

Amendment No. 17

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	_____	(Y/N)
ADOPTED AS AMENDED	_____	(Y/N)
ADOPTED W/O OBJECTION	_____	(Y/N)
FAILED TO ADOPT	_____	(Y/N)
WITHDRAWN	_____	(Y/N)
OTHER		

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1 Committee/Subcommittee hearing bill: Public Integrity & Ethics  
 2 Committee

3 Representative Thompson offered the following:

4  
 5 **Amendment (with title amendment)**

6 Between lines 212 and 213, insert:

7 Section 8. Subsections (1) and (2) of section 101.048,  
 8 Florida Statutes, are amended to read:

9 101.048 Provisional ballots.—

10 (1) At all elections, a voter claiming to be properly  
 11 registered in the state and eligible to vote ~~at the precinct~~ in  
 12 the election but whose eligibility cannot be determined, a  
 13 person whom an election official asserts is not eligible, and  
 14 other persons specified in the code shall be entitled to vote a  
 15 provisional ballot in the county in which the voter claims to be  
 16 registered. Once voted, the provisional ballot shall be placed

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17 in a secrecy envelope and thereafter sealed in a provisional  
18 ballot envelope. The provisional ballot shall be deposited in a  
19 ballot box. All provisional ballots shall remain sealed in their  
20 envelopes for return to the supervisor of elections. The  
21 department shall prescribe the form of the provisional ballot  
22 envelope. A person casting a provisional ballot shall have the  
23 right to present written evidence supporting his or her  
24 eligibility to vote to the supervisor of elections by not later  
25 than 5 p.m. on the second day following the election.

26 (2) (a) The county canvassing board shall examine each  
27 Provisional Ballot Voter's Certificate and Affirmation to  
28 determine if the person voting that ballot was entitled to vote  
29 in the county ~~at the precinct~~ where the person cast a vote in  
30 the election and that the person had not already cast a ballot  
31 in the election. In determining whether a person casting a  
32 provisional ballot is entitled to vote, the county canvassing  
33 board shall review the information provided in the Voter's  
34 Certificate and Affirmation, written evidence provided by the  
35 person pursuant to subsection (1), any other evidence presented  
36 by the supervisor of elections, and, in the case of a challenge,  
37 any evidence presented by the challenger. A ballot of a person  
38 casting a provisional ballot shall be counted unless the  
39 canvassing board determines by a preponderance of the evidence  
40 that the person was not entitled to vote.

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41 (b)1. If it is determined that the person was registered  
42 and entitled to vote in the county ~~at the precinct~~ where the  
43 person cast a vote in the election, the canvassing board shall  
44 compare the signature on the Provisional Ballot Voter's  
45 Certificate and Affirmation with the signature on the voter's  
46 registration and, if it matches, shall count the ballot. If the  
47 canvassing board determines that the signature does not match,  
48 the supervisor of elections shall, on behalf of the canvassing  
49 board, immediately notify the person that the signature does not  
50 match and allow the voter to cure the ballot within a reasonable  
51 amount of time. The supervisor may provide such notification by  
52 e-mail.

53 2. If it is determined that the person voting the  
54 provisional ballot was not registered or entitled to vote in the  
55 county ~~at the precinct~~ where the person cast a vote in the  
56 election, the provisional ballot shall not be counted and the  
57 ballot shall remain in the envelope containing the Provisional  
58 Ballot Voter's Certificate and Affirmation and the envelope  
59 shall be marked "Rejected as Illegal."  
60  
61

62 -----  
63 **T I T L E A M E N D M E N T**

64 Remove line 20 and insert:

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7101 (2019)

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65 transport of ballots, and ballot security; amending s. 101.048,  
66 F.S.; providing that a person may cast a provisional vote in the  
67 county in which the voter claims to be registered; requiring a  
68 supervisor of elections to immediately notify a person of a  
69 nonmatching signature and allow such person to cure the ballot  
70 within a reasonable amount of time; conforming provisions to  
71 changes made by the act; amending s.