

Amendment No. 18

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

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

3 Representative Thompson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 524-608 and insert:

7 Section 13. Subsection (1) of section 101.64, Florida
 8 Statutes, is amended to read:

9 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

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

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17 Note: Please Read Instructions Carefully Before
18 Marking Ballot and Completing Voter's Certificate.

19 VOTER'S CERTIFICATE

20 I,, do solemnly swear or affirm that I am a qualified
21 and registered voter of County, Florida, and that I have
22 not and will not vote more than one ballot in this election. I
23 understand that if I commit or attempt to commit any fraud in
24 connection with voting, vote a fraudulent ballot, or vote more
25 than once in an election, I can be convicted of a felony of the
26 third degree and fined up to \$5,000 and/or imprisoned for up to
27 5 years. I also understand that failure to sign this certificate
28 will invalidate my ballot.

29 ... (Date) ... (Voter's Signature) ...

30 ... (E-Mail Address) (Home Telephone Number) ...

31 ... (Mobile Telephone Number) ...

32 Section 14. Section 101.65, Florida Statutes, is amended
33 to read:

34 101.65 Instructions to absent electors.—The supervisor
35 shall enclose with each vote-by-mail ballot separate printed
36 instructions in substantially the following form; however, where
37 the instructions appear in capitalized text, the text of the
38 printed instructions must be capitalized and in bold font:

39 READ THESE INSTRUCTIONS CAREFULLY

40 BEFORE MARKING BALLOT.

41 1. VERY IMPORTANT. In order to ensure that your vote-by-

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42 mail ballot will be counted, it ~~should be completed and returned~~
43 ~~as soon as possible so that it can reach the supervisor of~~
44 ~~elections of the county in which your precinct is located no~~
45 ~~later than 7 p.m. on the day of the election. However, if you~~
46 ~~are an overseas voter casting a ballot in a presidential~~
47 ~~preference primary or general election, your vote-by-mail ballot~~
48 must be postmarked or dated no later than the date of the
49 election and received by the supervisor of elections of the
50 county in which you are registered to vote no later than 10 days
51 after the date of the election. Note that the later you return
52 your ballot, the less time you will have to cure any signature
53 deficiencies, which is authorized until 5 p.m. on the 2nd day
54 after the election.

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

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

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

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

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

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

68 7. VERY IMPORTANT. In order for your vote-by-mail ballot
69 to be counted, you must sign your name on the line above
70 (Voter's Signature). A vote-by-mail ballot will be considered
71 illegal and not be counted if the signature on the voter's
72 certificate does not match the signature on record. The
73 signature on file at the time the supervisor of elections in the
74 county in which your precinct is located receives your vote-by-
75 mail ballot ~~start of the canvass of the vote-by-mail ballots is~~
76 the signature that will be used to verify your signature on the
77 voter's certificate. If you need to update your signature for
78 this election, send your signature update on a voter
79 registration application to your supervisor of elections ~~so that~~
80 ~~it is received no later than the start of the canvassing of~~
81 ~~vote-by-mail ballots, which occurs no earlier than the 15th day~~
82 ~~before election day.~~

83
84 Between lines 979 and 980, insert:

85 Section 19. Section 101.6952, Florida Statutes, is amended
86 to read:

87 101.6952 Vote-by-mail ballots for absent ~~uniformed~~
88 ~~services and overseas~~ voters.-

89 (1) If an absent ~~uniformed services voter's or an overseas~~
90 voter's request for an official vote-by-mail ballot pursuant to
91 s. 101.62 includes an e-mail address, the supervisor of

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92 elections shall:

93 (a) Record the voter's e-mail address in the vote-by-mail
94 ballot record;

95 (b) Confirm by e-mail that the vote-by-mail ballot request
96 was received and include in that e-mail the estimated date the
97 vote-by-mail ballot will be sent to the voter; and

98 (c) Notify the voter by e-mail when the voted vote-by-mail
99 ballot is received by the supervisor of elections.

100 (2) (a) An absent ~~uniformed services voter or an overseas~~
101 voter who makes timely application for but does not receive an
102 official vote-by-mail ballot may use the federal write-in
103 absentee ballot to vote in any federal, state, or local
104 election.

105 (b)1. In an election for federal office, an elector may
106 designate a candidate by writing the name of a candidate on the
107 ballot. Except for a primary or special primary election, the
108 elector may alternatively designate a candidate by writing the
109 name of a political party on the ballot. A written designation
110 of the political party shall be counted as a vote for the
111 candidate of that party if there is such a party candidate in
112 the race.

113 2. In a state or local election, an elector may vote in
114 the section of the federal write-in absentee ballot designated
115 for nonfederal races by writing on the ballot the title of each
116 office and by writing on the ballot the name of the candidate

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117 for whom the elector is voting. Except for a primary, special
118 primary, or nonpartisan election, the elector may alternatively
119 designate a candidate by writing the name of a political party
120 on the ballot. A written designation of the political party
121 shall be counted as a vote for the candidate of that party if
122 there is such a party candidate in the race. In addition, the
123 elector may vote on any ballot measure presented in such
124 election by identifying the ballot measure on which he or she
125 desires to vote and specifying his or her vote on the measure.
126 For purposes of this section, a vote cast in a judicial merit
127 retention election shall be treated in the same manner as a
128 ballot measure in which the only allowable responses are "Yes"
129 or "No."

130 (c) In the case of a joint candidacy, such as for the
131 offices of President/Vice President or Governor/Lieutenant
132 Governor, a valid vote for one or both qualified candidates on
133 the same ticket shall constitute a vote for the joint candidacy.

134 (d) For purposes of this subsection and except when the
135 context clearly indicates otherwise, such as when a candidate in
136 the election is affiliated with a political party whose name
137 includes the word "Independent," "Independence," or a similar
138 term, a voter designation of "No Party Affiliation" or
139 "Independent," or any minor variation, misspelling, or
140 abbreviation thereof, shall be considered a designation for the
141 candidate, other than a write-in candidate, who qualified to run

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142 in the race with no party affiliation. If more than one
143 candidate qualifies to run as a candidate with no party
144 affiliation, the designation may not count for any candidate
145 unless there is a valid, additional designation of the
146 candidate's name.

147 (e) Any abbreviation, misspelling, or other minor
148 variation in the form of the name of an office, the name of a
149 candidate, the ballot measure, or the name of a political party
150 must be disregarded in determining the validity of the ballot.

151 (3) (a) An absent ~~uniformed services voter or an overseas~~
152 voter who submits a federal write-in absentee ballot and later
153 receives an official vote-by-mail ballot may submit the official
154 vote-by-mail ballot. An elector who submits a federal write-in
155 absentee ballot and later receives and submits an official vote-
156 by-mail ballot should make every reasonable effort to inform the
157 appropriate supervisor of elections that the elector has
158 submitted more than one ballot.

159 (b) ~~A federal write-in absentee ballot may not be~~
160 ~~canvassed until 7 p.m. on the day of the election.~~ A federal
161 write-in absentee ballot from an absent ~~an overseas~~ voter in a
162 presidential preference primary or general election may not be
163 canvassed until the conclusion of the 10-day period specified in
164 subsection (5). ~~Each federal write-in absentee ballot received~~
165 ~~by 7 p.m. on the day of the election shall be canvassed pursuant~~
166 ~~to ss. 101.5614(4) and 101.68, unless the elector's official~~

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167 ~~vote-by-mail ballot is received by 7 p.m. on election day.~~ Each
168 federal write-in absentee ballot from an absent ~~overseas~~ voter
169 in a presidential preference primary or general election
170 received by 10 days after the date of the election shall be
171 canvassed pursuant to ss. 101.5614(4) and 101.68, unless the
172 ~~overseas~~ voter's official vote-by-mail ballot is received by 10
173 days after the date of the election. If the elector's official
174 vote-by-mail ballot is received ~~by 7 p.m. on election day, or,~~
175 ~~for an overseas voter in a presidential preference primary or~~
176 ~~general election,~~ no later than 10 days after the date of the
177 election, the federal write-in absentee ballot is invalid and
178 the official vote-by-mail ballot shall be canvassed. The time
179 shall be regulated by the customary time in standard use in the
180 county seat of the locality.

181 (4) For vote-by-mail ballots received from absent
182 ~~uniformed services voters or overseas~~ voters, there is a
183 presumption that the envelope was mailed on the date stated on
184 the outside of the return envelope, regardless of the absence of
185 a postmark on the mailed envelope or the existence of a postmark
186 date that is later than the date of the election.

187 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in
188 any presidential preference primary or general election which is
189 postmarked or dated no later than the date of the election and
190 is received by the supervisor of elections of the county in
191 which the ~~overseas~~ voter is registered no later than 10 days

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192 after the date of the election shall be counted as long as the
193 vote-by-mail ballot is otherwise proper.

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

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Remove line 62 and insert:

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time voters; amending s. 101.6952, F.S.; providing

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that an absent voter may submit a federal write-in

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absentee ballot or vote-by-mail ballot; providing when

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and whether a federal write-in absentee ballot or

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vote-by-mail ballot shall be canvassed; providing that

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a certain presumption applies to vote-by-mail ballots

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received from absent voters; providing that a vote-by-

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mail ballot from an absent voter which is postmarked

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or dated by a certain date and received by a certain

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date shall be counted; amending s. 102.031, F.S.;

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revising the