

1 A bill to be entitled
2 An act relating to elections; amending s. 20.10, F.S.;
3 requiring the Secretary of State to be elected rather
4 than appointed; specifying when such election will
5 occur; amending s. 97.052, F.S.; conforming provisions
6 to changes made by the act; amending s. 97.053, F.S.;
7 providing that an applicant must designate a party
8 affiliation or select no party affiliation to be
9 registered to vote; requiring a supervisor of
10 elections to make a certain notification; requiring
11 the voter registration application to include certain
12 information; providing for the canvassing of
13 provisional ballots if certain information is provided
14 within a reasonable amount of time following an
15 election; repealing s. 97.055, F.S., relating to the
16 closure of registration books for an election;
17 repealing s. 97.0555, F.S., relating to late
18 registration to vote; creating s. 97.0556, F.S.;
19 providing that a person who meets certain requirements
20 may register to vote and cast a ballot on election day
21 or at an early voting site; amending s. 97.057, F.S.;
22 requiring the Department of Highway Safety and Motor
23 Vehicles to provide the opportunity to preregister to
24 vote to certain individuals; amending s. 97.0575,
25 F.S.; revising penalties for third parties collecting

26 voter registration organizations; amending s. 98.065,
27 F.S.; providing additional requirements before a voter
28 can be made inactive; amending s. 98.0981, F.S.;
29 revising certain reports and data to conform with
30 changes made by the act; amending s. 99.061, F.S.;
31 authorizing a candidate to pay his or her
32 qualification fee with a cashier's check; amending s.
33 100.371, F.S.; providing a requirement for the
34 delivery of certain petitions; creating s. 100.51,
35 F.S.; establishing general election day as a paid
36 holiday; providing that any elector may absent himself
37 or herself from service or employment at a specific
38 time on a General Election Day and may not be
39 penalized or have pay reduced for such absence;
40 creating s. 101.016, F.S.; requiring the Division of
41 Elections to maintain a strategic elections equipment
42 reserve of voting systems and other equipment for
43 specified purposes; requiring such reserve to include
44 specified equipment; authorizing the division to
45 contract with specified entities rather than
46 physically maintain such reserve; amending s. 101.048,
47 F.S.; providing that a person may cast a provisional
48 vote in the county in which the voter claims to be
49 registered; amending s. 101.151, F.S.; revising the
50 order in which office titles and names of candidates

51 are placed on the ballot; amending s. 101.5612, F.S.;
52 requiring a supervisor of elections to annually file a
53 plan for operations under certain conditions; amending
54 s. 101.62, F.S.; providing that a request for a vote-
55 by-mail ballot is valid until the request is canceled;
56 revising the deadline by which vote-by-mail ballots
57 must be received by a supervisor of elections;
58 revising the period during which a supervisor of
59 elections may deliver certain ballots; providing for
60 extension of deadlines under certain conditions;
61 amending s. 101.64, F.S.; requiring a supervisor of
62 elections to enclose a postage paid mailing envelope
63 with each vote-by-mail ballot; providing that vote-by-
64 mail ballot voter certificates may require a voter's
65 signature or the last four digits of the voter's
66 social security number; amending s. 101.65, F.S.;
67 revising instructions that must be provided with a
68 vote-by-mail ballot; amending s. 101.68, F.S.;
69 requiring a supervisor of elections to compare the
70 signature or partial social security number with the
71 signature or partial social security number in the
72 registration books or precinct register when
73 canvassing a vote-by-mail ballot; revising the time
74 period an elector may cure a vote-by-mail ballot;
75 amending s. 101.6952, F.S.; authorizing an absent

76 voter to submit a federal write-in absentee ballot or
77 vote-by-mail ballot; revising requirements for the
78 canvassing of specified ballots; providing that a
79 certain presumption applies to vote-by-mail ballots
80 received from absent voters; requiring a vote-by-mail
81 ballot from an absent voter which is postmarked by a
82 certain date to be counted; amending s. 101.697, F.S.;
83 requiring the Department of State to adopt rules to
84 authorize a supervisor of elections to accept a voted
85 ballot by secure electronic means under certain
86 circumstances; amending s. 101.71, F.S.; prohibiting a
87 polling place from being located within a gated
88 community unless certain conditions are met; amending
89 s. 102.031, F.S.; removing a provision prohibiting the
90 restriction of solicitation by certain parties;
91 prohibiting the use of devices that amplify sound in
92 certain locations; amending s. 102.111, F.S.; revising
93 the dates by which the Elections Canvassing Commission
94 shall certify certain election returns; amending s.
95 102.112, F.S.; revising the deadlines for submission
96 of county returns to the Department of State; creating
97 s. 102.181, F.S.; authorizing certain persons to file
98 actions against a supervisor of elections for
99 noncompliance with the election code; providing that
100 such person is entitled to an immediate hearing;

101 providing for the waiver of fees and costs and the
 102 awarding of attorney fees; providing an effective
 103 date.

104
 105 Be It Enacted by the Legislature of the State of Florida:

106
 107 Section 1. Subsection (1) of section 20.10, Florida
 108 Statutes, is amended to read:

109 20.10 Department of State.—There is created a Department
 110 of State.

111 (1) The head of the Department of State is the Secretary
 112 of State. The Secretary of State shall be elected at the
 113 statewide general election at which the Governor, Lieutenant
 114 Governor, and Cabinet officers are elected as provided in s. 5,
 115 Art. IV of the State Constitution, for a term of 4 years
 116 beginning on the first Tuesday after the first Monday in January
 117 of the year following such election ~~appointed by the Governor,~~
 118 ~~subject to confirmation by the Senate, and shall serve at the~~
 119 ~~pleasure of the Governor.~~ The Secretary of State shall perform
 120 the functions conferred by the State Constitution upon the
 121 custodian of state records.

122 Section 2. Subsection (6) of section 97.052, Florida
 123 Statutes, is amended to read:

124 97.052 Uniform statewide voter registration application.—

125 (6) If a voter registration applicant fails to provide any

126 of the required information on the voter registration
127 application form, the supervisor shall notify the applicant of
128 the failure by mail within 5 business days after the supervisor
129 has the information available in the voter registration system.
130 ~~The applicant shall have an opportunity to complete the~~
131 ~~application form to vote in the next election up until the book~~
132 ~~closing for that next election.~~

133 Section 3. Subsections (2) and (4), paragraph (b) of
134 subsection (5), and subsection (6) of section 97.053, Florida
135 Statutes, are amended to read:

136 97.053 Acceptance of voter registration applications.—

137 (2) A voter registration application is complete and
138 becomes the official voter registration record of that applicant
139 when all information necessary to establish the applicant's
140 eligibility pursuant to s. 97.041 is received by a voter
141 registration official and verified pursuant to subsection (6).
142 ~~If the applicant fails to complete his or her voter registration~~
143 ~~application prior to the date of book closing for an election,~~
144 ~~then such applicant shall not be eligible to vote in that~~
145 ~~election.~~

146 (4) The registration date for a valid initial voter
147 registration application that has been mailed to a driver
148 license office, a voter registration agency, an armed forces
149 recruitment office, the division, or the office of any
150 supervisor in the state and bears a clear postmark is the date

151 of that postmark. If an initial voter registration application
152 that has been mailed does not bear a postmark or if the postmark
153 is unclear, the registration date is the date the application is
154 received by any supervisor or the division, ~~unless it is~~
155 ~~received within 5 days after the closing of the books for an~~
156 ~~election, excluding Saturdays, Sundays, and legal holidays, in~~
157 ~~which case the registration date is the book closing date.~~

158 (5)

159 (b) An applicant who fails to designate party affiliation
160 or affirmatively select no party affiliation may not ~~must~~ be
161 registered ~~without party affiliation~~. The supervisor must notify
162 the voter by mail that the voter has not been registered ~~without~~
163 ~~party affiliation~~ and that the voter must complete a new
164 registration application and designate a party affiliation or
165 affirmatively select no party affiliation. The voter
166 registration application must clearly denote this requirement
167 ~~may change party affiliation as provided in s. 97.1031.~~

168 (6) A voter registration application may be accepted as
169 valid only after the department has verified the authenticity or
170 nonexistence of the driver license number, the Florida
171 identification card number, or the last four digits of the
172 social security number provided by the applicant. If a completed
173 voter registration application has been received ~~by the book~~
174 ~~closing deadline~~ but the driver license number, the Florida
175 identification card number, or the last four digits of the

176 social security number provided by the applicant cannot be
177 verified, the applicant shall be notified that the number cannot
178 be verified and that the applicant must provide evidence to the
179 supervisor sufficient to verify the authenticity of the
180 applicant's driver license number, Florida identification card
181 number, or last four digits of the social security number. If
182 the applicant provides the necessary evidence, the supervisor
183 shall place the applicant's name on the registration rolls as an
184 active voter. If the applicant has not provided the necessary
185 evidence or the number has not otherwise been verified prior to
186 the applicant presenting himself or herself to vote, the
187 applicant shall be provided a provisional ballot. The
188 provisional ballot shall be counted only if the number is
189 verified by the end of the canvassing period or if the applicant
190 presents evidence to the supervisor of elections sufficient to
191 verify the authenticity of the applicant's driver license
192 number, Florida identification card number, or last four digits
193 of the social security number within a reasonable amount of time
194 ~~after no later than 5 p.m. of the second day following the~~
195 election.

196 Section 4. Sections 97.055 and 97.0555, Florida Statutes,
197 are repealed.

198 Section 5. Section 97.0556, Florida Statutes, is created
199 to read:

200 97.0556 Same-day voter registration.—A person who meets

201 the qualifications to register to vote in s. 97.041 and provides
202 the information required for the statewide voter registration
203 application in s. 97.052 may register to vote and cast a ballot
204 on election day or at an early voting site.

205 Section 6. Subsection (1) of section 97.057, Florida
206 Statutes, is amended to read:

207 97.057 Voter registration by the Department of Highway
208 Safety and Motor Vehicles.—

209 (1) The Department of Highway Safety and Motor Vehicles
210 shall provide the opportunity to preregister to vote, register
211 to vote, or ~~to~~ update a voter registration record to each
212 individual who comes to an office of that department to:

213 (a) Apply for or renew a driver license;

214 (b) Apply for or renew an identification card pursuant to
215 chapter 322; or

216 (c) Change an address on an existing driver license or
217 identification card.

218 Section 7. Paragraph (a) of subsection (3) of section
219 97.0575, Florida Statutes, is amended to read:

220 97.0575 Third-party voter registrations.—

221 (3) (a) A third-party voter registration organization that
222 collects voter registration applications serves as a fiduciary
223 to the applicant, ensuring that any voter registration
224 application entrusted to the organization, irrespective of party
225 affiliation, race, ethnicity, or gender, shall be promptly

226 delivered to the division or the supervisor of elections within
227 48 hours after the applicant completes it or the next business
228 day if the appropriate office is closed for that 48-hour period.
229 If a voter registration application collected by any third-party
230 voter registration organization is not promptly delivered to the
231 division or supervisor of elections, the third-party voter
232 registration organization is liable for the following fines:

233 1. A fine in the amount of \$50 for each application
234 received by the division or the supervisor of elections more
235 than 48 hours after the applicant delivered the completed voter
236 registration application to the third-party voter registration
237 organization or any person, entity, or agent acting on its
238 behalf or the next business day, if the office is closed. A fine
239 in the amount of \$250 for each application received if the
240 third-party voter registration organization or person, entity,
241 or agency acting on its behalf acted willfully.

242 ~~2. A fine in the amount of \$100 for each application~~
243 ~~collected by a third-party voter registration organization or~~
244 ~~any person, entity, or agent acting on its behalf, before book~~
245 ~~closing for any given election for federal or state office and~~
246 ~~received by the division or the supervisor of elections after~~
247 ~~the book-closing deadline for such election. A fine in the~~
248 ~~amount of \$500 for each application received if the third-party~~
249 ~~registration organization or person, entity, or agency acting on~~
250 ~~its behalf acted willfully.~~

251 ~~2.3.~~ A fine in the amount of \$500 for each application
252 collected by a third-party voter registration organization or
253 any person, entity, or agent acting on its behalf, which is not
254 submitted to the division or supervisor of elections. A fine in
255 the amount of \$1,000 for any application not submitted if the
256 third-party voter registration organization or person, entity,
257 or agency acting on its behalf acted willfully.

258
259 The aggregate fine pursuant to this paragraph which may be
260 assessed against a third-party voter registration organization,
261 including affiliate organizations, for violations committed in a
262 calendar year is \$1,000.

263 Section 8. Paragraph (c) of subsection (4) of section
264 98.065, Florida Statutes, is amended to read:

265 98.065 Registration list maintenance programs.—

266 (4)

267 (c) The supervisor must designate as inactive all voters
268 who have not voted in at least one of the last two general
269 elections, who have been sent an address confirmation final
270 notice, and who have not returned the postage prepaid,
271 preaddressed return form within 30 days or for which the final
272 notice has been returned as undeliverable. Names on the inactive
273 list may not be used to calculate the number of signatures
274 needed on any petition. A voter on the inactive list may be
275 restored to the active list of voters upon the voter updating

276 his or her registration, requesting a vote-by-mail ballot, or
 277 appearing to vote. However, if the voter does not update his or
 278 her voter registration information, request a vote-by-mail
 279 ballot, or vote by the second general election after being
 280 placed on the inactive list, the voter's name shall be removed
 281 from the statewide voter registration system and the voter shall
 282 be required to reregister to have his or her name restored to
 283 the statewide voter registration system.

284 Section 9. Paragraph (d) of subsection (1) and subsection
 285 (3) of section 98.0981, Florida Statutes, are amended to read:

286 98.0981 Reports; voting history; statewide voter
 287 registration system information; precinct-level election
 288 results; preelection ~~book closing~~ statistics.-

289 (1) VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM
 290 INFORMATION.-

291 (d) File specifications are as follows:

292 1. The file shall contain records designated by the
 293 categories below for all qualified voters who, regardless of the
 294 voter's county of residence or active or inactive registration
 295 status on election day ~~at the book closing~~ for the corresponding
 296 election that the file is being created for:

- 297 a. Voted a regular ballot at a precinct location.
- 298 b. Voted at a precinct location using a provisional ballot
 299 that was subsequently counted.
- 300 c. Voted a regular ballot during the early voting period.

- 301 d. Voted during the early voting period using a
 302 provisional ballot that was subsequently counted.
- 303 e. Voted by vote-by-mail ballot.
- 304 f. Attempted to vote by vote-by-mail ballot, but the
 305 ballot was not counted.
- 306 g. Attempted to vote by provisional ballot, but the ballot
 307 was not counted in that election.
- 308 2. Each file shall be created or converted into a tab-
 309 delimited format.
- 310 3. File names shall adhere to the following convention:
- 311 a. Three-character county identifier as established by the
 312 department followed by an underscore.
- 313 b. Followed by four-character file type identifier of
 314 "VHO3" followed by an underscore.
- 315 c. Followed by FVRS election ID followed by an underscore.
- 316 d. Followed by Date Created followed by an underscore.
- 317 e. Date format is YYYYMMDD.
- 318 f. Followed by Time Created - HHMMSS.
- 319 g. Followed by ".txt".
- 320 4. Each record shall contain the following columns: Record
 321 Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote
 322 Date, Vote History Code, Precinct, Congressional District, House
 323 District, Senate District, County Commission District, and
 324 School Board District.
- 325 (3) PRECINCT-LEVEL PREELECTION ~~BOOK-CLOSING~~ STATISTICS.-

326 After the 29th day before the date of an election ~~the date of~~
327 ~~book closing~~ but before the date of an election as defined in s.
328 97.021 to fill a national, state, county, or district office, or
329 to vote on a proposed constitutional amendment, the department
330 shall compile the following precinct-level statistical data for
331 each county:

332 (a) Precinct numbers.

333 (b) Total number of active registered voters by party for
334 each precinct.

335 Section 10. Paragraph (a) of subsection (7) of section
336 99.061, Florida Statutes, is amended to read:

337 99.061 Method of qualifying for nomination or election to
338 federal, state, county, or district office.—

339 (7) (a) In order for a candidate to be qualified, the
340 following items must be received by the filing officer by the
341 end of the qualifying period:

342 1. A cashier's check purchased with funds of the campaign
343 account or a properly executed check drawn upon the candidate's
344 campaign account payable to the person or entity as prescribed
345 by the filing officer in an amount not less than the fee
346 required by s. 99.092, unless the candidate obtained the
347 required number of signatures on petitions pursuant to s.
348 99.095. The filing fee for a special district candidate is not
349 required to be drawn upon the candidate's campaign account. If a
350 candidate's check is returned by the bank for any reason, the

351 filing officer shall immediately notify the candidate and the
352 candidate shall have until the end of qualifying to pay the fee
353 with a cashier's check purchased from funds of the campaign
354 account. Failure to pay the fee as provided in this subparagraph
355 shall disqualify the candidate.

356 2. The candidate's oath required by s. 99.021, which must
357 contain the name of the candidate as it is to appear on the
358 ballot; the office sought, including the district or group
359 number if applicable; and the signature of the candidate, which
360 must be verified under oath or affirmation pursuant to s.
361 92.525(1) (a).

362 3. If the office sought is partisan, the written statement
363 of political party affiliation required by s. 99.021(1) (b).

364 4. The completed form for the appointment of campaign
365 treasurer and designation of campaign depository, as required by
366 s. 106.021.

367 5. The full and public disclosure or statement of
368 financial interests required by subsection (5). A public officer
369 who has filed the full and public disclosure or statement of
370 financial interests with the Commission on Ethics or the
371 supervisor before ~~of elections prior to~~ qualifying for office
372 may file a copy of that disclosure at the time of qualifying.

373 Section 11. Paragraph (a) of subsection (7) of section
374 100.371, Florida Statutes, is amended, and paragraph (c) is
375 added to that subsection, to read:

376 | 100.371 Initiatives; procedure for placement on ballot.—

377 | (7)~~(a)~~ A sponsor that collects petition forms or uses a
 378 | petition circulator to collect petition forms serves as a
 379 | fiduciary to the elector signing the petition form, ensuring
 380 | that any petition form entrusted to the petition circulator
 381 | shall be promptly delivered to the supervisor ~~of elections~~
 382 | within 30 days after the elector signs the form.

383 | (a) If a petition form collected by any petition
 384 | circulator is not promptly delivered to the supervisor of
 385 | elections, the sponsor is liable for the following fines:

386 | 1. A fine in the amount of \$50 for each petition form
 387 | received by the supervisor of elections more than 30 days after
 388 | the elector signed the petition form or the next business day,
 389 | if the office is closed. A fine in the amount of \$250 for each
 390 | petition form received if the sponsor or petition circulator
 391 | acted willfully.

392 | 2. A fine in the amount of \$500 for each petition form
 393 | collected by a petition circulator which is not submitted to the
 394 | supervisor of elections. A fine in the amount of \$1,000 for any
 395 | petition form not submitted if the sponsor or petition
 396 | circulator acted willfully.

397 | (c) A sponsor shall deliver petition forms to the
 398 | supervisor grouped in batches by the petition circulator who
 399 | collected them.

400 | Section 12. Section 100.51, Florida Statutes, is created

401 to read:

402 100.51 General election day paid holiday.—In order to
403 encourage civic participation, enable more individuals to serve
404 as poll workers, and provide additional time for the resolution
405 of any issues that arise while an elector is casting his or her
406 vote, general election day is a paid holiday. An elector is
407 entitled to absent himself or herself from any service or
408 employment in which he or she is engaged or employed during the
409 time the polls are open on General Election Day. An elector who
410 absents himself or herself under this section may not be
411 penalized in any way and a deduction may not be made from his or
412 her usual salary or wages on account of his or her absence.

413 Section 13. Section 101.016, Florida Statutes, is created
414 to read:

415 101.016 Strategic elections equipment reserve.—The
416 Division of Elections shall maintain a strategic elections
417 equipment reserve of voting systems that may be deployed in the
418 event of an emergency as defined in s. 101.732 or upon the
419 occurrence of equipment capacity issues due to unexpected voter
420 turnout. The reserve shall include tabulation equipment and any
421 other necessary equipment, such as printers, that are in use by
422 each supervisor of elections. In lieu of maintaining a physical
423 reserve of such equipment, the division may contract with a
424 vendor of voting equipment that shall provide such equipment on
425 an as-needed basis.

426 Section 14. Subsections (1) and (2) of section 101.048,
 427 Florida Statutes, are amended to read:

428 101.048 Provisional ballots.—

429 (1) At all elections, a voter claiming to be properly
 430 registered in the state and eligible to vote ~~at the precinct~~ in
 431 the election but whose eligibility cannot be determined, a
 432 person whom an election official asserts is not eligible, and
 433 other persons specified in the code shall be entitled to vote a
 434 provisional ballot in the county in which the voter claims to be
 435 registered. Once voted, the provisional ballot shall be placed
 436 in a secrecy envelope and thereafter sealed in a provisional
 437 ballot envelope. The provisional ballot shall be deposited in a
 438 ballot box. All provisional ballots shall remain sealed in their
 439 envelopes for return to the supervisor of elections. The
 440 department shall prescribe the form of the provisional ballot
 441 envelope. A person casting a provisional ballot shall have the
 442 right to present written evidence supporting his or her
 443 eligibility to vote to the supervisor of elections by not later
 444 than 5 p.m. on the second day following the election.

445 (2) (a) The county canvassing board shall examine each
 446 Provisional Ballot Voter's Certificate and Affirmation to
 447 determine if the person voting that ballot was entitled to vote
 448 in the county in which ~~at the precinct where~~ the person cast a
 449 vote in the election and that the person had not already cast a
 450 ballot in the election. In determining whether a person casting

451 a provisional ballot is entitled to vote, the county canvassing
452 board shall review the information provided in the Voter's
453 Certificate and Affirmation, written evidence provided by the
454 person pursuant to subsection (1), information provided in any
455 cure affidavit and accompanying supporting documentation
456 pursuant to subsection (6), any other evidence presented by the
457 supervisor, and, in the case of a challenge, any evidence
458 presented by the challenger. A ballot of a person casting a
459 provisional ballot shall be canvassed pursuant to paragraph (b)
460 unless the canvassing board determines by a preponderance of the
461 evidence that the person was not entitled to vote.

462 (b) If it is determined that the person was registered and
463 entitled to vote in the county in which ~~at the precinct where~~
464 the person cast a vote in the election, the canvassing board
465 must compare the signature on the Provisional Ballot Voter's
466 Certificate and Affirmation or the provisional ballot cure
467 affidavit with the signature on the voter's registration or
468 precinct register. A provisional ballot may be counted only if:

469 1. The signature on the voter's certificate or the cure
470 affidavit matches the elector's signature in the registration
471 books or the precinct register; however, in the case of a cure
472 affidavit, the supporting identification listed in subsection
473 (6) must also confirm the identity of the elector; or

474 2. The cure affidavit contains a signature that does not
475 match the elector's signature in the registration books or the

476 precinct register, but the elector has submitted a current and
 477 valid Tier 1 form of identification confirming his or her
 478 identity pursuant to subsection (6).

479
 480 For purposes of this paragraph, any canvassing board finding
 481 that signatures do not match must be by majority vote and beyond
 482 a reasonable doubt.

483 (c) Any provisional ballot not counted must remain in the
 484 envelope containing the Provisional Ballot Voter's Certificate
 485 and Affirmation and the envelope shall be marked "Rejected as
 486 Illegal."

487 (d) If a provisional ballot is validated following the
 488 submission of a cure affidavit, the supervisor must make a copy
 489 of the affidavit, affix it to a voter registration application,
 490 and immediately process it as a valid request for a signature
 491 update pursuant to s. 98.077.

492 Section 15. Paragraph (a) of subsection (2) and paragraph
 493 (a) of subsection (3) of section 101.151, Florida Statutes, are
 494 amended to read:

495 101.151 Specifications for ballots.—

496 (2) (a) The ballot must include the following office titles
 497 above the names of the candidates for the respective offices in
 498 the following order:

499 1. The office titles of President and Vice President ~~above~~
 500 ~~the names of the candidates for President and Vice President of~~

501 ~~the United States nominated by the political party that received~~
 502 ~~the highest vote for Governor in the last general election of~~
 503 ~~the Governor in this state, followed by the names of other~~
 504 ~~candidates for President and Vice President of the United States~~
 505 ~~who have been properly nominated.~~

506 2. The office titles of United States Senator and
 507 Representative in Congress.

508 3. The office titles of Governor and Lieutenant Governor;
 509 Attorney General; Chief Financial Officer; Commissioner of
 510 Agriculture; Secretary of State; State Attorney, with the
 511 applicable judicial circuit; and Public Defender, with the
 512 applicable judicial circuit.

513 4. The office titles of State Senator and State
 514 Representative, with the applicable district for the office
 515 printed beneath.

516 5. The office titles of Clerk of the Circuit Court or,
 517 when the Clerk of the Circuit Court also serves as the County
 518 Comptroller, Clerk of the Circuit Court and Comptroller, when
 519 authorized by law; Clerk of the County Court, when authorized by
 520 law; Sheriff; Property Appraiser; Tax Collector; District
 521 Superintendent of Schools; and Supervisor of Elections.

522 6. The office titles of Board of County Commissioners,
 523 with the applicable district printed beneath each office, and
 524 such other county and district offices as are involved in the
 525 election, in the order fixed by the Department of State,

526 followed, in the year of their election, by "Party Offices," and
 527 thereunder the offices of state and county party executive
 528 committee members.

529 (3) (a) The names of the candidates of each ~~the~~ party ~~that~~
 530 ~~received the highest number of votes for Governor in the last~~
 531 ~~election in which a Governor was elected~~ shall be ordered
 532 randomly placed first for each office on the general election
 533 ballot, together with an appropriate abbreviation of the party
 534 name; ~~the names of the candidates of the party that received the~~
 535 ~~second highest vote for Governor shall be placed second for each~~
 536 ~~office, together with an appropriate abbreviation of the party~~
 537 ~~name.~~

538 Section 16. Subsection (6) is added to section 101.5612,
 539 Florida Statutes, to read:

540 101.5612 Testing of tabulating equipment.-

541 (6) A supervisor of elections shall annually file with the
 542 Secretary of State a detailed plan for operations in the event
 543 that maximum voter turnout occurs on election day and a recount
 544 is required in each race on a ballot.

545 Section 17. Paragraph (a) of subsection (1), subsection
 546 (2), and paragraph (c) of subsection (4) of section 101.62,
 547 Florida Statutes, are amended and subsection (7) is added to
 548 that section, to read:

549 101.62 Request for vote-by-mail ballots.-

550 (1) (a) The supervisor shall accept a request for a vote-

551 by-mail ballot from an elector in person or in writing. One
552 request shall be deemed sufficient to receive a vote-by-mail
553 ballot for all elections until the elector or the elector's
554 designee notifies the supervisor that the elector cancels such
555 request through the end of the calendar year of the second
556 ensuing regularly scheduled general election, unless the elector
557 or the elector's designee indicates at the time the request is
558 made the elections for which the elector desires to receive a
559 vote-by-mail ballot. Such request may be considered canceled
560 when any first-class mail sent by the supervisor to the elector
561 is returned as undeliverable.

562 (2) A request for a vote-by-mail ballot to be mailed to a
563 voter must be received no later than 5 p.m. on the 11th ~~10th~~ day
564 before the election by the supervisor. The supervisor shall mail
565 vote-by-mail ballots to voters requesting ballots by such
566 deadline no later than 8 days before the election.

567 (4)

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

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

574 2. By forwardable mail, e-mail, or facsimile machine
575 transmission to absent uniformed services voters and overseas

576 voters. The absent uniformed services voter or overseas voter
577 may designate in the vote-by-mail ballot request the preferred
578 method of transmission. If the voter does not designate the
579 method of transmission, the vote-by-mail ballot shall be mailed.

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

583 4. By delivery to a designee on election day or up to 11 ~~9~~
584 days prior to the day of an election. Any elector may designate
585 in writing a person to pick up the ballot for the elector;
586 however, the person designated may not pick up more than two
587 vote-by-mail ballots per election, other than the designee's own
588 ballot, except that additional ballots may be picked up for
589 members of the designee's immediate family. For purposes of this
590 section, "immediate family" means the designee's spouse or the
591 parent, child, grandparent, or sibling of the designee or of the
592 designee's spouse. The designee shall provide to the supervisor
593 the written authorization by the elector and a picture
594 identification of the designee and must complete an affidavit.
595 The designee shall state in the affidavit that the designee is
596 authorized by the elector to pick up that ballot and shall
597 indicate if the elector is a member of the designee's immediate
598 family and, if so, the relationship. The department shall
599 prescribe the form of the affidavit. If the supervisor is
600 satisfied that the designee is authorized to pick up the ballot

601 and that the signature of the elector on the written
602 authorization matches the signature of the elector on file, the
603 supervisor shall give the ballot to that designee for delivery
604 to the elector.

605 5. Except as provided in s. 101.655, the supervisor may
606 not deliver a vote-by-mail ballot to an elector or an elector's
607 immediate family member on the day of the election unless there
608 is an emergency, to the extent that the elector will be unable
609 to go to his or her assigned polling place. If a vote-by-mail
610 ballot is delivered, the elector or his or her designee shall
611 execute an affidavit affirming to the facts which allow for
612 delivery of the vote-by-mail ballot. The department shall adopt
613 a rule providing for the form of the affidavit.

614 (7) If a deadline under this section falls on a day when
615 the office of the supervisor is usually closed, the deadline
616 shall be extended until the next business day.

617 Section 18. Subsections (1) and (2) of section 101.64,
618 Florida Statutes, are amended to read:

619 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

620 (1) The supervisor shall enclose with each vote-by-mail
621 ballot two envelopes: a secrecy envelope, into which the absent
622 elector shall enclose his or her marked ballot; and a postage
623 paid mailing envelope, into which the absent elector shall then
624 place the secrecy envelope, which shall be addressed to the
625 supervisor and also bear on the back side a certificate in

651 the certificate on the envelope.

652 Section 19. Section 101.65, Florida Statutes, is amended
653 to read:

654 101.65 Instructions to absent electors.—The supervisor
655 shall enclose with each vote-by-mail ballot separate printed
656 instructions in substantially the following form; however, where
657 the instructions appear in capitalized text, the text of the
658 printed instructions must be in bold font:

659 READ THESE INSTRUCTIONS CAREFULLY

660 BEFORE MARKING BALLOT.

661 1. VERY IMPORTANT. In order to ensure that your vote-by-
662 mail ballot will be counted, it ~~should be completed and returned~~
663 ~~as soon as possible so that it can reach the supervisor of~~
664 ~~elections of the county in which your precinct is located no~~
665 ~~later than 7 p.m. on the day of the election. However, if you~~
666 ~~are an overseas voter casting a ballot in a presidential~~
667 ~~preference primary or general election, your vote-by-mail ballot~~
668 must be postmarked or dated no later than the date of the
669 election and received by the supervisor of elections of the
670 county in which you are registered to vote no later than 10 days
671 after the date of the election. Note that the later you return
672 your ballot, the less time you will have to cure any signature
673 deficiencies, which may cause your ballot to not be counted ~~is~~
674 ~~authorized until 5 p.m. on the 2nd day after the election.~~

675 2. Mark your ballot in secret as instructed on the ballot.

676 You must mark your own ballot unless you are unable to do so
677 because of blindness, disability, or inability to read or write.

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

682 4. Place your marked ballot in the enclosed secrecy
683 envelope.

684 5. Insert the secrecy envelope into the enclosed mailing
685 envelope which is addressed to the supervisor.

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

688 7. VERY IMPORTANT. In order for your vote-by-mail ballot
689 to be counted, you must sign your name or print the last four
690 digits of your social security number on the line above (Voter's
691 Signature or Last Four Digits of Social Security Number). A
692 vote-by-mail ballot will be considered illegal and not be
693 counted if the signature or the last four digits of the social
694 security number on the voter's certificate does not match the
695 signature or social security number on record. The signature on
696 file at the time the supervisor of elections in the county in
697 which your precinct is located receives your vote-by-mail ballot
698 is the signature that will be used to verify your signature on
699 the voter's certificate. If you need to update your signature
700 for this election, send your signature update on a voter

701 registration application to your supervisor of elections ~~so that~~
 702 ~~it is received before your vote by mail ballot is received.~~

703 8. VERY IMPORTANT. If you are an overseas voter, you must
 704 include the date you signed the Voter's Certificate or printed
 705 the last four digits of your social security number on the line
 706 above (Date) or your ballot may not be counted.

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

713 10. FELONY NOTICE. It is a felony under Florida law to
 714 accept any gift, payment, or gratuity in exchange for your vote
 715 for a candidate. It is also a felony under Florida law to vote
 716 in an election using a false identity or false address, or under
 717 any other circumstances making your ballot false or fraudulent.

718 Section 20. Subsection (1), paragraph (c) of subsection
 719 (2), and paragraphs (a), (b), (c), and (d) of subsection (4) of
 720 section 101.68, Florida Statutes, are amended to read:

721 101.68 Canvassing of vote-by-mail ballot.-

722 (1) The supervisor of the county where the absent elector
 723 resides shall receive the voted ballot, at which time the
 724 supervisor shall compare the signature or partial social
 725 security number of the elector on the voter's certificate with

726 the signature or partial social security number of the elector
727 in the registration books or the precinct register to determine
728 whether the elector is duly registered in the county and may
729 record on the elector's registration certificate that the
730 elector has voted. An elector who dies after casting a vote-by-
731 mail ballot but on or before election day shall remain listed in
732 the registration books until the results have been certified for
733 the election in which the ballot was cast. The supervisor shall
734 safely keep the ballot unopened in his or her office until the
735 county canvassing board canvasses the vote. Except as provided
736 in subsection (4), after a vote-by-mail ballot is received by
737 the supervisor, the ballot is deemed to have been cast, and
738 changes or additions may not be made to the voter's certificate.

739 (2)

740 (c)1. The canvassing board must, if the supervisor has not
741 already done so, compare the signature or partial social
742 security number of the elector on the voter's certificate or on
743 the vote-by-mail ballot cure affidavit as provided in subsection
744 (4) with the signature or partial social security number of the
745 elector in the registration books or the precinct register to
746 see that the elector is duly registered in the county and to
747 determine the legality of that vote-by-mail ballot. A vote-by-
748 mail ballot may only be counted if:

749 a. The signature or partial social security number on the
750 voter's certificate or the cure affidavit matches the elector's

751 signature or partial social security number in the registration
752 books or precinct register; however, in the case of a cure
753 affidavit, the supporting identification listed in subsection
754 (4) must also confirm the identity of the elector; or

755 b. The cure affidavit contains a signature or partial
756 social security number that does not match the elector's
757 signature or partial social security number in the registration
758 books or precinct register, but the elector has submitted a
759 current and valid Tier 1 identification pursuant to subsection
760 (4) which confirms the identity of the elector.

761
762 For purposes of this subparagraph, any canvassing board finding
763 that an elector's signatures or partial social security numbers
764 do not match must be by majority vote and beyond a reasonable
765 doubt.

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

772 3. A vote-by-mail ballot is not considered illegal if the
773 signature or partial social security number of the elector does
774 not cross the seal of the mailing envelope.

775 4. If any elector or candidate present believes that a

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

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

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

799 | 1. Notifying the elector of the signature or partial
800 | social security number deficiency by e-mail and directing the

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

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

807 | 3. Notifying the elector of the signature or partial
 808 | social security number deficiency by telephone and directing the
 809 | elector to the cure affidavit and instructions on the
 810 | supervisor's website.

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

821 | (b) The supervisor shall allow a reasonable amount of time
 822 | for such an elector to complete and submit an affidavit in order
 823 | to cure the vote-by-mail ballot ~~until 5 p.m. on the 2nd day~~
 824 | ~~after the election.~~

825 | (c) The elector must complete a cure affidavit in

826 | substantially the following form:

827 | VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

838 | ... (Voter's Signature or Last Four Digits of Social Security
 839 | Number) ...

840 | ... (Address) ...

841 | (d) Instructions must accompany the cure affidavit in
 842 | substantially the following form:

843 | READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 844 | AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 845 | BALLOT NOT TO COUNT.

846 | 1. In order to ensure that your vote-by-mail ballot will
 847 | be counted, your affidavit should be completed and returned as
 848 | soon as possible so that it can reach the supervisor of
 849 | elections of the county in which your precinct is located in a
 850 | reasonable amount of time ~~no later than 5 p.m. on the 2nd day~~

851 ~~after the election.~~

852 2. You must sign your name or print the last four digits
853 of your social security number on the line above (Voter's
854 Signature or Last Four Digits of Social Security Number).

855 3. You must make a copy of one of the following forms of
856 identification:

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

869 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
870 FORM OF IDENTIFICATION, identification that shows your name and
871 current residence address: current utility bill, bank statement,
872 government check, paycheck, or government document (excluding
873 voter information card).

874 4. Place the envelope bearing the affidavit into a mailing
875 envelope addressed to the supervisor. Insert a copy of your

876 identification in the mailing envelope. Mail (if time permits),
877 deliver, or have delivered the completed affidavit along with
878 the copy of your identification to your county supervisor of
879 elections. Be sure there is sufficient postage if mailed and
880 that the supervisor's address is correct. Remember, your
881 information MUST reach your county supervisor of elections in a
882 reasonable amount of time ~~no later than 5 p.m. on the 2nd day~~
883 after the election, or your ballot will not count.

884 5. Alternatively, you may fax or e-mail your completed
885 affidavit and a copy of your identification to the supervisor of
886 elections. If e-mailing, please provide these documents as
887 attachments.

888 Section 21. Section 101.6952, Florida Statutes, is amended
889 to read:

890 101.6952 Vote-by-mail ballots for absent ~~uniformed~~
891 ~~services and overseas~~ voters.-

892 (1) If an absent ~~uniformed services voter's or an overseas~~
893 voter's request for an official vote-by-mail ballot pursuant to
894 s. 101.62 includes an e-mail address, the supervisor of
895 elections shall:

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

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

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

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

908 (b)1. In an election for federal office, an elector may
909 designate a candidate by writing the name of a candidate on the
910 ballot. Except for a primary or special primary election, the
911 elector may alternatively designate a candidate by writing the
912 name of a political party on the ballot. A written designation
913 of the political party shall be counted as a vote for the
914 candidate of that party if there is such a party candidate in
915 the race.

916 2. In a state or local election, an elector may vote in
917 the section of the federal write-in absentee ballot designated
918 for nonfederal races by writing on the ballot the title of each
919 office and by writing on the ballot the name of the candidate
920 for whom the elector is voting. Except for a primary, special
921 primary, or nonpartisan election, the elector may alternatively
922 designate a candidate by writing the name of a political party
923 on the ballot. A written designation of the political party
924 shall be counted as a vote for the candidate of that party if
925 there is such a party candidate in the race. In addition, the

926 | elector may vote on any ballot measure presented in such
927 | election by identifying the ballot measure on which he or she
928 | desires to vote and specifying his or her vote on the measure.
929 | For purposes of this section, a vote cast in a judicial merit
930 | retention election shall be treated in the same manner as a
931 | ballot measure in which the only allowable responses are "Yes"
932 | or "No."

933 | (c) In the case of a joint candidacy, such as for the
934 | offices of President/Vice President or Governor/Lieutenant
935 | Governor, a valid vote for one or both qualified candidates on
936 | the same ticket shall constitute a vote for the joint candidacy.

937 | (d) For purposes of this subsection and except when the
938 | context clearly indicates otherwise, such as when a candidate in
939 | the election is affiliated with a political party whose name
940 | includes the word "Independent," "Independence," or a similar
941 | term, a voter designation of "No Party Affiliation" or
942 | "Independent," or any minor variation, misspelling, or
943 | abbreviation thereof, shall be considered a designation for the
944 | candidate, other than a write-in candidate, who qualified to run
945 | in the race with no party affiliation. If more than one
946 | candidate qualifies to run as a candidate with no party
947 | affiliation, the designation may not count for any candidate
948 | unless there is a valid, additional designation of the
949 | candidate's name.

950 | (e) Any abbreviation, misspelling, or other minor

951 variation in the form of the name of an office, the name of a
952 candidate, the ballot measure, or the name of a political party
953 must be disregarded in determining the validity of the ballot.

954 (3) (a) An absent ~~uniformed services voter or an overseas~~
955 voter who submits a federal write-in absentee ballot and later
956 receives an official vote-by-mail ballot may submit the official
957 vote-by-mail ballot. An elector who submits a federal write-in
958 absentee ballot and later receives and submits an official vote-
959 by-mail ballot should make every reasonable effort to inform the
960 appropriate supervisor of elections that the elector has
961 submitted more than one ballot.

962 (b) ~~A federal write-in absentee ballot may not be~~
963 ~~canvassed until 7 p.m. on the day of the election.~~ A federal
964 write-in absentee ballot from an absent ~~overseas~~ voter in a
965 presidential preference primary or general election may not be
966 canvassed until the conclusion of the 10-day period specified in
967 subsection (5). ~~Each federal write-in absentee ballot received~~
968 ~~by 7 p.m. on the day of the election shall be canvassed pursuant~~
969 ~~to ss. 101.5614(4) and 101.68, unless the elector's official~~
970 ~~vote-by-mail ballot is received by 7 p.m. on election day.~~ Each
971 federal write-in absentee ballot from an absent ~~overseas~~ voter
972 in a presidential preference primary or general election
973 received by 10 days after the date of the election shall be
974 canvassed pursuant to ss. 101.5614(4) and 101.68, unless the
975 absent ~~overseas~~ voter's official vote-by-mail ballot is received

976 | by 10 days after the date of the election. If the elector's
 977 | official vote-by-mail ballot is received by ~~7 p.m. on election~~
 978 | ~~day, or, for an overseas voter in a presidential preference~~
 979 | ~~primary or general election,~~ no later than 10 days after the
 980 | date of the election, the federal write-in absentee ballot is
 981 | invalid and the official vote-by-mail ballot shall be canvassed.
 982 | The time shall be regulated by the customary time in standard
 983 | use in the county seat of the locality.

984 | (4) For vote-by-mail ballots received from absent
 985 | ~~uniformed services voters or overseas~~ voters, there is a
 986 | presumption that the envelope was mailed on the date stated on
 987 | the outside of the return envelope, regardless of the absence of
 988 | a postmark on the mailed envelope or the existence of a postmark
 989 | date that is later than the date of the election.

990 | (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in
 991 | any presidential preference primary or general election which is
 992 | postmarked or dated no later than the date of the election and
 993 | is received by the supervisor of elections of the county in
 994 | which the ~~overseas~~ voter is registered no later than 10 days
 995 | after the date of the election shall be counted as long as the
 996 | vote-by-mail ballot is otherwise proper.

997 | Section 22. Section 101.697, Florida Statutes, is amended
 998 | to read:

999 | 101.697 Electronic transmission of election materials.—

1000 | (1) The Department of State shall determine whether secure

1001 | electronic means can be established for receiving ballots from
1002 | overseas voters. If such security can be established, the
1003 | department shall adopt rules to authorize a supervisor of
1004 | elections to accept from an overseas voter a request for a vote-
1005 | by-mail ballot or a voted vote-by-mail ballot by secure
1006 | facsimile machine transmission or other secure electronic means.
1007 | The rules must provide that in order to accept a voted ballot,
1008 | the verification of the voter must be established, the security
1009 | of the transmission must be established, and each ballot
1010 | received must be recorded.

1011 | (2) The Department of State shall determine whether secure
1012 | electronic means can be established for receiving ballots from
1013 | voters for good cause, including during or immediately after an
1014 | emergency as defined in s. 101.732. If such secure electronic
1015 | means can be established, the department shall adopt rules to
1016 | authorize a supervisor of elections to accept from a voter a
1017 | voted ballot by secure facsimile machine transmission or other
1018 | secure electronic means. The rules must provide that in order to
1019 | accept a voted ballot, the verification of the voter must be
1020 | established, the security of the transmission must be
1021 | established, and each ballot received must be recorded. Such a
1022 | ballot may not be accepted by a supervisor of elections except
1023 | upon a determination of good cause by the department.

1024 | Section 23. Subsection (6) is added to section 101.71,
1025 | Florida Statutes, to read:

1026 101.71 Polling place.—

1027 (6) A polling place may not be located within a gated
 1028 community unless the legal residence of every elector in the
 1029 precinct is within such gated community.

1030 Section 24. Paragraph (e) of subsection (4) of section
 1031 102.031, Florida Statutes, is amended and subsection (6) is
 1032 added to that section, to read:

1033 102.031 Maintenance of good order ~~at polls;~~ authorities;
 1034 persons allowed in polling rooms and early voting areas;
 1035 unlawful solicitation of voters.—

1036 (4)

1037 ~~(c) The owner, operator, or lessee of the property on~~
 1038 ~~which a polling place or an early voting site is located, or an~~
 1039 ~~agent or employee thereof, may not prohibit the solicitation of~~
 1040 ~~voters outside of the no-solicitation zone during polling hours.~~

1041 (6) Bullhorns or other devices used to amplify sound are
 1042 prohibited in close proximity to:

1043 (a) A polling place during voting hours.

1044 (b) An office of the supervisor during a recount.

1045 Section 25. Subsection (2) of section 102.111, Florida
 1046 Statutes, is amended to read:

1047 102.111 Elections Canvassing Commission.—

1048 (2) The Elections Canvassing Commission shall meet at 9
 1049 a.m. on the 9th day after a primary election to certify the
 1050 returns for each federal, state, and multicounty office. The

1051 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a
1052 general election to certify the returns of the election for each
1053 ~~federal, state, and~~ multicounty office. The commission shall
1054 meet at 9 a.m. on the 21st day after a general election to
1055 certify the returns for each federal and state office. If a
1056 member of a county canvassing board that was constituted
1057 pursuant to s. 102.141 determines, within 5 days after the
1058 certification by the Elections Canvassing Commission, that a
1059 typographical error occurred in the official returns of the
1060 county, the correction of which could result in a change in the
1061 outcome of an election, the county canvassing board must certify
1062 corrected returns to the Department of State within 24 hours,
1063 and the Elections Canvassing Commission must correct and
1064 recertify the election returns as soon as practicable.

1065 Section 26. Subsection (2) of section 102.112, Florida
1066 Statutes, is amended to read:

1067 102.112 Deadline for submission of county returns to the
1068 Department of State.—

1069 (2) Returns must be filed by 5 p.m. on the 7th day
1070 following a primary election, ~~and~~ by noon on the 12th day
1071 following the general election for multicounty offices, and by
1072 noon on the 19th day following the general election for federal
1073 and statewide offices. However, the Department of State may
1074 correct typographical errors, including the transposition of
1075 numbers, in any returns submitted to the Department of State

1076 | pursuant to s. 102.111(2).

1077 | Section 27. Section 102.181, Florida Statutes, is created
1078 | to read:

1079 | 102.181 Action against supervisor of elections.—

1080 | (1) Any elector qualified to vote in or any candidate for
1081 | office in an election may file an action against the supervisor
1082 | of elections administering such election for noncompliance with
1083 | any provision of this code.

1084 | (2) Any elector or candidate who files such an action is
1085 | entitled to an immediate hearing.

1086 | (3) In any such action, any filing fees or costs shall be
1087 | waived and attorney fees shall be awarded to the prevailing
1088 | party or parties.

1089 | Section 28. This act shall take effect July 1, 2021.