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LEGISLATIVE ACTION

Senate

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House

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The Committee on Judiciary (Brandes) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 176 - 185

and insert:

Section 7. Section 104.0616, Florida Statutes, is amended to read:

104.0616 Vote-by-mail ballots and voting; violations.—

(1) For purposes of this section, the term "immediate family" means a person's spouse or the parent, child, grandparent, or sibling of the person or the person's spouse.

(2) Any person who provides or offers to provide, and any



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12 person who accepts, a pecuniary or other benefit in exchange for  
13 distributing, ordering, requesting, collecting, delivering, or  
14 otherwise physically possessing any ~~more than two~~ vote-by-mail  
15 ballots, except ~~per election in addition to~~ his or her own  
16 ballot, ~~or~~ a ballot belonging to an immediate family member, or  
17 ~~except~~ as provided in ss. 101.6105-101.694, commits a  
18 misdemeanor of the first degree, punishable as provided in s.  
19 775.082, s. 775.083, or s. 775.084.

20 Section 8. Subsection (17) is added to section 901.15,  
21 Florida Statutes, to read:

22 901.15 When arrest by officer without warrant is lawful.—A  
23 law enforcement officer may arrest a person without a warrant  
24 when:

25 (17) There is probable cause to believe that a person has  
26 committed a violation involving a vote-by-mail ballot as  
27 provided in s. 104.0616.

28 Section 9. Subsection (11) is added to section 106.08,  
29 Florida Statutes, to read:

30 106.08 Contributions; limitations on; preemption.—

31 (11) (a) A county, a municipality, or any other local  
32 governmental entity is expressly preempted from enacting or  
33 adopting:

34 1. Contribution limits that differ from the limitations  
35 established in subsection (1);

36 2. Any limitation or restriction involving contributions to  
37 a political committee or an electioneering communications  
38 organization; or

39 3. Any limitation or restriction on expenditures for an  
40 electioneering communication or an independent expenditure.



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41           (b) Any existing or future limitation or restriction  
42 enacted or adopted by a county, a municipality, or any other  
43 local governmental entity which is in conflict with this  
44 subsection is void.

45  
46 ===== T I T L E   A M E N D M E N T =====

47 And the title is amended as follows:

48           Delete lines 21 - 24

49 and insert:

50           104.0616, F.S.; prohibiting a person from providing,  
51           offering to provide, or accepting a pecuniary or other  
52           benefit in exchange for distributing, ordering,  
53           requesting, collecting, delivering, or otherwise  
54           physically possessing any vote-by-mail ballot;  
55           providing exceptions; providing a penalty; amending s.  
56           901.15, F.S.; authorizing a law enforcement officer to  
57           arrest a person without a warrant when probable cause  
58           exists that the person committed a specified violation  
59           involving a vote-by-mail ballot; amending s. 106.08,  
60           F.S.; preempting counties, municipalities, and other  
61           local governmental entities from enacting or adopting  
62           any limitation or restriction involving certain  
63           contributions and expenditures, or establishing  
64           contribution limits different than those established  
65           in the Florida Election Code; providing applicability;  
66           providing an