

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

26 | Ballot Voter's Certificate and Affirmation; providing  
27 | a process to cure a provisional ballot with a  
28 | signature deficiency; requiring a supervisor to mail a  
29 | voter registration application to an elector in  
30 | certain circumstances; amending s. 101.151, F.S.;  
31 | revising requirements for department rules governing  
32 | ballot design; amending s. 101.20, F.S.; authorizing  
33 | the distribution of sample ballots by e-mail or mail  
34 | in lieu of newspaper publication; amending s.  
35 | 101.56075, F.S.; providing that voting must be  
36 | conducted using a marking device or voter interface  
37 | device that produces a voter-verifiable paper output;  
38 | amending s. 101.5614, F.S.; authorizing certain  
39 | individuals to serve as witnesses during the vote-by-  
40 | mail duplicating process; amending s. 101.62, F.S.;  
41 | revising the deadlines by which requests for vote-by-  
42 | mail ballots must be received and by which vote-by-  
43 | mail ballots shall be mailed by the supervisor;  
44 | expanding the period during which a designee may  
45 | physically collect a vote-by-mail ballot; amending s.  
46 | 101.64, F.S.; requiring the secrecy envelope included  
47 | with vote-by-mail ballots to include a specified  
48 | statement; amending s. 101.65, F.S.; revising  
49 | requirements for vote-by-mail ballot instructions;  
50 | amending s. 101.657, F.S.; requiring sufficient

51 nonpermitted parking for voters at certain early  
52 voting locations; requiring a supervisor to report the  
53 total amount of vote-by-mail ballots received at each  
54 early voting location; amending s. 101.68, F.S.;  
55 revising the date that canvassing of vote-by-mail  
56 ballots may begin; revising requirements related to  
57 the canvassing and counting of vote-by-mail ballots;  
58 revising the deadline by which vote-by-mail ballot  
59 cure affidavits must be submitted; requiring the  
60 supervisor to process a valid vote-by-mail ballot cure  
61 affidavit as a voter signature update; amending s.  
62 101.69, F.S.; requiring a supervisor to provide secure  
63 drop boxes in specified locations for an elector to  
64 place his or her vote-by-mail ballot; amending s.  
65 101.6923, F.S.; revising vote-by-mail ballot  
66 instructions for certain first-time voters; amending  
67 s. 102.031, F.S.; revising the size of certain areas  
68 in which voter solicitation is prohibited; prohibiting  
69 the owners or operators of a location on which a  
70 polling place or early voting site is located from  
71 restricting solicitation in certain areas; authorizing  
72 an elector to photograph his or her own ballot;  
73 amending s. 102.141, F.S.; providing notice  
74 requirements for meetings of a county canvassing  
75 board; requiring certain individuals to wear

76 identification badges during certain periods; amending  
 77 s. 102.166, F.S.; modifying certification requirements  
 78 for voting systems to require the functionality to  
 79 simultaneously sort and count ballot overvotes and  
 80 undervotes; revising requirements for Department of  
 81 State rules regarding manual recounts of certain  
 82 ballots; amending s. 102.168, F.S.; modifying  
 83 provisions governing election contests to authorize  
 84 judicial review of additional information related to  
 85 determining validity of provisional and vote-by-mail  
 86 ballot signatures to conform to changes made by the  
 87 act; amending s. 104.051, F.S.; providing a penalty  
 88 for certain supervisors who willfully violate the  
 89 Florida Election Code; providing effective dates.

90

91 Be It Enacted by the Legislature of the State of Florida:

92

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

95 97.012 Secretary of State as chief election officer.—The  
 96 Secretary of State is the chief election officer of the state,  
 97 and it is his or her responsibility to:

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

100 Section 2. Effective January 1, 2020, subsection (41) of

101 section 97.021, Florida Statutes, is amended to read:

102 97.021 Definitions.—For the purposes of this code, except  
103 where the context clearly indicates otherwise, the term:

104 (41) "Voter interface device" means any device that  
105 communicates voting instructions and ballot information to a  
106 voter and allows the voter to select and vote for candidates and  
107 issues. A voter interface device may not be used to tabulate  
108 votes. Any vote tabulation must be based upon a subsequent scan  
109 of the marked marksense ballot or the voter-verifiable paper  
110 output after the voter interface device process has been  
111 completed.

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

114 98.077 Update of voter signature.—

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

116 (a) All signature updates for use in verifying vote-by-  
117 mail and provisional ballots must be received by the appropriate  
118 supervisor before the elector's ballot is received by the  
119 supervisor or, in the case of provisional ballots, before the  
120 elector's ballot is cast ~~of elections no later than the start of~~  
121 ~~the canvassing of vote-by-mail ballots by the canvassing board.~~

122 (b) The signature on file at the time the vote-by-mail  
123 ballot is received or at the time the provisional ballot is cast  
124 ~~start of the canvass of the vote-by-mail ballots~~ is the  
125 signature that shall be used in verifying the signature on the

126 | vote-by-mail and provisional ballot certificates, respectively.

127 |       Section 4. Paragraph (a) of subsection (2) of section  
128 | 98.0981, Florida Statutes, is amended to read:

129 |       98.0981 Reports; voting history; statewide voter  
130 | registration system information; precinct-level election  
131 | results; book closing statistics.—

132 |       (2) PRECINCT-LEVEL ELECTION RESULTS.—

133 |       (a) Within 30 days after certification by the Elections  
134 | Canvassing Commission of a presidential preference primary  
135 | election, special election, primary election, or general  
136 | election, the supervisors of elections shall collect and submit  
137 | to the department precinct-level election results for the  
138 | election in a uniform electronic format specified by paragraph  
139 | (c). The precinct-level election results shall be compiled  
140 | separately for the primary or special primary election that  
141 | preceded the general or special general election, respectively.  
142 | The results shall specifically include for each precinct the  
143 | total of all ballots cast for each candidate or nominee to fill  
144 | a national, state, county, or district office or proposed  
145 | constitutional amendment, with subtotals for each candidate and  
146 | ballot type, unless fewer than 30 ~~40~~ voters voted a ballot type.  
147 | "All ballots cast" means ballots cast by voters who cast a  
148 | ballot whether at a precinct location, by vote-by-mail ballot  
149 | including overseas vote-by-mail ballots, during the early voting  
150 | period, or by provisional ballot.

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

153 99.063 Candidates for Governor and Lieutenant Governor.—

154 (4) In order to have the name of the candidate for  
155 Lieutenant Governor printed on the primary election ballot, a  
156 candidate for Governor participating in the primary must  
157 designate the candidate for Lieutenant Governor, and the  
158 designated candidate must qualify no later than the end of the  
159 qualifying period specified in s. 99.061. ~~If the candidate for~~  
160 ~~Lieutenant Governor has not been designated and has not~~  
161 ~~qualified by the end of the qualifying period specified in s.~~  
162 ~~99.061, the phrase "Not Yet Designated" must be included in lieu~~  
163 ~~of the candidate's name on the primary election ballot.~~

164 Section 6. Section 100.061, Florida Statutes, is amended  
165 to read:

166 100.061 Primary election.—In each year in which a general  
167 election is held, a primary election for nomination of  
168 candidates of political parties shall be held on the Tuesday 11  
169 ~~10~~ weeks prior to the general election. The candidate receiving  
170 the highest number of votes cast in each contest in the primary  
171 election shall be declared nominated for such office. If two or  
172 more candidates receive an equal and highest number of votes for  
173 the same office, such candidates shall draw lots to determine  
174 which candidate is nominated.

175 Section 7. Subsection (4) of section 101.015, Florida

176 Statutes, is amended to read:

177 101.015 Standards for voting systems.—

178 (4) (a) The Department of State shall adopt rules  
179 establishing minimum security standards for voting systems. The  
180 standards must, at a minimum, address the following:

181 1. Chain of custody of ballots, including a detailed  
182 description of procedures to create a complete written record of  
183 the chain of custody of ballots and paper outputs beginning with  
184 their receipt from a printer or manufacturer until such time as  
185 they are destroyed.

186 2. Transport of ballots, including a description of the  
187 method and equipment used and a detailed list of the names of  
188 all individuals involved in such transport.

189 3. Ballot security, including a requirement that all  
190 ballots be kept in a locked room in the supervisor's office, a  
191 facility controlled by the supervisor or county canvassing  
192 board, or a public place in which the county canvassing board is  
193 canvassing votes until needed for canvassing and returned  
194 thereafter.

195 (b) 1. Each supervisor ~~of elections~~ shall establish written  
196 procedures to assure accuracy and security in his or her county,  
197 including procedures related to early voting pursuant to s.  
198 101.657. Such procedures shall be reviewed in each odd-numbered  
199 year by the department ~~of State~~.

200 2.(c) Each supervisor ~~of elections~~ shall submit any



201 revisions to the security procedures to the department ~~of State~~  
202 at least 45 days before early voting commences pursuant to s.  
203 101.657 in an election in which they are to take effect.

204 Section 8. Subsection (6) of section 101.048, Florida  
205 Statutes, is renumbered as subsection (7), subsections (2), (3),  
206 and (5) and present subsection (6) are amended, and a new  
207 subsection (6) is added to that section, to read:

208 101.048 Provisional ballots.—

209 (2) (a) The county canvassing board shall examine each  
210 Provisional Ballot Voter's Certificate and Affirmation to  
211 determine if the person voting that ballot was entitled to vote  
212 at the precinct where the person cast a vote in the election and  
213 that the person had not already cast a ballot in the election.  
214 In determining whether a person casting a provisional ballot is  
215 entitled to vote, the county canvassing board shall review the  
216 information provided in the Voter's Certificate and Affirmation,  
217 written evidence provided by the person pursuant to subsection  
218 (1), information provided in any cure affidavit and accompanying  
219 supporting documentation pursuant to subsection (6), any other  
220 evidence presented by the supervisor ~~of elections~~, and, in the  
221 case of a challenge, any evidence presented by the challenger. A  
222 ballot of a person casting a provisional ballot shall be  
223 canvassed pursuant to paragraph (b) ~~counted~~ unless the  
224 canvassing board determines by a preponderance of the evidence  
225 that the person was not entitled to vote.

226 (b)1. If it is determined that the person was registered  
227 and entitled to vote at the precinct where the person cast a  
228 vote in the election, the canvassing board shall compare the  
229 signature on the Provisional Ballot Voter's Certificate and  
230 Affirmation or the provisional ballot cure affidavit with the  
231 signature on the voter's registration or precinct register ~~and,~~  
232 ~~if it matches, shall count the ballot.~~ A provisional ballot  
233 shall be counted if:

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

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

244  
245 For purposes of this paragraph, any canvassing board finding  
246 that an elector's signatures do not match must be by majority  
247 vote and beyond a reasonable doubt.

248 2. If it is determined that the person voting the  
249 provisional ballot was not registered or entitled to vote at the  
250 precinct where the person cast a vote in the election, the

251 provisional ballot shall not be counted and the ballot shall  
252 remain in the envelope containing the Provisional Ballot Voter's  
253 Certificate and Affirmation and the envelope shall be marked  
254 "Rejected as Illegal."

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

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

262 STATE OF FLORIDA

263 COUNTY OF ....

264 I do solemnly swear (or affirm) that my name is ....; that  
265 my date of birth is ....; that I am registered and qualified to  
266 vote in .... County, Florida; that I am registered in the ....  
267 Party; that I am a qualified voter of the county; and that I  
268 have not voted in this election. I understand that if I commit  
269 any fraud in connection with voting, vote a fraudulent ballot,  
270 or vote more than once in an election, I can be convicted of a  
271 felony of the third degree and fined up to \$5,000 and/or  
272 imprisoned for up to 5 years. Further, by providing my  
273 information below, I authorize the use of e-mail, text message,  
274 and telephone call for the limited purpose of signature and  
275 ballot validation.

276 ... (Printed Name of Voter)...  
 277 ... (Signature of Voter) ...  
 278 ... (Current Residence Address) ...  
 279 ... (Current Mailing Address) ...  
 280 ... (City, State, Zip Code) ...  
 281 ... (Driver License Number or Last Four Digits of Social Security  
 282 Number) ...  
 283 ... (E-Mail Address)...  
 284 ... (Home Telephone Number)...  
 285 ... (Mobile Telephone Number)...

286 Sworn to and subscribed before me this .... day of .....,  
 287 ... (year) ....  
 288 ... (Election Official) ...

289 Precinct # .... Ballot Style/Party Issued: ....

290 (5) Each person casting a provisional ballot shall be  
 291 given written instructions regarding the person's right to  
 292 provide the supervisor ~~of elections~~ with written evidence of his  
 293 or her eligibility to vote and regarding the free access system  
 294 established pursuant to subsection (7) ~~(6)~~. The instructions must  
 295 ~~shall~~ contain the supervisor's contact information along with  
 296 information on how to access the system and the information the  
 297 voter will need to provide to obtain information on his or her  
 298 particular ballot. The instructions shall also include the  
 299 following statement: "If this is a primary election, you should  
 300 contact the supervisor of elections' office immediately to

301 confirm that you are registered and can vote in the general  
302 election."

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

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

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

315 3. Notifying the elector of the signature deficiency by  
316 telephone and directing the elector to the cure affidavit and  
317 instructions on the supervisor's website.

318  
319 In addition to the notification required in subparagraph 1.,  
320 subparagraph 2., or subparagraph 3., the supervisor must notify  
321 the elector of the signature deficiency by first-class mail and  
322 direct the elector to the cure affidavit and instructions on the  
323 supervisor's website. Beginning the day before the election, the  
324 supervisor is not required to provide notice of the signature  
325 deficiency by first-class mail, but shall continue to provide

326 notice as required in subparagraph 1., subparagraph 2., or  
 327 subparagraph 3.

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

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

334  
 335 PROVISIONAL BALLOT CURE AFFIDAVIT

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

346  
 347 ... (Voter's Signature) ...

348  
 349 ... (Address) ...

350

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

353  
354 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE  
355 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
356 BALLOT NOT TO COUNT.

357  
358 1. In order to cure the missing signature or the signature  
359 discrepancy on your Provisional Ballot Voter's Certificate and  
360 Affirmation, your affidavit should be completed and returned as  
361 soon as possible so that it can reach the supervisor of  
362 elections of the county in which your precinct is located no  
363 later than 5 p.m. on the 2nd day after the election.

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

366 3. You must make a copy of one of the following forms of  
367 identification:

368 a. Tier 1 identification.—Current and valid identification  
369 that includes your name and photograph: Florida driver license;  
370 Florida identification card issued by the Department of Highway  
371 Safety and Motor Vehicles; United States passport; debit or  
372 credit card; military identification; student identification;  
373 retirement center identification; neighborhood association  
374 identification; public assistance identification; veteran health  
375 identification card issued by the United States Department of

376 Veterans Affairs; Florida license to carry a concealed weapon or  
377 firearm; or employee identification card issued by any branch,  
378 department, agency, or entity of the Federal Government, the  
379 state, a county, or a municipality; or

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

385 4. Place the envelope bearing the affidavit into a mailing  
386 envelope addressed to the supervisor. Insert a copy of your  
387 identification in the mailing envelope. Mail (if time permits),  
388 deliver, or have delivered the completed affidavit along with  
389 the copy of your identification to your county supervisor of  
390 elections. Be sure there is sufficient postage if mailed and  
391 that the supervisor's address is correct. Remember, your  
392 information MUST reach your county supervisor of elections no  
393 later than 5 p.m. on the 2nd day following the election or your  
394 ballot will not count.

395 5. Alternatively, you may fax or e-mail your completed  
396 affidavit and a copy of your identification to the supervisor of  
397 elections. If e-mailing, please provide these documents as  
398 attachments.

399 6. Submitting a provisional ballot affidavit does not  
400 establish your eligibility to vote in this election or guarantee



401 that your ballot will be counted. The county canvassing board  
402 determines your eligibility to vote through information provided  
403 on the Provisional Ballot Voter's Certificate and Affirmation,  
404 written evidence provided by you, including information in your  
405 cure affidavit along with any supporting identification, and any  
406 other evidence presented by the supervisor of elections or a  
407 challenger. You may still be required to present additional  
408 written evidence to support your eligibility to vote.

409 (e) The department and each supervisor shall include the  
410 affidavit and instructions on their respective websites. The  
411 supervisor shall include his or her office mailing address, e-  
412 mail address, and fax number on the page containing the  
413 affidavit instructions, and the department's instruction page  
414 shall include the office mailing addresses, e-mail addresses,  
415 and fax numbers of all supervisors or provide a conspicuous link  
416 to such addresses.

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

420 (7) (a) ~~(6)~~ Each supervisor of elections shall establish a  
421 free access system that allows each person who casts a  
422 provisional ballot to determine whether his or her provisional  
423 ballot was counted in the final canvass of votes and, if not,  
424 the reasons why. Information regarding provisional ballots shall  
425 be available no later than 30 days following the election. The

426 system established must restrict information regarding an  
427 individual ballot to the person who cast the ballot.

428 (b) Unless processed as a signature update pursuant to  
429 subsection (2), the supervisor shall mail a voter registration  
430 application to the elector to be completed indicating the  
431 elector's current signature if the signature on the voter's  
432 certificate or cure affidavit did not match the elector's  
433 signature in the registration books or precinct register.

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

436 101.151 Specifications for ballots.-

437 (1)

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

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

448 1. The ballot title followed by clear and unambiguous  
449 ballot instructions and directions limited to a single location  
450 on the ballot, either:

- 451           a. Centered across the top of the ballot; or  
 452           b. In the leftmost column, with no individual races in  
 453 that column unless it is the only column on the ballot;  
 454           2. Individual race layout; ~~and~~  
 455           3. Overall ballot layout; ~~and~~—  
 456           4. Oval vote targets as the only permissible type of vote  
 457 target, except as provided in s. 101.56075.

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

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

463           101.20 Publication of ballot form; sample ballots.—

464           (2) (a) Upon completion of the list of qualified  
 465 candidates, a sample ballot shall be published by the supervisor  
 466 ~~of elections~~ in a newspaper of general circulation in the  
 467 county, before the day of election.

468           (b) In lieu of the publication required under paragraph  
 469 (a), a supervisor may send a sample ballot to each registered  
 470 elector by e-mail at least 7 days before an election if an e-  
 471 mail address has been provided and the elector has opted to  
 472 receive a sample ballot by electronic delivery. If an e-mail  
 473 address has not been provided, or if the elector has not opted  
 474 for electronic delivery, a sample ballot may be mailed to each  
 475 registered elector or to each household in which there is a

476 registered elector at least 7 days before an election.

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

479 101.56075 Voting methods.—For the purpose of designating  
480 ballot selections

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

486 ~~(2) Persons with disabilities may vote on a voter~~  
487 ~~interface device that meets the voting system accessibility~~  
488 ~~requirements for individuals with disabilities pursuant to s.~~  
489 ~~301 of the federal Help America Vote Act of 2002 and s.~~  
490 ~~101.56062.~~

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

496 Section 12. Paragraph (a) of subsection (4) of section  
497 101.5614, Florida Statutes, is amended to read:

498 101.5614 Canvass of returns.—

499 (4) (a) If any vote-by-mail ballot is physically damaged so  
500 that it cannot properly be counted by the automatic tabulating

501 equipment, a true duplicate copy shall be made of the damaged  
502 ballot in the presence of witnesses and substituted for the  
503 damaged ballot. Likewise, a duplicate ballot shall be made of a  
504 vote-by-mail ballot containing an overvoted race or a marked  
505 vote-by-mail ballot in which every race is undervoted which  
506 shall include all valid votes as determined by the canvassing  
507 board based on rules adopted by the division pursuant to s.  
508 102.166(4). Upon request, a physically present candidate,  
509 political party official, political committee official, or  
510 authorized designee thereof, must be allowed to observe the  
511 duplication of ballots. All duplicate ballots shall be clearly  
512 labeled "duplicate," bear a serial number which shall be  
513 recorded on the defective ballot, and be counted in lieu of the  
514 defective ballot. After a ballot has been duplicated, the  
515 defective ballot shall be placed in an envelope provided for  
516 that purpose, and the duplicate ballot shall be tallied with the  
517 other ballots for that precinct.

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

521 101.62 Request for vote-by-mail ballots.-

522 (2) A request for a vote-by-mail ballot to be mailed to a  
523 voter must be received no later than 5 p.m. on the 10th ~~sixth~~  
524 day before the election by the supervisor ~~of elections~~. The  
525 supervisor ~~of elections~~ shall mail vote-by-mail ballots to

526 voters requesting ballots by such deadline no later than 8 4  
527 days before the election.

528 (4)

529 (b) The supervisor ~~of elections~~ shall mail a vote-by-mail  
530 ballot to each absent qualified voter, other than those listed  
531 in paragraph (a), who has requested such a ballot, between the  
532 40th ~~35th~~ and 33rd ~~28th~~ days before the presidential preference  
533 primary election, primary election, and general election. Except  
534 as otherwise provided in subsection (2) and after the period  
535 described in this paragraph, the supervisor shall mail vote-by-  
536 mail ballots within 2 business days after receiving a request  
537 for such a ballot.

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

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

544 2. By forwardable mail, e-mail, or facsimile machine  
545 transmission to absent uniformed services voters and overseas  
546 voters. The absent uniformed services voter or overseas voter  
547 may designate in the vote-by-mail ballot request the preferred  
548 method of transmission. If the voter does not designate the  
549 method of transmission, the vote-by-mail ballot shall be mailed.

550 3. By personal delivery before 7 p.m. on election day to

551 the elector, upon presentation of the identification required in  
552 s. 101.043.

553 4. By delivery to a designee on election day or up to 9 ~~5~~  
554 days prior to the day of an election. Any elector may designate  
555 in writing a person to pick up the ballot for the elector;  
556 however, the person designated may not pick up more than two  
557 vote-by-mail ballots per election, other than the designee's own  
558 ballot, except that additional ballots may be picked up for  
559 members of the designee's immediate family. For purposes of this  
560 section, "immediate family" means the designee's spouse or the  
561 parent, child, grandparent, or sibling of the designee or of the  
562 designee's spouse. The designee shall provide to the supervisor  
563 the written authorization by the elector and a picture  
564 identification of the designee and must complete an affidavit.  
565 The designee shall state in the affidavit that the designee is  
566 authorized by the elector to pick up that ballot and shall  
567 indicate if the elector is a member of the designee's immediate  
568 family and, if so, the relationship. The department shall  
569 prescribe the form of the affidavit. If the supervisor is  
570 satisfied that the designee is authorized to pick up the ballot  
571 and that the signature of the elector on the written  
572 authorization matches the signature of the elector on file, the  
573 supervisor shall give the ballot to that designee for delivery  
574 to the elector.

575 5. Except as provided in s. 101.655, the supervisor may

576 | not deliver a vote-by-mail ballot to an elector or an elector's  
 577 | immediate family member on the day of the election unless there  
 578 | is an emergency, to the extent that the elector will be unable  
 579 | to go to his or her assigned polling place. If a vote-by-mail  
 580 | ballot is delivered, the elector or his or her designee shall  
 581 | execute an affidavit affirming to the facts which allow for  
 582 | delivery of the vote-by-mail ballot. The department shall adopt  
 583 | a rule providing for the form of the affidavit.

584 |       Section 14. Subsection (1) of section 101.64, Florida  
 585 | Statutes, is amended, and subsection (5) is added to that  
 586 | section, to read:

587 |       101.64 Delivery of vote-by-mail ballots; envelopes; form.—

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

595 |             Note: Please Read Instructions Carefully Before  
 596 |             Marking Ballot and Completing Voter's Certificate.

597 |                             VOTER'S CERTIFICATE

598 |       I, . . . ., do solemnly swear or affirm that I am a qualified  
 599 | and registered voter of . . . . County, Florida, and that I have  
 600 | not and will not vote more than one ballot in this election. I



601 understand that if I commit or attempt to commit any fraud in  
 602 connection with voting, vote a fraudulent ballot, or vote more  
 603 than once in an election, I can be convicted of a felony of the  
 604 third degree and fined up to \$5,000 and/or imprisoned for up to  
 605 5 years. I also understand that failure to sign this certificate  
 606 will invalidate my ballot.

607 ... (Date) ... (Voter's Signature) ...  
 608 ... (E-Mail Address) ... ... (Home Telephone Number) ...  
 609 ... (Mobile Telephone Number) ...

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

612  
 613 IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR  
 614 OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY.  
 615 IF YOU WAIT TO MAIL YOUR BALLOT YOUR VOTE MIGHT NOT COUNT. TO  
 616 PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT  
 617 AS SOON AS POSSIBLE.

618 Section 15. Section 101.65, Florida Statutes, is amended  
 619 to read:

620 101.65 Instructions to absent electors.—The supervisor  
 621 shall enclose with each vote-by-mail ballot separate printed  
 622 instructions in substantially the following form; however, where  
 623 the instructions appear in capitalized text, the text of the  
 624 printed instructions must be in bold font:

625 READ THESE INSTRUCTIONS CAREFULLY

626 BEFORE MARKING BALLOT.

627 1. VERY IMPORTANT. In order to ensure that your vote-by-  
628 mail ballot will be counted, it should be completed and returned  
629 as soon as possible so that it can reach the supervisor of  
630 elections of the county in which your precinct is located no  
631 later than 7 p.m. on the day of the election. However, if you  
632 are an overseas voter casting a ballot in a presidential  
633 preference primary or general election, your vote-by-mail ballot  
634 must be postmarked or dated no later than the date of the  
635 election and received by the supervisor of elections of the  
636 county in which you are registered to vote no later than 10 days  
637 after the date of the election. Note that the later you return  
638 your ballot, the less time you will have to cure any signature  
639 deficiencies, which is authorized until 5 p.m. on the 2nd day  
640 after the election.

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

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

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

650 5. Insert the secrecy envelope into the enclosed mailing

651 envelope which is addressed to the supervisor.

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

654 7. VERY IMPORTANT. In order for your vote-by-mail ballot  
655 to be counted, you must sign your name on the line above  
656 (Voter's Signature). A vote-by-mail ballot will be considered  
657 illegal and not be counted if the signature on the voter's  
658 certificate does not match the signature on record. The  
659 signature on file at the time the supervisor of elections in the  
660 county in which your precinct is located receives your vote-by-  
661 mail ballot ~~start of the canvass of the vote-by-mail ballots~~ is  
662 the signature that will be used to verify your signature on the  
663 voter's certificate. If you need to update your signature for  
664 this election, send your signature update on a voter  
665 registration application to your supervisor of elections so that  
666 it is received before your vote-by-mail ballot is received ~~no~~  
667 ~~later than the start of the canvassing of vote-by-mail ballots,~~  
668 ~~which occurs no earlier than the 15th day before election day.~~

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

672 9. Mail, deliver, or have delivered the completed mailing  
673 envelope. Be sure there is sufficient postage if mailed. THE  
674 COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE  
675 SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS

676 LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE DROP BOX,  
677 AVAILABLE AT EACH EARLY VOTING LOCATION.

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

683 Section 16. Paragraph (a) of subsection (1) and subsection  
684 (2) of section 101.657, Florida Statutes, are amended to read:

685 101.657 Early voting.—

686 (1) (a) As a convenience to the voter, the supervisor of  
687 elections shall allow an elector to vote early in the main or  
688 branch office of the supervisor. The supervisor shall mark,  
689 code, indicate on, or otherwise track the voter's precinct for  
690 each early voted ballot. In order for a branch office to be used  
691 for early voting, it shall be a permanent facility of the  
692 supervisor and shall have been designated and used as such for  
693 at least 1 year prior to the election. The supervisor may also  
694 designate any city hall, permanent public library facility,  
695 fairground, civic center, courthouse, county commission  
696 building, stadium, convention center, government-owned senior  
697 center, or government-owned community center as early voting  
698 sites; however, if so designated, the sites must be  
699 geographically located so as to provide all voters in the county  
700 an equal opportunity to cast a ballot, insofar as is

701 practicable, and must provide sufficient nonpermitted parking to  
702 accommodate the anticipated amount of voters. In addition, a  
703 supervisor may designate one early voting site per election in  
704 an area of the county that does not have any of the eligible  
705 early voting locations. Such additional early voting site must  
706 be geographically located so as to provide all voters in that  
707 area with an equal opportunity to cast a ballot, insofar as is  
708 practicable, and must provide sufficient nonpermitted parking to  
709 accommodate the anticipated amount of voters. Each county shall,  
710 at a minimum, operate the same total number of early voting  
711 sites for a general election which the county operated for the  
712 2012 general election. The results or tabulation of votes cast  
713 during early voting may not be made before the close of the  
714 polls on election day. Results shall be reported by precinct.

715 (2) During any early voting period, each supervisor ~~of~~  
716 ~~elections~~ shall make available the total number of voters  
717 casting a ballot at each early voting location and the total  
718 number of vote-by-mail ballots received under s. 101.69(2)  
719 during the previous day. Each supervisor shall prepare an  
720 electronic data file listing the individual voters who cast a  
721 ballot during the early voting period. This information shall be  
722 provided in electronic format as provided by rule adopted by the  
723 division. The information shall be updated and made available no  
724 later than noon of each day and shall be contemporaneously  
725 provided to the division.

726 Section 17. Paragraphs (a) and (c) of subsection (2) and  
727 subsection (4) of section 101.68, Florida Statutes, are amended  
728 to read:

729 101.68 Canvassing of vote-by-mail ballot.—

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

747 (c)1. The canvassing board must, if the supervisor has not  
748 already done so, compare the signature of the elector on the  
749 voter's certificate or on the vote-by-mail ballot cure affidavit  
750 as provided in subsection (4) with the signature of the elector

751 in the registration books or the precinct register to see that  
752 the elector is duly registered in the county and to determine  
753 the legality of that vote-by-mail ballot. A vote-by-mail ballot  
754 may only be counted if:

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

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

765

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

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

775 3. A vote-by-mail ballot is not considered illegal if the

776 signature of the elector does not cross the seal of the mailing  
777 envelope.

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

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

794 (4) (a) As soon as practicable, the supervisor shall, on  
795 behalf of the county canvassing board, attempt to ~~immediately~~  
796 notify an elector who has returned a vote-by-mail ballot that  
797 does not include the elector's signature or contains a signature  
798 that does not match the elector's signature in the registration  
799 books or precinct register by:-

800 1. Notifying the elector of the signature deficiency by e-



801 mail and directing the elector to the cure affidavit and  
 802 instructions on the supervisor's website;

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

806 3. Notifying the elector of the signature deficiency by  
 807 telephone and directing the elector to the cure affidavit and  
 808 instructions on the supervisor's website.

809  
 810 In addition to the notification required in subparagraph 1.,  
 811 subparagraph 2., or subparagraph 3., the supervisor must notify  
 812 the elector of the signature deficiency by first-class mail and  
 813 direct the elector to the cure affidavit and instructions on the  
 814 supervisor's website. Beginning the day before the election, the  
 815 supervisor is not required to provide notice of the signature  
 816 deficiency by first-class mail, but shall continue to provide  
 817 notice as required in subparagraph 1., subparagraph 2., or  
 818 subparagraph 3.

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

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

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

824  
 825 I, ....., am a qualified voter in this election and

826 registered voter of .... County, Florida. I do solemnly swear or  
 827 affirm that I requested and returned the vote-by-mail ballot and  
 828 that I have not and will not vote more than one ballot in this  
 829 election. I understand that if I commit or attempt any fraud in  
 830 connection with voting, vote a fraudulent ballot, or vote more  
 831 than once in an election, I may be convicted of a felony of the  
 832 third degree and fined up to \$5,000 and imprisoned for up to 5  
 833 years. I understand that my failure to sign this affidavit means  
 834 that my vote-by-mail ballot will be invalidated.

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

836 ... (Address) ...

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

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

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

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

849 3. You must make a copy of one of the following forms of  
 850 identification:

851 a. Tier 1 identification.—Current and valid identification  
852 that includes your name and photograph: Florida driver license;  
853 Florida identification card issued by the Department of Highway  
854 Safety and Motor Vehicles; United States passport; debit or  
855 credit card; military identification; student identification;  
856 retirement center identification; neighborhood association  
857 identification; public assistance identification; veteran health  
858 identification card issued by the United States Department of  
859 Veterans Affairs; a Florida license to carry a concealed weapon  
860 or firearm; or an employee identification card issued by any  
861 branch, department, agency, or entity of the Federal Government,  
862 the state, a county, or a municipality; or

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

868 4. Place the envelope bearing the affidavit into a mailing  
869 envelope addressed to the supervisor. Insert a copy of your  
870 identification in the mailing envelope. Mail (if time permits),  
871 deliver, or have delivered the completed affidavit along with  
872 the copy of your identification to your county supervisor of  
873 elections. Be sure there is sufficient postage if mailed and  
874 that the supervisor's address is correct. Remember, your  
875 information MUST reach your county supervisor of elections no

876 later than 5 p.m. on the 2nd day after the election, or your  
877 ballot will not count.

878 5. Alternatively, you may fax or e-mail your completed  
879 affidavit and a copy of your identification to the supervisor of  
880 elections. If e-mailing, please provide these documents as  
881 attachments.

882 (e)~~(d)~~ The department and each supervisor shall include  
883 the affidavit and instructions on their respective websites. The  
884 supervisor must include his or her office's mailing address, e-  
885 mail address, and fax number on the page containing the  
886 affidavit instructions, and~~r~~ the department's instruction page  
887 must include the office mailing addresses, e-mail addresses, and  
888 fax numbers of all supervisors of elections or provide a  
889 conspicuous link to such addresses.

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

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

897 (h) After all election results on the ballot have been  
898 certified, the supervisor shall, on behalf of the county  
899 canvassing board, notify each elector whose ballot has been  
900 rejected as illegal and provide the specific reason the ballot

901 was rejected. In addition, unless processed as a signature  
902 update pursuant to paragraph (g), the supervisor shall mail a  
903 voter registration application to the elector to be completed  
904 indicating the elector's current signature if the signature on  
905 the voter's certificate or cure affidavit did not match the  
906 elector's signature in the registration books or precinct  
907 register. ~~This section does not prohibit the supervisor from~~  
908 ~~providing additional methods for updating an elector's~~  
909 ~~signature.~~

910 Section 18. Section 101.69, Florida Statutes, is amended  
911 to read:

912 101.69 Voting in person; return of vote-by-mail ballot.—

913 (1) The provisions of this code shall not be construed to  
914 prohibit any elector from voting in person at the elector's  
915 precinct on the day of an election or at an early voting site,  
916 notwithstanding that the elector has requested a vote-by-mail  
917 ballot for that election. An elector who has returned a voted  
918 vote-by-mail ballot to the supervisor, however, is deemed to  
919 have cast his or her ballot and is not entitled to vote another  
920 ballot or to have a provisional ballot counted by the county  
921 canvassing board. An elector who has received a vote-by-mail  
922 ballot and has not returned the voted ballot to the supervisor,  
923 but desires to vote in person, shall return the ballot, whether  
924 voted or not, to the election board in the elector's precinct or  
925 to an early voting site. The returned ballot shall be marked

926 "canceled" by the board and placed with other canceled ballots.  
927 However, if the elector does not return the ballot and the  
928 election official:

929 (a)~~(1)~~ Confirms that the supervisor has received the  
930 elector's vote-by-mail ballot, the elector shall not be allowed  
931 to vote in person. If the elector maintains that he or she has  
932 not returned the vote-by-mail ballot or remains eligible to  
933 vote, the elector shall be provided a provisional ballot as  
934 provided in s. 101.048.

935 (b)~~(2)~~ Confirms that the supervisor has not received the  
936 elector's vote-by-mail ballot, the elector shall be allowed to  
937 vote in person as provided in this code. The elector's vote-by-  
938 mail ballot, if subsequently received, shall not be counted and  
939 shall remain in the mailing envelope, and the envelope shall be  
940 marked "Rejected as Illegal."

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

944 (2) The supervisor shall allow an elector who has received  
945 a vote-by-mail ballot to physically return a voted vote-by-mail  
946 ballot to the supervisor by placing the envelope containing his  
947 or her marked ballot in a secure drop box. Secure drop boxes  
948 shall only be placed at the main office of the supervisor, at  
949 each branch office of the supervisor, and at each early voting  
950 site.

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

953 101.6923 Special vote-by-mail ballot instructions for  
954 certain first-time voters.—

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

958 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.  
959 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT  
960 TO COUNT.

961 1. In order to ensure that your vote-by-mail ballot will  
962 be counted, it should be completed and returned as soon as  
963 possible so that it can reach the supervisor of elections of the  
964 county in which your precinct is located no later than 7 p.m. on  
965 the date of the election. However, if you are an overseas voter  
966 casting a ballot in a presidential preference primary or general  
967 election, your vote-by-mail ballot must be postmarked or dated  
968 no later than the date of the election and received by the  
969 supervisor of elections of the county in which you are  
970 registered to vote no later than 10 days after the date of the  
971 election.

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

975 3. Mark only the number of candidates or issue choices for

976 a race as indicated on the ballot. If you are allowed to "Vote  
 977 for One" candidate and you vote for more than one, your vote in  
 978 that race will not be counted.

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

981 5. Insert the secrecy envelope into the enclosed envelope  
 982 bearing the Voter's Certificate. Seal the envelope and  
 983 completely fill out the Voter's Certificate on the back of the  
 984 envelope.

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

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

990 c. A vote-by-mail ballot will be considered illegal and  
 991 will not be counted if the signature on the Voter's Certificate  
 992 does not match the signature on record. The signature on file at  
 993 the start of the canvass of the vote-by-mail ballots is the  
 994 signature that will be used to verify your signature on the  
 995 Voter's Certificate. If you need to update your signature for  
 996 this election, send your signature update on a voter  
 997 registration application to your supervisor of elections so that  
 998 it is received before your vote-by-mail ballot is received ~~no~~  
 999 ~~later than the start of canvassing of vote-by-mail ballots,~~  
 1000 ~~which occurs no earlier than the 15th day before election day.~~



1001           6. Unless you meet one of the exemptions in Item 7., you  
 1002 must make a copy of one of the following forms of  
 1003 identification:

1004           a. Identification which must include your name and  
 1005 photograph: United States passport; debit or credit card;  
 1006 military identification; student identification; retirement  
 1007 center identification; neighborhood association identification;  
 1008 public assistance identification; veteran health identification  
 1009 card issued by the United States Department of Veterans Affairs;  
 1010 a Florida license to carry a concealed weapon or firearm; or an  
 1011 employee identification card issued by any branch, department,  
 1012 agency, or entity of the Federal Government, the state, a  
 1013 county, or a municipality; or

1014           b. Identification which shows your name and current  
 1015 residence address: current utility bill, bank statement,  
 1016 government check, paycheck, or government document (excluding  
 1017 voter information ~~identification~~ card).

1018           7. The identification requirements of Item 6. do not apply  
 1019 if you meet one of the following requirements:

1020           a. You are 65 years of age or older.

1021           b. You have a temporary or permanent physical disability.

1022           c. You are a member of a uniformed service on active duty  
 1023 who, by reason of such active duty, will be absent from the  
 1024 county on election day.

1025           d. You are a member of the Merchant Marine who, by reason

1026 of service in the Merchant Marine, will be absent from the  
 1027 county on election day.

1028 e. You are the spouse or dependent of a member referred to  
 1029 in paragraph c. or paragraph d. who, by reason of the active  
 1030 duty or service of the member, will be absent from the county on  
 1031 election day.

1032 f. You are currently residing outside the United States.

1033 8. Place the envelope bearing the Voter's Certificate into  
 1034 the mailing envelope addressed to the supervisor. Insert a copy  
 1035 of your identification in the mailing envelope. DO NOT PUT YOUR  
 1036 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
 1037 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
 1038 BALLOT WILL NOT COUNT.

1039 9. Mail, deliver, or have delivered the completed mailing  
 1040 envelope. Be sure there is sufficient postage if mailed.

1041 10. FELONY NOTICE. It is a felony under Florida law to  
 1042 accept any gift, payment, or gratuity in exchange for your vote  
 1043 for a candidate. It is also a felony under Florida law to vote  
 1044 in an election using a false identity or false address, or under  
 1045 any other circumstances making your ballot false or fraudulent.

1046 Section 20. Paragraphs (a) and (c) of subsection (4) and  
 1047 subsection (5) of section 102.031, Florida Statutes, are  
 1048 amended, and paragraph (e) is added to subsection (4) of that  
 1049 section to read:

1050 102.031 Maintenance of good order at polls; authorities;

1051 persons allowed in polling rooms and early voting areas;  
 1052 unlawful solicitation of voters.—

1053 (4) (a) No person, political committee, or other group or  
 1054 organization may solicit voters inside the polling place or  
 1055 within 150 ~~100~~ feet of the entrance to any polling place, a  
 1056 polling room where the polling place is also a polling room, an  
 1057 early voting site, or an office of the supervisor ~~of elections~~  
 1058 where vote-by-mail ballots are requested and printed on demand  
 1059 for the convenience of electors who appear in person to request  
 1060 them. Before the opening of the polling place or early voting  
 1061 site, the clerk or supervisor shall designate the no-  
 1062 solicitation zone and mark the boundaries.

1063 (c) Each supervisor of elections shall inform the clerk of  
 1064 the area within which soliciting is unlawful, based on the  
 1065 particular characteristics of that polling place. The supervisor  
 1066 or the clerk may take any reasonable action necessary to ensure  
 1067 order at the polling places, including, but not limited to,  
 1068 having disruptive and unruly persons removed by law enforcement  
 1069 officers from the polling room or place or from the 150-foot  
 1070 ~~100-foot~~ zone surrounding the polling place.

1071 (e) The owner, operator, or lessee of the property on  
 1072 which a polling place or early voting site is located, or an  
 1073 agent or employee thereof, may not prohibit the solicitation of  
 1074 voters outside of the no-solicitation zone during polling hours.

1075 (5) No photography is permitted in the polling room or

1076 early voting area, except an elector may photograph his or her  
1077 own ballot.

1078 Section 21. Subsections (9) and (10) of section 102.141,  
1079 Florida Statutes, are renumbered as subsections (10) and (11),  
1080 respectively, subsection (2) is amended, and a new subsection  
1081 (9) is added to that section, to read:

1082 102.141 County canvassing board; duties.—

1083 (2) (a) The county canvassing board shall meet in a  
1084 building accessible to the public in the county where the  
1085 election occurred at a time and place to be designated by the  
1086 supervisor ~~of elections~~ to publicly canvass the absent electors'  
1087 ballots as provided for in s. 101.68 and provisional ballots as  
1088 provided by ss. 101.048, 101.049, and 101.6925. Provisional  
1089 ballots cast pursuant to s. 101.049 shall be canvassed in a  
1090 manner that votes for candidates and issues on those ballots can  
1091 be segregated from other votes. ~~Public notice of the time and~~  
1092 ~~place at which the county canvassing board shall meet to canvass~~  
1093 ~~the absent electors' ballots and provisional ballots shall be~~  
1094 ~~given at least 48 hours prior thereto by publication on the~~  
1095 ~~supervisor of elections' website and once in one or more~~  
1096 ~~newspapers of general circulation in the county or, if there is~~  
1097 ~~no newspaper of general circulation in the county, by posting~~  
1098 ~~such notice in at least four conspicuous places in the county.~~  
1099 As soon as the absent electors' ballots and the provisional  
1100 ballots are canvassed, the board shall proceed to publicly

1101 canvass the vote given each candidate, nominee, constitutional  
1102 amendment, or other measure submitted to the electorate of the  
1103 county, as shown by the returns then on file in the office of  
1104 the supervisor ~~of elections~~.

1105 (b) Public notice of the time and place at which the  
1106 county canvassing board shall meet to canvass the absent  
1107 electors' ballots and provisional ballots must be given at least  
1108 48 hours prior thereto by publication on the supervisor's  
1109 website and published in one or more newspapers of general  
1110 circulation in the county or, if there is no newspaper of  
1111 general circulation in the county, by posting such notice in at  
1112 least four conspicuous places in the county. The time given in  
1113 the notice as to the convening of the meeting of the county  
1114 canvassing board must be specific and may not be a time period  
1115 during which the board may meet.

1116 (c) If the county canvassing board suspends or recesses a  
1117 meeting publicly noticed pursuant to paragraph (b) for a period  
1118 lasting in excess of 60 minutes, the board must post on the  
1119 supervisor's website the anticipated time that the board expects  
1120 to reconvene. If the county canvassing board does not reconvene  
1121 at the specified time, the board must provide at least 2 hours'  
1122 notice, which must be posted on the supervisor's website, before  
1123 reconvening.

1124 (d) During any meeting of the county canvassing board, a  
1125 physical notice must be placed in a conspicuous area near the

1126 public entrance to the building in which the meeting is taking  
1127 place. The physical notice must include the names of the  
1128 individuals officially serving as the county canvassing board,  
1129 the names of any alternate members, the time of the meeting, and  
1130 a brief statement as to the anticipated activities of the county  
1131 canvassing board.

1132 (9) Each member, substitute member, and alternate member  
1133 of the county canvassing board and all clerical help must wear  
1134 identification badges during any period in which the county  
1135 canvassing board is canvassing votes or engaging in other  
1136 official duties. The identification badges should be worn in a  
1137 conspicuous, unobstructed area and include the name of the  
1138 individual and his or her official position.

1139 Section 22. Subsection (2) and paragraph (b) of subsection  
1140 (4) of section 102.166, Florida Statutes, are amended to read:

1141 102.166 Manual recounts of overvotes and undervotes.—

1142 (2)~~(a)~~ Any hardware or software used to identify and sort  
1143 overvotes and undervotes for a given race or ballot measure must  
1144 be certified by the Department of State as part of the voting  
1145 system pursuant to s. 101.015. Any such hardware or software  
1146 must be capable of simultaneously identifying and sorting  
1147 overvotes and undervotes in multiple races while simultaneously  
1148 counting votes.

1149 ~~(b)~~ Overvotes and undervotes shall be identified and  
1150 sorted while recounting ballots pursuant to s. 102.141, ~~if the~~

1151 ~~hardware or software for this purpose has been certified or the~~  
1152 ~~department's rules so provide.~~

1153 (4)

1154 (b) The Department of State shall adopt specific rules for  
1155 the federal write-in absentee ballot and for each certified  
1156 voting system prescribing what constitutes a "clear indication  
1157 on the ballot that the voter has made a definite choice." The  
1158 rules shall be consistent, to the extent practicable, and may  
1159 not:

1160 1. Authorize the use of any electronic or  
1161 electromechanical reading device to review a hybrid voting  
1162 system ballot that is produced using a voter interface device  
1163 and that contains both machine-readable fields and machine-  
1164 printed text of the contest titles and voter selections, unless  
1165 the printed text is illegible;

1166 2. Exclusively provide that the voter must properly mark  
1167 or designate his or her choice on the ballot; or

1168 ~~3.2.~~ Contain a catch-all provision that fails to identify  
1169 specific standards, such as "any other mark or indication  
1170 clearly indicating that the voter has made a definite choice."

1171 Section 23. Subsection (8) of section 102.168, Florida  
1172 Statutes, is amended to read:

1173 102.168 Contest of election.—

1174 (8) In any contest that requires a review of the  
1175 canvassing board's decision on the legality of a provisional or

1176 | vote-by-mail ballot pursuant to s. 101.048 or s. 101.68 based  
1177 | upon a comparison of the signature of the elector in the  
1178 | registration records with the signature on the provisional or  
1179 | vote-by-mail ballot voter's certificate or the provisional or  
1180 | vote-by-mail ballot cure affidavit ~~and the signature of the~~  
1181 | ~~elector in the registration records~~, the circuit court may not  
1182 | review or consider any evidence other than the signature of the  
1183 | elector in the registration records, the signature on the  
1184 | respective voter's certificate or cure affidavit, and any  
1185 | supporting identification that the elector submitted with the  
1186 | cure affidavit ~~and the signature of the elector in the~~  
1187 | ~~registration records~~. The court's review of such issue shall be  
1188 | to determine only if the canvassing board abused its discretion  
1189 | in making its decision.

1190 |       Section 24. Subsection (5) is added to section 104.051,  
1191 | Florida Statutes, to read:

1192 |       104.051 Violations; neglect of duty; corrupt practices.—

1193 |       (5) Any supervisor who willfully violates any provision of  
1194 | the Florida Election Code is, upon a finding of such a violation  
1195 | by a court of competent jurisdiction, prohibited from receiving  
1196 | the special qualification salary pursuant to s. 145.09(3) for a  
1197 | period of 24 months, dating from the time of the violation.

1198 |       Section 25. Except as otherwise expressly provided in this  
1199 | act, this act shall take effect July 1, 2019.