who willfully swears or affirms falsely to any
1438 oath or affirmation, or willfully procures another person to
1439 swear or affirm falsely to an oath or affirmation, in connection
1440 with or arising out of voting or elections commits a felony of
1441 the third degree, punishable as provided in s. 775.082, s.
1442 775.083, or s. 775.084.

1443 (2) A person who willfully submits any false voter
1444 registration information commits a felony of the third degree,
1445 punishable as provided in s. 775.082 or s. 775.083.

1446 (3) A person may not be charged or convicted for a
1447 violation of this section for affirming that he or she has not
1448 been convicted of a felony or that, if convicted, he or she has
1449 had voting rights restored, if such violation is alleged to have
1450 occurred on or after January 8, 2019, but before July 1, 2019.

20197066e2

1451 Section 27. Section 940.061, Florida Statutes, is amended
1452 to read:

1453 940.061 Informing persons about executive clemency, ~~and~~
1454 restoration of civil rights, and restoration of voting rights.—
1455 The Department of Corrections shall inform and educate inmates
1456 and offenders on community supervision about the restoration of
1457 civil rights and the restoration of voting rights resulting from
1458 the removal of the disqualification to vote pursuant to s. 4,
1459 Art. VI of the State Constitution. Each month, the Department of
1460 Corrections shall send to the Florida Commission on Offender
1461 Review by electronic means a list of the names of inmates who
1462 have been released from incarceration and offenders who have
1463 been terminated from supervision who may be eligible for
1464 restoration of civil rights.

1465 Section 28. Subsection (1) of section 944.292, Florida
1466 Statutes, is amended to read:

1467 944.292 Suspension of civil rights.—

1468 (1) Upon conviction of a felony as defined in s. 10, Art. X
1469 of the State Constitution, the civil rights of the person
1470 convicted shall be suspended in Florida until such rights are
1471 restored by a full pardon, conditional pardon, or restoration of
1472 civil rights granted pursuant to s. 8, Art. IV of the State
1473 Constitution. Notwithstanding the suspension of civil rights,
1474 such a convicted person may obtain restoration of his or her
1475 voting rights pursuant to s. 4, Art. VI of the State
1476 Constitution and s. 98.0751.

1477 Section 29. Subsection (6) of section 944.705, Florida
1478 Statutes, is amended to read:

1479 944.705 Release orientation program.—

20197066e2

1480 (6) (a) The department shall notify every inmate, ~~in no less~~
1481 ~~than 18-point type~~ in the inmate's release documents;7

1482 1. Of all outstanding terms of the inmate's sentence at the
1483 time of release to assist the inmate in determining his or her
1484 status with regard to the completion of all terms of sentence,
1485 as that term is defined in s. 98.0751. This subparagraph does
1486 not apply to inmates who are being released from the custody of
1487 the department to any type of supervision monitored by the
1488 department; and

1489 2. In not less than 18-point type, that the inmate may be
1490 sentenced pursuant to s. 775.082(9) if the inmate commits any
1491 felony offense described in s. 775.082(9) within 3 years after
1492 the inmate's release. This notice must be prefaced by the word
1493 "WARNING" in boldfaced type.

1494 (b) ~~Nothing in~~ This section does not preclude ~~precludes~~ the
1495 sentencing of a person pursuant to s. 775.082(9), and ~~nor shall~~
1496 evidence that the department failed to provide this notice does
1497 not prohibit a person from being sentenced pursuant to s.
1498 775.082(9). The state is ~~shall~~ not ~~be~~ required to demonstrate
1499 that a person received any notice from the department in order
1500 for the court to impose a sentence pursuant to s. 775.082(9).

1501 Section 30. Present subsection (3) of section 947.24,
1502 Florida Statutes, is renumbered as subsection (4), and a new
1503 subsection (3) is added to that section, to read:

1504 947.24 Discharge from parole supervision or release
1505 supervision.—

1506 (3) Upon the termination of an offender's term of
1507 supervision, which is monitored by the commission, including,
1508 but not limited to, parole, the commission must notify the

20197066e2

1509 offender in writing of all outstanding terms at the time of
1510 termination to assist the offender in determining his or her
1511 status with regard to the completion of all terms of sentence,
1512 as that term is defined in s. 98.0751.

1513 Section 31. Section 948.041, Florida Statutes, is created
1514 to read:

1515 948.041 Notification of outstanding terms of sentence upon
1516 termination of probation or community control.—Upon the
1517 termination of an offender's term of probation or community
1518 control, the department must notify the offender in writing of
1519 all outstanding terms at the time of termination to assist the
1520 offender in determining his or her status with regard to the
1521 completion of all terms of sentence, as that term is defined in
1522 s. 98.0751.

1523 Section 32. Subsection (1) of section 951.29, Florida
1524 Statutes, is amended to read:

1525 951.29 Procedure for requesting restoration of civil rights
1526 or restoration of voting rights of county prisoners convicted of
1527 felonies.—

1528 (1) With respect to a person who has been convicted of a
1529 felony and is serving a sentence in a county detention facility,
1530 the administrator of the county detention facility shall provide
1531 the following to the prisoner, at least 2 weeks before
1532 discharge, if possible:7

1533 (a) An application form obtained from the Florida
1534 Commission on Offender Review which the prisoner must complete
1535 in order to begin the process of having his or her civil rights
1536 restored;7

1537 (b) Information explaining voting rights restoration

20197066e2

1538 pursuant to s. 4, Art. VI of the State Constitution; and

1539 (c) Written notification of all outstanding terms of the
1540 prisoner's sentence at the time of release to assist the
1541 prisoner in determining his or her status with regard to the
1542 completion of all terms of sentence, as that term is defined in
1543 s. 98.0751.

1544 Section 33. Restoration of Voting Rights Work Group.—The
1545 Restoration of Voting Rights Work Group is created within the
1546 Department of State for the purpose of conducting a
1547 comprehensive review of the department's process of verifying
1548 registered voters who have been convicted of a felony, but who
1549 may be eligible for restoration of voting rights under s. 4,
1550 Art. VI of the State Constitution.

1551 (1) MEMBERSHIP.—The work group is comprised of the
1552 following members:

1553 (a) The Secretary of State or his or her designee, who
1554 shall serve as chair for the work group.

1555 (b) The Secretary of Corrections or his or her designee.

1556 (c) The executive director of the Department of Law
1557 Enforcement or his or her designee.

1558 (d) The Chairman of the Florida Commission on Offender
1559 Review or his or her designee.

1560 (e) Two clerks of the circuit court appointed by the
1561 Governor.

1562 (f) Two supervisors of elections appointed by the Governor.

1563 (2) TERMS OF MEMBERSHIP.—Appointments to the work group
1564 shall be made by August 1, 2019. All members shall serve for the
1565 duration of the work group. Any vacancy shall be filled by the
1566 original appointing authority for the remainder of the work

20197066e2

1567 group's existence.

1568 (3) DUTIES.—The work group is authorized and directed to
1569 study, evaluate, analyze, and undertake a comprehensive review
1570 of the Department of State's process of verifying registered
1571 voters who have been convicted of a felony, but who may be
1572 eligible for restoration of voting rights under s. 4, Art. VI of
1573 the State Constitution, to develop recommendations for the
1574 Legislature, related to:

1575 (a) The consolidation of all relevant data necessary to
1576 verify the eligibility of a registered voter for restoration of
1577 voting rights under s. 4, Art. VI of the State Constitution. If
1578 any entity is recommended to manage the consolidated relevant
1579 data, the recommendations must provide the feasibility of such
1580 entity to manage the consolidated relevant data and a timeline
1581 for implementation of such consolidation.

1582 (b) The process of informing a registered voter of the
1583 entity or entities that are custodians of the relevant data
1584 necessary for verifying his or her eligibility for restoration
1585 of voting rights under s. 4, Art. VI of the State Constitution.

1586 (c) Any other relevant policies or procedures for verifying
1587 the eligibility of a registered voter for restoration of voting
1588 rights under s. 4, Art. VI of the State Constitution.

1589 (4) REPORT.—The work group shall submit a report of its
1590 findings, conclusions, and recommendations for the Legislature
1591 to the President of the Senate and the Speaker of the House of
1592 Representatives by November 1, 2019. Upon submission of the
1593 report, the work group is dissolved and discharged of further
1594 duties.

1595 (5) STAFFING.—The Department of State shall provide support

20197066e2

1596 for the work group in performing its duties.

1597 (6) PER DIEM AND TRAVEL EXPENSES.—Work group members shall
1598 serve without compensation but are entitled to receive
1599 reimbursement for per diem and travel expenses as provided in s.
1600 112.061, Florida Statutes.

1601 (7) EXPIRATION.—This section expires January 31, 2020.

1602 Section 34. Subsection (2) of section 101.6923, Florida
1603 Statutes, is amended to read:

1604 101.6923 Special vote-by-mail ballot instructions for
1605 certain first-time voters.—

1606 (2) A voter covered by this section shall be provided with
1607 printed instructions with his or her vote-by-mail ballot in
1608 substantially the following form:

1609 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.
1610 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
1611 TO COUNT.

1612 1. In order to ensure that your vote-by-mail ballot will be
1613 counted, it should be completed and returned as soon as possible
1614 so that it can reach the supervisor of elections of the county
1615 in which your precinct is located no later than 7 p.m. on the
1616 date of the election. However, if you are an overseas voter
1617 casting a ballot in a presidential preference primary or general
1618 election, your vote-by-mail ballot must be postmarked or dated
1619 no later than the date of the election and received by the
1620 supervisor of elections of the county in which you are
1621 registered to vote no later than 10 days after the date of the
1622 election.

1623 2. Mark your ballot in secret as instructed on the ballot.
1624 You must mark your own ballot unless you are unable to do so

20197066e2

1625 because of blindness, disability, or inability to read or write.

1626 3. Mark only the number of candidates or issue choices for
1627 a race as indicated on the ballot. If you are allowed to "Vote
1628 for One" candidate and you vote for more than one, your vote in
1629 that race will not be counted.

1630 4. Place your marked ballot in the enclosed secrecy
1631 envelope and seal the envelope.

1632 5. Insert the secrecy envelope into the enclosed envelope
1633 bearing the Voter's Certificate. Seal the envelope and
1634 completely fill out the Voter's Certificate on the back of the
1635 envelope.

1636 a. You must sign your name on the line above (Voter's
1637 Signature).

1638 b. If you are an overseas voter, you must include the date
1639 you signed the Voter's Certificate on the line above (Date) or
1640 your ballot may not be counted.

1641 c. A vote-by-mail ballot will be considered illegal and
1642 will not be counted if the signature on the Voter's Certificate
1643 does not match the signature on record. The signature on file at
1644 the start of the canvass of the vote-by-mail ballots is the
1645 signature that will be used to verify your signature on the
1646 Voter's Certificate. If you need to update your signature for
1647 this election, send your signature update on a voter
1648 registration application to your supervisor of elections so that
1649 it is received before your vote-by-mail ballot is received ~~no~~
1650 ~~later than the start of canvassing of vote-by-mail ballots,~~
1651 ~~which occurs no earlier than the 15th day before election day.~~

1652 6. Unless you meet one of the exemptions in Item 7., you
1653 must make a copy of one of the following forms of

20197066e2

1654 identification:

1655 a. Identification which must include your name and
1656 photograph: United States passport; debit or credit card;
1657 military identification; student identification; retirement
1658 center identification; neighborhood association identification;
1659 public assistance identification; veteran health identification
1660 card issued by the United States Department of Veterans Affairs;
1661 a Florida license to carry a concealed weapon or firearm; or an
1662 employee identification card issued by any branch, department,
1663 agency, or entity of the Federal Government, the state, a
1664 county, or a municipality; or

1665 b. Identification which shows your name and current
1666 residence address: current utility bill, bank statement,
1667 government check, paycheck, or government document (excluding
1668 voter information ~~identification~~ card).

1669 7. The identification requirements of Item 6. do not apply
1670 if you meet one of the following requirements:

1671 a. You are 65 years of age or older.

1672 b. You have a temporary or permanent physical disability.

1673 c. You are a member of a uniformed service on active duty
1674 who, by reason of such active duty, will be absent from the
1675 county on election day.

1676 d. You are a member of the Merchant Marine who, by reason
1677 of service in the Merchant Marine, will be absent from the
1678 county on election day.

1679 e. You are the spouse or dependent of a member referred to
1680 in paragraph c. or paragraph d. who, by reason of the active
1681 duty or service of the member, will be absent from the county on
1682 election day.

20197066e2

1683 f. You are currently residing outside the United States.

1684 8. Place the envelope bearing the Voter's Certificate into
1685 the mailing envelope addressed to the supervisor. Insert a copy
1686 of your identification in the mailing envelope. DO NOT PUT YOUR
1687 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
1688 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
1689 BALLOT WILL NOT COUNT.

1690 9. Mail, deliver, or have delivered the completed mailing
1691 envelope. Be sure there is sufficient postage if mailed.

1692 10. FELONY NOTICE. It is a felony under Florida law to
1693 accept any gift, payment, or gratuity in exchange for your vote
1694 for a candidate. It is also a felony under Florida law to vote
1695 in an election using a false identity or false address, or under
1696 any other circumstances making your ballot false or fraudulent.

1697 Section 35. Paragraph (a) of subsection (4) and subsection
1698 (5) of section 102.031, Florida Statutes, are amended to read:

1699 102.031 Maintenance of good order at polls; authorities;
1700 persons allowed in polling rooms and early voting areas;
1701 unlawful solicitation of voters.—

1702 (4) (a) No person, political committee, or other group or
1703 organization may solicit voters inside the polling place or
1704 within 150 ~~100~~ feet of the entrance to any polling place, a
1705 polling room where the polling place is also a polling room, an
1706 early voting site, or an office of the supervisor ~~of elections~~
1707 where vote-by-mail ballots are requested and printed on demand
1708 for the convenience of electors who appear in person to request
1709 them. Before the opening of the polling place or early voting
1710 site, the clerk or supervisor shall designate the no-
1711 solicitation zone and mark the boundaries.

20197066e2

1712 (5) No photography is permitted in the polling room or
1713 early voting area, except an elector may photograph his or her
1714 own ballot.

1715 Section 36. Present subsections (9) and (10) of section
1716 102.141, Florida Statutes, are renumbered as subsections (10)
1717 and (11), respectively, subsection (2) of that section is
1718 amended, and a new subsection (9) is added to that section, to
1719 read:

1720 102.141 County canvassing board; duties.—

1721 (2) (a) The county canvassing board shall meet in a building
1722 accessible to the public in the county where the election
1723 occurred at a time and place to be designated by the supervisor
1724 ~~of elections~~ to publicly canvass the absent electors' ballots as
1725 provided for in s. 101.68 and provisional ballots as provided by
1726 ss. 101.048, 101.049, and 101.6925. Provisional ballots cast
1727 pursuant to s. 101.049 shall be canvassed in a manner that votes
1728 for candidates and issues on those ballots can be segregated
1729 from other votes. ~~Public notice of the time and place at which~~
1730 ~~the county canvassing board shall meet to canvass the absent~~
1731 ~~electors' ballots and provisional ballots shall be given at~~
1732 ~~least 48 hours prior thereto by publication on the supervisor of~~
1733 ~~elections' website and once in one or more newspapers of general~~
1734 ~~circulation in the county or, if there is no newspaper of~~
1735 ~~general circulation in the county, by posting such notice in at~~
1736 ~~least four conspicuous places in the county.~~ As soon as the
1737 absent electors' ballots and the provisional ballots are
1738 canvassed, the board shall proceed to publicly canvass the vote
1739 given each candidate, nominee, constitutional amendment, or
1740 other measure submitted to the electorate of the county, as

20197066e2

1741 shown by the returns then on file in the office of the
1742 supervisor ~~of elections~~.

1743 (b) Public notice of the time and place at which the county
1744 canvassing board shall meet to canvass the absent electors'
1745 ballots and provisional ballots must be given at least 48 hours
1746 prior thereto by publication on the supervisor's website and
1747 published in one or more newspapers of general circulation in
1748 the county or, if there is no newspaper of general circulation
1749 in the county, by posting such notice in at least four
1750 conspicuous places in the county. The time given in the notice
1751 as to the convening of the meeting of the county canvassing
1752 board must be specific and may not be a time period during which
1753 the board may meet.

1754 (c) If the county canvassing board suspends or recesses a
1755 meeting publicly noticed pursuant to paragraph (b) for a period
1756 lasting more than 60 minutes, the board must post on the
1757 supervisor's website the anticipated time at which the board
1758 expects to reconvene. If the county canvassing board does not
1759 reconvene at the specified time, the board must provide at least
1760 2 hours' notice, which must be posted on the supervisor's
1761 website, before reconvening.

1762 (d) During any meeting of the county canvassing board, a
1763 physical notice must be placed in a conspicuous area near the
1764 public entrance to the building in which the meeting is taking
1765 place. The physical notice must include the names of the
1766 individuals officially serving as the county canvassing board,
1767 the names of any alternate members, the time of the meeting, and
1768 a brief statement as to the anticipated activities of the county
1769 canvassing board.

20197066e2

1770 (9) Each member, substitute member, and alternate member of
1771 the county canvassing board and all clerical help must wear
1772 identification badges during any period in which the county
1773 canvassing board is canvassing votes or engaging in other
1774 official duties. The identification badges should be worn in a
1775 conspicuous and unobstructed area, and include the name of the
1776 individual and his or her official position.

1777 Section 37. Subsection (2) and paragraph (b) of subsection
1778 (4) of section 102.166, Florida Statutes, are amended to read:

1779 102.166 Manual recounts of overvotes and undervotes.—

1780 (2) ~~(a)~~ Any hardware or software used to identify and sort
1781 overvotes and undervotes for a given race or ballot measure must
1782 be certified by the Department of State as part of the voting
1783 system pursuant to s. 101.015. Any such hardware or software
1784 must be capable of simultaneously identifying and sorting
1785 overvotes and undervotes in multiple races while simultaneously
1786 counting votes.

1787 ~~(b) Overvotes and undervotes must shall be identified and~~
1788 ~~sorted while recounting ballots pursuant to s. 102.141, if the~~
1789 ~~hardware or software for this purpose has been certified or the~~
1790 ~~department's rules so provide.~~

1791 (4)

1792 (b) The Department of State shall adopt specific rules for
1793 the federal write-in absentee ballot and for each certified
1794 voting system prescribing what constitutes a "clear indication
1795 on the ballot that the voter has made a definite choice." The
1796 rules shall be consistent, to the extent practicable, and may
1797 not:

1798 1. Authorize the use of any electronic or electromechanical

20197066e2

1799 reading device to review a hybrid voting system ballot that is
1800 produced using a voter interface device and that contains both
1801 machine-readable fields and machine-printed text of the contest
1802 titles and voter selections, unless the printed text is
1803 illegible;

1804 2. Exclusively provide that the voter must properly mark or
1805 designate his or her choice on the ballot; or

1806 ~~3.2.~~ Contain a catch-all provision that fails to identify
1807 specific standards, such as "any other mark or indication
1808 clearly indicating that the voter has made a definite choice."

1809 Section 38. Subsection (8) of section 102.168, Florida
1810 Statutes, is amended to read:

1811 102.168 Contest of election.—

1812 (8) In any contest that requires a review of the canvassing
1813 board's decision on the legality of a provisional or vote-by-
1814 mail ballot pursuant to s. 101.048 or s. 101.68 based upon a
1815 comparison of the signature of the elector in the registration
1816 records with the signature on the provisional or vote-by-mail
1817 voter's certificate or the provisional or vote-by-mail cure
1818 affidavit and the signature of the elector in the registration
1819 ~~records,~~ the circuit court may not review or consider any
1820 evidence other than the signature of the elector in the
1821 registration records, the signature on the respective voter's
1822 certificate or cure affidavit, and any supporting identification
1823 that the elector submitted with the cure affidavit and the
1824 ~~signature of the elector in the registration records.~~ The
1825 court's review of such issue shall be to determine only if the
1826 canvassing board abused its discretion in making its decision.

1827 Section 39. Subsection (5) is added to section 104.051,

20197066e2

1828 Florida Statutes, to read:

1829 104.051 Violations; neglect of duty; corrupt practices.—

1830 (5) Any supervisor who willfully violates any provision of
1831 the Florida Election Code is, upon a finding of such violation
1832 by a court of competent jurisdiction, prohibited from receiving
1833 the special qualification salary pursuant to s. 145.09(3) for a
1834 period of 24 months, dating from the time of the violation.

1835 Section 40. Except as otherwise expressly provided in this
1836 act, this act shall take effect July 1, 2019.