

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	_____	(Y/N)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

1 Committee/Subcommittee hearing bill: Appropriations Committee
2 Representative Ingoglia offered the following:

Amendment (with title amendment)

5 Remove everything after the enacting clause and insert:
6 Section 1. Section 97.029, Florida Statutes, is created to
7 read:

8 97.029 Civil actions challenging the validity of election
9 laws.-

10 (1) In a civil action challenging the validity of a
11 provision of the Florida Election Code in which a state or
12 county agency or officer is a party in state or federal court,
13 the officer, agent, official, or attorney who represents or is
14 acting on behalf of such agency or officer may not settle such
15 action, consent to any condition, or agree to any order in
16 connection therewith if the settlement, condition, or order

Amendment No.

17 nullifies, suspends, or is in conflict with any provision of the
18 Florida Election Code, unless:

19 (a) At the time settlement negotiations have begun in
20 earnest, written notification is given to the President of the
21 Senate, the Speaker of the House of Representatives, and the
22 Attorney General.

23 (b) Any proposed settlement, consent decree, or order that
24 is proposed or received and would nullify, suspend, or conflict
25 with any provision of the Florida Election Code is promptly
26 reported in writing to the President of the Senate, the Speaker
27 of the House of Representatives, and the Attorney General.

28 (c) At least 10 days before the date a settlement or
29 presettlement agreement or order is to be made final, written
30 notification is given to the President of the Senate, the
31 Speaker of the House of Representatives, and the Attorney
32 General.

33 (2) If any notification required by this section is
34 precluded by federal law, federal regulation, court order, or
35 court rule, the officer, agent, official, or attorney
36 representing such agency or officer, or the Attorney General,
37 shall challenge the constitutionality in the civil suit affected
38 and give prompt notice thereof to the President of the Senate,
39 the Speaker of the House of Representatives, and the Attorney
40 General.

Amendment No.

41 (3) If, after a court has entered an order or judgment
42 that nullifies or suspends, or orders or justifies official
43 action that is in conflict with, a provision of the Florida
44 Election Code, the Legislature amends the general law to remove
45 the invalidity or unenforceability, the officer, agent,
46 official, or attorney who represents or is acting on behalf of
47 the agency or officer bound by such order or judgment must
48 promptly after such amendment of the general law move to dismiss
49 or otherwise terminate any ongoing jurisdiction of such case.

50 Section 2. Paragraph (t) of subsection (2) of section
51 97.052, Florida Statutes, is amended to read:

52 97.052 Uniform statewide voter registration application.—

53 (2) The uniform statewide voter registration application
54 must be designed to elicit the following information from the
55 applicant:

56 (t)~~1.~~ Whether the applicant has ~~never~~ been convicted of a
57 felony and, if convicted, has had his or her voting rights
58 restored by including the statement "I affirm that I am not a
59 convicted felon or, if I am, my right to vote has been restored
60 ~~I have never been convicted of a felony.~~" and providing a box
61 for the applicant to check to affirm the statement.

62 ~~2. Whether the applicant has been convicted of a felony,~~
63 ~~and if convicted, has had his or her civil rights restored~~
64 ~~through executive clemency, by including the statement "If I~~
65 ~~have been convicted of a felony, I affirm my voting rights have~~

Amendment No.

66 ~~been restored by the Board of Executive Clemency." and providing~~
67 ~~a box for the applicant to check to affirm the statement.~~

68 ~~3. Whether the applicant has been convicted of a felony~~
69 ~~and, if convicted, has had his or her voting rights restored~~
70 ~~pursuant s. 4, Art. VI of the State Constitution, by including~~
71 ~~the statement "If I have been convicted of a felony, I affirm my~~
72 ~~voting rights have been restored pursuant to s. 4, Art. VI of~~
73 ~~the State Constitution upon the completion of all terms of my~~
74 ~~sentence, including parole or probation." and providing a box~~
75 ~~for the applicant to check to affirm the statement.~~

76 Section 3. Paragraph (a) of subsection (5) and subsection
77 (6) of section 97.053, Florida Statutes, are amended to read:

78 97.053 Acceptance of voter registration applications.—

79 (5) (a) A voter registration application is complete if it
80 contains the following information necessary to establish the
81 applicant's eligibility pursuant to s. 97.041, including:

82 1. The applicant's name.

83 2. The applicant's address of legal residence, including a
84 distinguishing apartment, suite, lot, room, or dormitory room
85 number or other identifier, if appropriate. Failure to include a
86 distinguishing apartment, suite, lot, room, or dormitory room or
87 other identifier on a voter registration application does not
88 impact a voter's eligibility to register to vote or cast a
89 ballot, and such an omission may not serve as the basis for a
90 challenge to a voter's eligibility or reason to not count a

Amendment No.

91 ballot.

92 3. The applicant's date of birth.

93 4. A mark in the checkbox affirming that the applicant is
94 a citizen of the United States.

95 5.a. The applicant's current and valid Florida driver
96 license number or the identification number from a Florida
97 identification card issued under s. 322.051, or

98 b. If the applicant has not been issued a current and
99 valid Florida driver license or a Florida identification card,
100 the last four digits of the applicant's social security number.

101
102 In case an applicant has not been issued a current and valid
103 Florida driver license, Florida identification card, or social
104 security number, the applicant shall affirm this fact in the
105 manner prescribed in the uniform statewide voter registration
106 application.

107 6. A mark in the ~~applicable~~ checkbox affirming that the
108 applicant has not been convicted of a felony or that, if
109 convicted, ~~has had his or her civil rights restored through~~
110 ~~executive clemency, or~~ has had his or her voting rights restored
111 ~~pursuant to s. 4, Art. VI of the State Constitution.~~

112 7. A mark in the checkbox affirming that the applicant has
113 not been adjudicated mentally incapacitated with respect to
114 voting or that, if so adjudicated, has had his or her right to
115 vote restored.

Amendment No.

116 8. The original signature or a digital signature
117 transmitted by the Department of Highway Safety and Motor
118 Vehicles of the applicant swearing or affirming under the
119 penalty for false swearing pursuant to s. 104.011 that the
120 information contained in the registration application is true
121 and subscribing to the oath required by s. 3, Art. VI of the
122 State Constitution and s. 97.051.

123 (6) A voter registration application, including an
124 application with a change in name, address, or party
125 affiliation, may be accepted as valid only after the department
126 has verified the authenticity or nonexistence of the driver
127 license number, the Florida identification card number, or the
128 last four digits of the social security number provided by the
129 applicant. If a completed voter registration application has
130 been received by the book-closing deadline but the driver
131 license number, the Florida identification card number, or the
132 last four digits of the social security number provided by the
133 applicant cannot be verified, the applicant shall be notified
134 that the number cannot be verified and that the applicant must
135 provide evidence to the supervisor sufficient to verify the
136 authenticity of the applicant's driver license number, Florida
137 identification card number, or last four digits of the social
138 security number. If the applicant provides the necessary
139 evidence, the supervisor shall place the applicant's name on the
140 registration rolls as an active voter. If the applicant has not

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

141 provided the necessary evidence or the number has not otherwise
142 been verified prior to the applicant presenting himself or
143 herself to vote, the applicant shall be provided a provisional
144 ballot. The provisional ballot shall be counted only if the
145 number is verified by the end of the canvassing period or if the
146 applicant presents evidence to the supervisor of elections
147 sufficient to verify the authenticity of the applicant's driver
148 license number, Florida identification card number, or last four
149 digits of the social security number no later than 5 p.m. of the
150 second day following the election.

151 Section 4. Subsection (13) is added to section 97.057,
152 Florida Statutes, to read:

153 97.057 Voter registration by the Department of Highway
154 Safety and Motor Vehicles.—

155 (13) The Department of Highway Safety and Motor Vehicles
156 must assist the Department of State in regularly identifying
157 changes in residence address on the driver license or
158 identification card of a voter. The Department of State must
159 report each such change to the appropriate supervisor of
160 elections who must change the voter's registration records in
161 accordance with s. 98.065(4).

162 Section 5. Paragraphs (c) and (d) of subsection (1),
163 paragraph (a) of subsection (3), and subsection (5) of section
164 97.0575, Florida Statutes, are amended to read:

165 97.0575 Third-party voter registrations.—

Amendment No.

166 (1) Before engaging in any voter registration activities,
167 a third-party voter registration organization must register and
168 provide to the division, in an electronic format, the following
169 information:

170 (c) The names, permanent addresses, and temporary
171 addresses, if any, of each registration agent registering
172 persons to vote in this state on behalf of the organization.
173 This paragraph does not apply to persons who only solicit
174 applications and do not collect or handle voter registration
175 applications.

176 ~~(d) A sworn statement from each registration agent~~
177 ~~employed by or volunteering for the organization stating that~~
178 ~~the agent will obey all state laws and rules regarding the~~
179 ~~registration of voters. Such statement must be on a form~~
180 ~~containing notice of applicable penalties for false~~
181 ~~registration.~~

182 (3) (a) A third-party voter registration organization that
183 collects voter registration applications serves as a fiduciary
184 to the applicant, ensuring that any voter registration
185 application entrusted to the organization, irrespective of party
186 affiliation, race, ethnicity, or gender, must shall be promptly
187 delivered to the division or the supervisor of elections in the
188 county which the elector resides within 14 days after completed
189 by the applicant, but not after registration closes for the next
190 ensuing election. A third-party voter registration organization

Amendment No.

191 must notify the applicant at the time the application is
192 collected that the organization might not deliver the
193 application to the division or the supervisor of elections in
194 the county which the elector resides in less than 14 days or
195 before registration closes for the next ensuing election and
196 must advise the applicant that he or she may deliver the
197 application in person or by mail. The third-party voter
198 registration organization must also inform the applicant how to
199 register online with the division and how to determine whether
200 the application has been delivered 48 hours after the applicant
201 completes it or the next business day if the appropriate office
202 is closed for that 48-hour period. If a voter registration
203 application collected by any third-party voter registration
204 organization is not promptly delivered to the division or
205 supervisor of elections in the county which the elector resides,
206 the third-party voter registration organization is liable for
207 the following fines:

208 1. A fine in the amount of \$50 for each application
209 received by the division or the supervisor of elections in the
210 county which the elector resides more than 14 days ~~48 hours~~
211 after the applicant delivered the completed voter registration
212 application to the third-party voter registration organization
213 or any person, entity, or agent acting on its behalf ~~or the next~~
214 ~~business day, if the office is closed.~~ A fine in the amount of
215 \$250 for each application received if the third-party voter

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

216 registration organization or person, entity, or agency acting on
217 its behalf acted willfully.

218 2. A fine in the amount of \$100 for each application
219 collected by a third-party voter registration organization or
220 any person, entity, or agent acting on its behalf, before book
221 closing for any given election for federal or state office and
222 received by the division or the supervisor of elections in the
223 county which the elector resides after the book-closing deadline
224 for such election. A fine in the amount of \$500 for each
225 application received if the third-party registration
226 organization or person, entity, or agency acting on its behalf
227 acted willfully.

228 3. A fine in the amount of \$500 for each application
229 collected by a third-party voter registration organization or
230 any person, entity, or agent acting on its behalf, which is not
231 submitted to the division or supervisor of elections in the
232 county which the elector resides. A fine in the amount of \$1,000
233 for any application not submitted if the third-party voter
234 registration organization or person, entity, or agency acting on
235 its behalf acted willfully.

236

237 The aggregate fine pursuant to this paragraph which may be
238 assessed against a third-party voter registration organization,
239 including affiliate organizations, for violations committed in a
240 calendar year is \$1,000.

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

241 (5) The division shall adopt by rule a form to elicit
242 specific information concerning the facts and circumstances from
243 a person who claims to have been registered to vote by a third-
244 party voter registration organization but who does not appear as
245 an active voter on the voter registration rolls. The division
246 shall also adopt rules to ensure the integrity of the
247 registration process, including controls to ensure that all
248 completed forms are promptly delivered to the division or an
249 supervisor in the county which the elector resides ~~rules~~
250 ~~requiring third party voter registration organizations to~~
251 ~~account for all state and federal registration forms used by~~
252 ~~their registration agents. Such rules may require an~~
253 ~~organization to provide organization and form specific~~
254 ~~identification information on each form as determined by the~~
255 ~~department as needed to assist in the accounting of state and~~
256 ~~federal registration forms.~~

257 Section 6. Section 97.1031, Florida Statutes, is amended
258 to read:

259 97.1031 Notice of change of residence, change of name, or
260 change of party affiliation.—

261 (1) (a) When an elector changes his or her residence
262 address, the elector must notify the supervisor of elections.
263 Except as provided in paragraph (b), an address change must be
264 submitted using a voter registration application.

265 (b) If the address change is within the state and notice

Amendment No.

266 is provided to the supervisor of elections of the county where
267 the elector has moved, the elector may do so by:

268 1. Contacting the supervisor of elections via telephone or
269 electronic means, in which case the elector must provide his or
270 her date of birth and the last four digits of his or her social
271 security number, his or her Florida driver license number, or
272 his or her Florida identification card number, whichever may be
273 verified in the supervisor's records; or

274 2. Submitting the change on a voter registration
275 application or other signed written notice.

276 (2) When an elector seeks to change party affiliation, the
277 elector shall notify his or her supervisor of elections or other
278 voter registration official by submitting a voter registration
279 application ~~using a signed written notice that contains the~~
280 ~~elector's date of birth or voter registration number.~~ When an
281 elector changes his or her name by marriage or other legal
282 process, the elector shall notify his or her supervisor of
283 elections or other voter registration official by submitting a
284 voter registration application ~~using a signed written notice~~
285 ~~that contains the elector's date of birth or voter's~~
286 ~~registration number.~~

287 (3) The voter registration official shall make the
288 necessary changes in the elector's records as soon as practical
289 upon receipt of such notice of a change of address of legal
290 residence, name, or party affiliation. The supervisor of

Amendment No.

291 elections shall issue the new voter information card.

292 Section 7. Section 97.106, Florida Statutes, is created to
293 read:

294 97.106 Prohibition on use of private funds for election
295 related expenses.—No agency or state or local official
296 responsible for conducting elections, including, but not limited
297 to, a supervisor of elections, may solicit, accept, use, or
298 dispose of any donation in the form of money, grants, property,
299 or personal services from an individual or a nongovernmental
300 entity for the purpose of funding election-related expenses or
301 voter education or registration programs.

302 Section 8. Paragraph (a) of subsection (2) of section
303 98.0981, Florida Statutes, is amended to read:

304 98.0981 Reports; voting history; statewide voter
305 registration system information; precinct-level election
306 results; book closing statistics.—

307 (2) PRECINCT-LEVEL ELECTION RESULTS.—

308 (a) Within 30 days after certification by the Elections
309 Canvassing Commission of a presidential preference primary
310 election, special election, primary election, or general
311 election, the supervisors of elections shall collect and submit
312 to the department precinct-level election results for the
313 election in a uniform electronic format specified by paragraph
314 (c). The precinct-level election results shall be compiled
315 separately for the primary or special primary election that

Amendment No.

316 preceded the general or special general election, respectively.
317 The results shall specifically include for each precinct the
318 total of all ballots cast for each candidate or nominee to fill
319 a national, state, county, or district office or proposed
320 constitutional amendment, with subtotals for each candidate and
321 ballot type. However, ballot type or precinct subtotals in a
322 race or question having fewer than 30 voters voting on the
323 ballot type or in the precinct may not be reported in precinct
324 results, unless fewer than 30 voters voted a ballot type. "All
325 ballots cast" means ballots cast by voters who cast a ballot
326 whether at a precinct location, by vote-by-mail ballot including
327 overseas vote-by-mail ballots, during the early voting period,
328 or by provisional ballot.

329 Section 9. Paragraph (a) of subsection (2) of section
330 100.041, Florida Statutes, is amended to read:

331 100.041 Officers chosen at general election.—

332 (2) (a) Except as provided in s. 124.011 relating to single
333 member districts after decennial redistricting, each county
334 commissioner from an odd-numbered district shall be elected at
335 the general election in each year the number of which is a
336 multiple of 4, for a 4-year term commencing on the second
337 Tuesday following such election, and each county commissioner
338 from an even-numbered district shall be elected at the general
339 election in each even-numbered year the number of which is not a
340 multiple of 4, for a 4-year term commencing on the second

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

341 Tuesday following such election. A county commissioner is
342 "elected" for purposes of this paragraph on the date that the
343 county canvassing board certifies the results of the election
344 pursuant to s. 102.151.

345 Section 10. Paragraph (a) of subsection (3) of section
346 100.111, Florida Statutes, is amended to read:

347 100.111 Filling vacancy.—

348 (3)(a) In the event that death, resignation, withdrawal,
349 or removal should cause a party to have a vacancy in nomination
350 which leaves no candidate for an office from such party, the
351 filing officer before whom the candidate qualified shall notify
352 the chair of the state and county political party executive
353 committee of such party and:

354 1. If the vacancy in nomination is for a statewide office,
355 the state party chair shall, within 5 days, call a meeting of
356 his or her executive board to consider designation of a nominee
357 to fill the vacancy.

358 2. If the vacancy in nomination is for the office of
359 United States Representative, state senator, state
360 representative, state attorney, or public defender, the state
361 party chair shall ~~notify the appropriate county chair or chairs~~
362 ~~and, within 5 days, the appropriate county chair or chairs shall~~
363 call a meeting of the state executive committee members residing
364 ~~members of the executive committee~~ in the affected county or
365 counties to consider designation of a nominee to fill the

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

366 vacancy.

367 3. If the vacancy in nomination is for a county office,
368 the state party chair shall notify the appropriate county chair
369 and, within 5 days, the appropriate county chair shall call a
370 meeting of his or her executive committee to consider
371 designation of a nominee to fill the vacancy.

372

373 The name of any person so designated shall be submitted to the
374 filing officer before whom the candidate qualified within 7 days
375 after notice to the chair in order that the person designated
376 may have his or her name on the ballot of the ensuing general
377 election. If the name of the new nominee is submitted after the
378 certification of results of the preceding primary election,
379 however, the ballots shall not be changed and the former party
380 nominee's name will appear on the ballot. Any ballots cast for
381 the former party nominee will be counted for the person
382 designated by the political party to replace the former party
383 nominee. If there is no opposition to the party nominee, the
384 person designated by the political party to replace the former
385 party nominee will be elected to office at the general election.

386 Section 11. Section 101.046, Florida Statutes, is created
387 to read:

388 101.046 Signature verification procedure.—When a signature
389 is verified with the voter's signature in the registration
390 records, the verifier shall only use a signature in the

Amendment No.

391 registration books or the precinct register from the preceding 4
392 years. If a wet signature is not available from the preceding 4
393 years, the verifier may use the most recent wet signature on
394 record. For purposes of this section, "wet signature" means a
395 signature that a voter physically signed on paper with a pen or
396 other writing utensil.

397 Section 12. Paragraph (a) of subsection (6) of section
398 101.048, Florida Statutes, is amended to read:

399 101.048 Provisional ballots.—

400 (6) (a) As soon as practicable, the supervisor shall, on
401 behalf of the county canvassing board, attempt to notify an
402 elector who has submitted a provisional ballot that does not
403 include the elector's signature or contains a signature that
404 does not match the elector's signature in the registration books
405 or precinct register by:

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

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

412 3. Notifying the elector of the signature deficiency by
413 telephone and directing the elector to the cure affidavit and
414 instructions on the supervisor's website.

415

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

416 In addition to the notification required under subparagraph 1.,
417 subparagraph 2., or subparagraph 3., the supervisor must notify
418 the elector of the signature deficiency by first-class mail and
419 direct the elector to the cure affidavit and instructions on the
420 supervisor's website. Beginning the day before the election, the
421 supervisor is not required to provide notice of the signature
422 deficiency by first-class mail, but shall continue to provide
423 notice as required in subparagraph 1., subparagraph 2., or
424 subparagraph 3. In addition, a supervisor must notify the
425 registered political party, if any, of an elector who has a
426 signature deficiency. The political parties must provide the
427 supervisor of each county one e-mail address that the supervisor
428 may use to notify the political party of the signature
429 deficiency. The supervisor must promptly contact the political
430 party after contacting the elector.

431 Section 13. Subsection (2) of section 101.051, Florida
432 Statutes, is amended to read:

433 101.051 Electors seeking assistance in casting ballots;
434 oath to be executed; forms to be furnished.—

435 (2) It is unlawful for any person to be in the voting
436 booth with any elector except as provided in subsection (1). A
437 person at a polling place, drop box site, or early voting site,
438 or within 150 ~~100~~ feet of the entrance of a polling place, drop
439 box site, or early voting site, may not solicit any elector in
440 an effort to provide assistance to vote pursuant to subsection

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

441 (1). Any person who violates this subsection commits a
442 misdemeanor of the first degree, punishable as provided in s.
443 775.082 or s. 775.083.

444 Section 14. Section 101.545, Florida Statutes, is amended
445 to read:

446 101.545 Retention and destruction of certain election
447 materials.—All ballots, forms, and other election materials
448 shall be retained in the custody of the supervisor of elections
449 for a minimum of 22 months after an election and in accordance
450 with the schedule approved by the Division of Library and
451 Information Services of the Department of State. All unused
452 ballots, forms, and other election materials may, with the
453 approval of the Department of State, be destroyed by the
454 supervisor after the election for which such ballots, forms, or
455 other election materials were to be used.

456 Section 15. Paragraph (d) of subsection (2) of section
457 101.5605, Florida Statutes, is amended to read:

458 101.5605 Examination and approval of equipment.—

459 (2)

460 (d) The Department of State shall approve or disapprove
461 any voting system submitted to it within 120 ~~90~~ days after the
462 date of its initial submission.

463 Section 16. Paragraph (a) of subsection (4) of section
464 101.5614, Florida Statutes, is amended to read:

465 101.5614 Canvass of returns.—

Amendment No.

466 (4) (a) If any vote-by-mail ballot is physically damaged so
467 that it cannot properly be counted by the voting system's
468 automatic tabulating equipment, a true duplicate copy shall be
469 made of the damaged ballot in an open and accessible room in the
470 presence of witnesses and substituted for the damaged ballot.
471 Likewise, a duplicate ballot shall be made of a vote-by-mail
472 ballot containing an overvoted race or a marked vote-by-mail
473 ballot containing an undervoted race, if there is a clear
474 indication on the ballot that the voter has made a definite
475 choice in the overvoted or undervoted race or ballot measure. A
476 duplicate in which every race is undervoted which shall include
477 all valid votes as determined by the canvassing board based on
478 rules adopted by the division pursuant to s. 102.166(4). A
479 duplicate may not include a vote if the voter's intent in such
480 race or on such measure is not clear. Upon request, a physically
481 present candidate, a political party official, a political
482 committee official, or an authorized designee thereof, must be
483 allowed to observe the duplication of ballots. The observer must
484 be allowed to stand in close enough proximity to observe the
485 duplication of ballots in such a way that the observer is able
486 to see the markings on each ballot and the duplication taking
487 place. All duplicate ballots must ~~shall~~ be clearly labeled
488 "duplicate," bear a serial number which shall be recorded on the
489 defective ballot, and be counted in lieu of the defective
490 ballot. The duplication of ballots must happen in the presence

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

491 of at least one canvassing board member. After a ballot has been
492 duplicated, the defective ballot shall be placed in an envelope
493 provided for that purpose, and the duplicate ballot shall be
494 tallied with the other ballots for that precinct. Upon objection
495 by an observer to a duplicate of a ballot, the ballot must be
496 presented to the canvassing board for a determination of the
497 validity of the duplicate. The canvassing board must document
498 the serial number of the ballot in the canvassing board's
499 minutes. The canvassing board must decide whether the
500 duplication is valid. If the duplicate ballot is determined to
501 be valid, the duplicate ballot must be counted. If the duplicate
502 ballot is determined to be invalid, the duplicate ballot must be
503 rejected and a proper duplicate ballot must be made and counted
504 in lieu of the original.

505 Section 17. Subsection (5) of section 101.591, Florida
506 Statutes, is amended to read:

507 101.591 Voting system audit.—

508 (5) By December 15 of each general election year ~~Within 15~~
509 ~~days after completion of the audit,~~ the county canvassing board
510 or the board responsible for certifying the election shall
511 provide a report with the results of the audit to the Department
512 of State in a standard format as prescribed by the department.
513 The report must be consolidated into one report with the
514 overvote and undervote report required under s. 101.595(1). The
515 report shall contain, but is not limited to, the following

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

516 items:

517 (a) The overall accuracy of audit.

518 (b) A description of any problems or discrepancies
519 encountered.

520 (c) The likely cause of such problems or discrepancies.

521 (d) Recommended corrective action with respect to avoiding
522 or mitigating such circumstances in future elections.

523 Section 18. Subsections (1) and (3) of section 101.595,
524 Florida Statutes, are amended to read:

525 101.595 Analysis and reports of voting problems.—

526 (1) No later than December 15 of each general election
527 year, the supervisor of elections in each county shall report to
528 the Department of State the total number of overvotes and
529 undervotes in the "President and Vice President" or "Governor
530 and Lieutenant Governor" race that appears first on the ballot
531 or, if neither appears, the first race appearing on the ballot
532 pursuant to s. 101.151(2), along with the likely reasons for
533 such overvotes and undervotes and other information as may be
534 useful in evaluating the performance of the voting system and
535 identifying problems with ballot design and instructions which
536 may have contributed to voter confusion. This report must be
537 consolidated into one report with the audit report required
538 under s. 101.591(5).

539 (3) The Department of State shall submit the report to the
540 Governor, the President of the Senate, and the Speaker of the

Amendment No.

541 House of Representatives by February 15 ~~January 31~~ of each year
542 following a general election.

543 Section 19. Paragraphs (a) and (b) of subsection (1),
544 subsection (3), and paragraph (c) of subsection (4) of section
545 101.62, Florida Statutes, are amended, and subsection (7) is
546 added to that section, to read:

547 101.62 Request for vote-by-mail ballots.—

548 (1) (a) The supervisor shall accept a request for a vote-
549 by-mail ballot from an elector in person or in writing. One
550 request is ~~shall be~~ deemed sufficient to receive a vote-by-mail
551 ballot for all elections through the end of the calendar year of
552 the next ~~second ensuing~~ regularly scheduled general election
553 provided that a request received after November 6, 2018, and
554 before July 1, 2021, is deemed sufficient through the end of the
555 calendar year of the second ensuing regularly scheduled general
556 election, unless the elector or the elector's designee indicates
557 at the time the request is made the elections within such period
558 for which the elector desires to receive a vote-by-mail ballot.
559 Such request may be considered canceled when any first-class
560 mail sent by the supervisor to the elector is returned as
561 undeliverable.

562 (b) The supervisor may accept a written or telephonic
563 request for a vote-by-mail ballot to be mailed to an elector's
564 address on file in the Florida Voter Registration System from
565 the elector, or, if directly instructed by the elector, a member

Amendment No.

566 of the elector's immediate family, or the elector's legal
567 guardian. If a telephone request is made the elector must
568 provide the elector's Florida driver license number, the
569 elector's Florida identification card number, or the last four
570 digits of the elector's social security number, whichever may be
571 verified in the supervisor's records. If the ballot is
572 requested to be mailed to an address other than the elector's
573 address on file in the Florida Voter Registration System, the
574 request must be made in writing, ~~and~~ signed by the elector, and
575 include the elector's Florida driver license number, the
576 elector's Florida identification card number, or the last four
577 digits of the elector's social security number. However, an
578 absent uniformed service voter or an overseas voter seeking a
579 vote-by-mail ballot is not required to submit a signed, written
580 request for a vote-by-mail ballot that is being mailed to an
581 address other than the elector's address on file in the Florida
582 Voter Registration System. For purposes of this section, the
583 term "immediate family" has the same meaning as specified in
584 paragraph (4) (c). The person making the request must disclose:

- 585 1. The name of the elector for whom the ballot is
586 requested.
- 587 2. The elector's address.
- 588 3. The elector's date of birth.
- 589 4. The elector's Florida driver license number, the
590 elector's Florida identification card number, or the last four

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

591 digits of the elector's social security number, whichever may be
592 verified in the supervisor's records.

593 5. The requester's name.

594 6.5. The requester's address.

595 7.6. The requester's driver license number, if available.

596 8.7. The requester's relationship to the elector.

597 9.8. The requester's signature (written requests only).

598 (3) For each request for a vote-by-mail ballot received,
599 the supervisor shall record the date the request was made, the
600 identity of the voter's designee making the request, if any, the
601 last four digits of the social security number, Florida driver
602 license number, or Florida identification card number provided
603 with a written request if not verified by the supervisor, the
604 date the vote-by-mail ballot was delivered to the voter or the
605 voter's designee or the date the vote-by-mail ballot was
606 delivered to the post office or other carrier, the address to
607 which the ballot was mailed, the date the ballot was received by
608 the supervisor, the absence of the voter's signature on the
609 voter's certificate, if applicable, whether there is a
610 mismatching voter signature on the voter's certificate, and such
611 other information he or she may deem necessary. This information
612 shall be provided in electronic format as provided by rule
613 adopted by the division. The information shall be updated and
614 made available no later than 8 a.m. of each day, including
615 weekends, beginning 60 days before the primary until 15 days

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

616 after the general election and shall be contemporaneously
617 provided to the division. This information shall be confidential
618 and exempt from s. 119.07(1) and shall be made available to or
619 reproduced only for the voter requesting the ballot, a
620 canvassing board, an election official, a political party or
621 official thereof, a candidate who has filed qualification papers
622 and is opposed in an upcoming election, and registered political
623 committees for political purposes only.

624 (4)

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

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

631 2. By forwardable mail, e-mail, or facsimile machine
632 transmission to absent uniformed services voters and overseas
633 voters. The absent uniformed services voter or overseas voter
634 may designate in the vote-by-mail ballot request the preferred
635 method of transmission. If the voter does not designate the
636 method of transmission, the vote-by-mail ballot shall be mailed.

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

640 4. By delivery to a designee on election day or up to 9

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

641 days before ~~prior to~~ the day of an election. Any elector may
642 designate in writing a person to pick up the ballot for the
643 elector; however, the person designated may not pick up more
644 than two vote-by-mail ballots per election, other than the
645 designee's own ballot, except that additional ballots may be
646 picked up for members of the designee's immediate family. For
647 purposes of this section, "immediate family" means the
648 designee's spouse or the parent, child, grandparent, grandchild,
649 or sibling of the designee or of the designee's spouse. The
650 designee shall provide to the supervisor the written
651 authorization by the elector and a picture identification of the
652 designee and must complete an affidavit. The designee shall
653 state in the affidavit that the designee is authorized by the
654 elector to pick up that ballot and shall indicate if the elector
655 is a member of the designee's immediate family and, if so, the
656 relationship. The department shall prescribe the form of the
657 affidavit. If the supervisor is satisfied that the designee is
658 authorized to pick up the ballot and that the signature of the
659 elector on the written authorization matches the signature of
660 the elector on file, the supervisor shall give the ballot to
661 that designee for delivery to the elector.

662 5. ~~Except as provided in s. 101.655,~~ The supervisor may
663 not deliver a vote-by-mail ballot to an elector or an elector's
664 immediate family member on the day of the election unless there
665 is an emergency, to the extent that the elector will be unable

Amendment No.

666 to go to his or her assigned polling place. If a vote-by-mail
667 ballot is delivered, the elector or his or her designee shall
668 execute an affidavit affirming to the facts which allow for
669 delivery of the vote-by-mail ballot. The department shall adopt
670 a rule providing for the form of the affidavit.

671 (7) Except as expressly authorized for voters having a
672 disability under s. 101.662, for overseas voters under s.
673 101.697, or for local referenda under ss. 101.6102 and 101.6103,
674 a county, municipality, or state agency may not send a vote-by-
675 mail ballot to a voter unless the voter has requested a vote-by-
676 mail ballot in the manner authorized under this section.

677 Section 20. Subsection (1) of section 101.64, Florida
678 Statutes, is amended to read:

679 101.64 Delivery of vote-by-mail ballots; envelopes; form.-

680 (1)(a) The supervisor shall enclose with each vote-by-mail
681 ballot two envelopes: a secrecy envelope, into which the absent
682 elector shall enclose his or her marked ballot; and a mailing
683 envelope, into which the absent elector shall then place the
684 secrecy envelope, which shall be addressed to the supervisor and
685 also bear on the back side a certificate in substantially the
686 following form:

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

689 VOTER'S CERTIFICATE

690 I,, do solemnly swear or affirm that I am a qualified

Amendment No.

691 and registered voter of County, Florida, and that I have
692 not and will not vote more than one ballot in this election. I
693 understand that if I commit or attempt to commit any fraud in
694 connection with voting, vote a fraudulent ballot, or vote more
695 than once in an election, I can be convicted of a felony of the
696 third degree and fined up to \$5,000 and/or imprisoned for up to
697 5 years. I also understand that failure to sign this certificate
698 will invalidate my ballot.

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

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

701 ... (Mobile Telephone Number) ...

702 (b) Each return mailing envelope must bear the absent
703 elector's name, and any encoded mark used by the supervisor's
704 office.

705 (c) A mailing envelope or secrecy envelope may not bear
706 any indication of the political affiliation of an absent
707 elector.

708 Section 21. Subsections (1) and (2) and paragraph (a) of
709 subsection (4) of section 101.68, Florida Statutes, are amended
710 to read:

711 101.68 Canvassing of vote-by-mail ballot.-

712 (1) The supervisor of the county in which ~~where~~ the absent
713 elector resides shall receive the voted ballot, at which time
714 the supervisor shall compare the signature of the elector on the
715 voter's certificate with the signature of the elector in the

Amendment No.

716 registration books or the precinct register to determine whether
717 the elector is duly registered in the county and must ~~may~~ record
718 on the elector's registration record ~~certificate~~ that the
719 elector has voted. During the signature comparison process, the
720 supervisor may not have any knowledge of the political
721 affiliation of the voter whose signature is subject to
722 verification. An elector who dies after casting a vote-by-mail
723 ballot but on or before election day shall remain listed in the
724 registration books until the results have been certified for the
725 election in which the ballot was cast. The supervisor shall
726 safely keep the ballot unopened in his or her office until the
727 county canvassing board canvasses the vote. Except as provided
728 in subsection (4), after a vote-by-mail ballot is received by
729 the supervisor, the ballot is deemed to have been cast, and
730 changes or additions may not be made to the voter's certificate.

731 (2) (a) The county canvassing board may begin the
732 canvassing of vote-by-mail ballots upon the completion of the
733 public testing of automatic tabulating equipment pursuant to s.
734 101.5612(2) at 7 a.m. on the 22nd day before the election, but
735 must begin such canvassing by ~~not later than~~ noon on the day
736 following the election. ~~In addition, for any county using~~
737 ~~electronic tabulating equipment, the processing of vote-by-mail~~
738 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
739 ~~the 22nd day before the election.~~ However, notwithstanding any
740 such authorization to begin canvassing or otherwise processing

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

741 | vote-by-mail ballots early, no result shall be released until
742 | after the closing of the polls in that county on election day.
743 | Any supervisor, deputy supervisor, canvassing board member,
744 | election board member, or election employee who releases the
745 | results of a canvassing or processing of vote-by-mail ballots
746 | prior to the closing of the polls in that county on election day
747 | commits a felony of the third degree, punishable as provided in
748 | s. 775.082, s. 775.083, or s. 775.084.

749 | (b) To ensure that all vote-by-mail ballots to be counted
750 | by the canvassing board are accounted for, the canvassing board
751 | shall compare the number of ballots in its possession with the
752 | number of requests for ballots received to be counted according
753 | to the supervisor's file or list.

754 | (c)1. The canvassing board must, if the supervisor has not
755 | already done so, compare the signature of the elector on the
756 | voter's certificate or on the vote-by-mail ballot cure affidavit
757 | as provided in subsection (4) with the signature of the elector
758 | in the registration books or the precinct register to see that
759 | the elector is duly registered in the county and to determine
760 | the legality of that vote-by-mail ballot. A vote-by-mail ballot
761 | may only be counted if:

762 | a. The signature on the voter's certificate or the cure
763 | affidavit matches the elector's signature in the registration
764 | books or precinct register; however, in the case of a cure
765 | affidavit, the supporting identification listed in subsection

Amendment No.

766 (4) must also confirm the identity of the elector; or

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

772
773 For purposes of this subparagraph, any canvassing board finding
774 that an elector's signatures do not match must be by majority
775 vote and beyond a reasonable doubt.

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

782 3. A vote-by-mail ballot is not considered illegal if the
783 signature of the elector does not cross the seal of the mailing
784 envelope.

785 4. If any elector or candidate present believes that a
786 vote-by-mail ballot is illegal due to a defect apparent on the
787 voter's certificate or the cure affidavit, he or she may, at any
788 time before the ballot is removed from the envelope, file with
789 the canvassing board a protest against the canvass of that
790 ballot, specifying the precinct, the voter's certificate or the

Amendment No.

791 cure affidavit ~~the ballot~~, and the reason he or she believes the
792 ballot to be illegal. A challenge based upon a defect in the
793 voter's certificate or cure affidavit may not be accepted after
794 the ballot has been removed from the mailing envelope.

795 5. If the canvassing board determines that a ballot is
796 illegal, a member of the board must, without opening the
797 envelope, mark across the face of the envelope: "rejected as
798 illegal." The cure affidavit, if applicable, the envelope, and
799 the ballot therein shall be preserved in the manner that
800 official ballots are preserved.

801 (d) The canvassing board shall record the ballot upon the
802 proper record, unless the ballot has been previously recorded by
803 the supervisor. The mailing envelopes shall be opened and the
804 secrecy envelopes shall be mixed so as to make it impossible to
805 determine which secrecy envelope came out of which signed
806 mailing envelope; however, in any county in which an electronic
807 or electromechanical voting system is used, the ballots may be
808 sorted by ballot styles and the mailing envelopes may be opened
809 and the secrecy envelopes mixed separately for each ballot
810 style. The votes on vote-by-mail ballots shall be included in
811 the total vote of the county.

812 (4) (a) As soon as practicable, the supervisor shall, on
813 behalf of the county canvassing board, attempt to notify an
814 elector who has returned a vote-by-mail ballot that does not
815 include the elector's signature or contains a signature that

Amendment No.

816 does not match the elector's signature in the registration books
817 or precinct register by:

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

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

824 3. Notifying the elector of the signature deficiency by
825 telephone and directing the elector to the cure affidavit and
826 instructions on the supervisor's website.

827

828 In addition to the notification required under subparagraph 1.,
829 subparagraph 2., or subparagraph 3., the supervisor must notify
830 the elector of the signature deficiency by first-class mail and
831 direct the elector to the cure affidavit and instructions on the
832 supervisor's website. Beginning the day before the election, the
833 supervisor is not required to provide notice of the signature
834 deficiency by first-class mail, but shall continue to provide
835 notice as required under subparagraph 1., subparagraph 2., or
836 subparagraph 3. In addition, a supervisor must notify the
837 registered political party, if any, of any elector who has a
838 signature deficiency. The political parties must provide the
839 supervisor of each county one e-mail address that the supervisor
840 may use to notify the political party of the signature

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

841 deficiency. The supervisor must contact the political party
842 promptly after contacting the elector.

843 Section 22. Subsection (2) of section 101.69, Florida
844 Statutes, is amended and subsection (3) is added to that section
845 to read:

846 101.69 Voting in person; return of vote-by-mail ballot.-

847 (2) (a) The supervisor shall allow an elector who has
848 received a vote-by-mail ballot to physically return a voted
849 vote-by-mail ballot to the supervisor by placing the return mail
850 envelope containing his or her marked ballot in a secure drop
851 box. Secure drop boxes shall be placed at the main office of the
852 supervisor, at each branch office of the supervisor, and at each
853 early voting site. Secure drop boxes may also be placed at any
854 other site that would otherwise qualify as an early voting site
855 under s. 101.657(1). Except for secure drop boxes at an office
856 of the supervisor, a secure drop box may only be used; provided,
857 ~~however, that any such site must be staffed during the county's~~
858 ~~early voting hours of operation and must be monitored in person~~
859 ~~by an employee of the supervisor's office or a sworn law~~
860 ~~enforcement officer. A secure drop box at an office of the~~
861 supervisor must be continuously monitored in person by an
862 employee of the supervisor's office during regular office hours.
863 During other hours, a secure drop box at an office of the
864 supervisor may only be accessible if it is secured from
865 tampering and monitored by video surveillance. The supervisor

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

866 must keep recordings of video surveillance of such secure drop
867 boxes and provide a copy to any candidate or political party
868 submitting a written request for the recordings within 24 hours
869 after receipt of such request.

870 (b) A supervisor shall designate each drop box site at
871 least 30 days before an election. The supervisor shall provide
872 the address of each drop box location to the division at least
873 30 days before an election. On each day of early voting, all
874 drop boxes must be emptied at the end of early voting hours and
875 all the ballots retrieved from the drop boxes must be returned
876 to the supervisor's office. After a drop box location has been
877 designated, it may not be moved or changed. A drop box may not
878 be placed in a location so as to favor or disfavor any one
879 political party or candidate.

880 (c) An elector's designee designated under s. 104.0616 may
881 also return the elector's ballot to a drop box if they have with
882 them the declaration described in s. 104.0616(4).

883 (d) A person returning a ballot by use of a drop box
884 monitored by an elections employee must present his or her
885 Florida driver license or Florida identification card to the
886 employee monitoring the drop box. The employee must ensure that
887 the name on the identification provided matches the printed name
888 on the mailing envelope or the name of the designee on the
889 declaration described in s. 104.0616(4). If an elector returning
890 the elector's own ballot is not in possession of his or her

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

891 Florida driver license or Florida identification card, the
892 elector must complete a signed attestation stating that the
893 elector did not have a Florida driver license or Florida
894 identification card on their person when returning their own
895 ballot. If the name on the license or identification card does
896 not match the name printed on the mailing envelope, the ballot
897 may only be deposited if the person provides a declaration
898 described under s. 104.0616(4) which names the person as
899 designee. The declaration or attestation must be affixed to the
900 return mailing envelope and the ballot shall be deposited into
901 the drop box. A copy of the declaration or attestation must be
902 maintained with other election records.

903 (e) The Division may prescribe by rule a form of the
904 attestation described in paragraph (d) which shall include
905 notice that making false attestation is a felony of the third
906 degree under s. 104.032. The Division and the supervisors shall
907 ensure that copies of the attestation described in paragraph (c)
908 and the declaration described in s. 104.0616(4) are available
909 online and at all supervisor's offices for the convenience of
910 voters. The supervisors shall ensure that copies of the
911 attestation described in paragraph (d) are available at each
912 drop box location.

913 (3) If any drop box at an early voting site is left
914 accessible for ballot receipt when early voting is not underway,
915 the supervisor is subject to a civil penalty of \$25,000. The

Amendment No.

916 Division of Elections is authorized to enforce this provision.

917 Section 23. Paragraphs (a), (b), and (e) of subsection (4)
918 of section 102.031, Florida Statutes, are amended to read:

919 102.031 Maintenance of good order at polls; authorities;
920 persons allowed in polling rooms and early voting areas;
921 unlawful solicitation of voters.-

922 (4) (a) No person, political committee, or other group or
923 organization may solicit voters inside the polling place or
924 within 150 feet of a drop box or the entrance to any polling
925 place, a polling room where the polling place is also a polling
926 room, an early voting site, or an office of the supervisor where
927 vote-by-mail ballots are requested and printed on demand for the
928 convenience of electors who appear in person to request them.
929 Before the opening of the polling place or early voting site,
930 the clerk or supervisor shall designate the no-solicitation zone
931 and mark the boundaries.

932 (b) For the purpose of this subsection, the terms
933 "solicit" or "solicitation" shall include, but not be limited
934 to, seeking or attempting to seek any vote, fact, opinion, or
935 contribution; distributing or attempting to distribute any
936 political or campaign material, leaflet, or handout; conducting
937 a poll except as specified in this paragraph; seeking or
938 attempting to seek a signature on any petition; ~~and~~ selling or
939 attempting to sell any item; and engaging in any activity with
940 the intent to influence or effect of influencing a voter. The

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

941 terms "solicit" or "solicitation" may not be construed to
942 prohibit exit polling.

943 (e) The owner, operator, or lessee of the property on
944 which a polling place or an early voting site is located, or an
945 agent or employee thereof, may not prohibit the solicitation of
946 voters by a candidate or a candidate's designee outside of the
947 no-solicitation zone during polling hours.

948 Section 24. Section 102.07, Florida Statutes, is created
949 to read:

950 102.07 Vote-by-mail count reporting.—Beginning at 7:00
951 p.m. the day before election day, the supervisor must, at least
952 once every hour while actively counting, post on his or her
953 website the number of vote-by-mail ballots have been received
954 and the number of vote-by-mail ballots that remain uncounted.

955 Section 25. Subsection (1) and paragraph (b) of subsection
956 (2) of section 102.141, Florida Statutes, are amended to read:

957 102.141 County canvassing board; duties.—

958 (1) The county canvassing board shall be composed of the
959 supervisor of elections; a county court judge, who shall act as
960 chair; and the chair of the board of county commissioners. The
961 names of the canvassing board members must be published on the
962 supervisor's website before any vote-by-mail ballot is
963 distributed. Alternate canvassing board members must be
964 appointed pursuant to paragraph (e). In the event any member of
965 the county canvassing board is unable to serve, is a candidate

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

966 | who has opposition in the election being canvassed, or is an
967 | active participant in the campaign or candidacy of any candidate
968 | who has opposition in the election being canvassed, such member
969 | shall be replaced as follows:

970 | (a) If no county court judge is able to serve or if all
971 | are disqualified, the chief judge of the judicial circuit in
972 | which the county is located shall appoint as a substitute member
973 | a qualified elector of the county who is not a candidate with
974 | opposition in the election being canvassed and who is not an
975 | active participant in the campaign or candidacy of any candidate
976 | with opposition in the election being canvassed. In such event,
977 | the members of the county canvassing board shall meet and elect
978 | a chair.

979 | (b) If the supervisor of elections is unable to serve or
980 | is disqualified, the chair of the board of county commissioners
981 | shall appoint as a substitute member a member of the board of
982 | county commissioners who is not a candidate with opposition in
983 | the election being canvassed and who is not an active
984 | participant in the campaign or candidacy of any candidate with
985 | opposition in the election being canvassed. The supervisor,
986 | however, shall act in an advisory capacity to the canvassing
987 | board.

988 | (c) If the chair of the board of county commissioners is
989 | unable to serve or is disqualified, the board of county
990 | commissioners shall appoint as a substitute member one of its

Amendment No.

991 members who is not a candidate with opposition in the election
992 being canvassed and who is not an active participant in the
993 campaign or candidacy of any candidate with opposition in the
994 election being canvassed.

995 (d) If a substitute member or alternate member cannot be
996 appointed as provided elsewhere in this subsection, or in the
997 event of a vacancy in such office, the chief judge of the
998 judicial circuit in which the county is located shall appoint as
999 a substitute member or alternate member a qualified elector of
1000 the county who is not a candidate with opposition in the
1001 election being canvassed and who is not an active participant in
1002 the campaign or candidacy of any candidate with opposition in
1003 the election being canvassed.

1004 (e)1. The chief judge of the judicial circuit in which the
1005 county is located shall appoint a county court judge as an
1006 alternate member of the county canvassing board or, if each
1007 county court judge is unable to serve or is disqualified, shall
1008 appoint an alternate member who is qualified to serve as a
1009 substitute member under paragraph (a).

1010 2. The chair of the board of county commissioners shall
1011 appoint a member of the board of county commissioners as an
1012 alternate member of the county canvassing board or, if each
1013 member of the board of county commissioners is unable to serve
1014 or is disqualified, shall appoint an alternate member who is
1015 qualified to serve as a substitute member under paragraph (d).

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

1016 3. If a member of the county canvassing board is unable to
1017 participate in a meeting of the board, the chair of the county
1018 canvassing board or his or her designee shall designate which
1019 alternate member will serve as a member of the board in the
1020 place of the member who is unable to participate at that
1021 meeting.

1022 4. If not serving as one of the three members of the
1023 county canvassing board, an alternate member may be present,
1024 observe, and communicate with the three members constituting the
1025 county canvassing board, but may not vote in the board's
1026 decisions or determinations.

1027 (2)

1028 (b) Public notice of the canvassing board members,
1029 alternates, time, and place at which the county canvassing board
1030 shall meet to canvass the absent electors' ballots and
1031 provisional ballots must be given at least 48 hours prior
1032 thereto by publication on the supervisor's website and published
1033 in one or more newspapers of general circulation in the county
1034 or, if there is no newspaper of general circulation in the
1035 county, by posting such notice in at least four conspicuous
1036 places in the county. The time given in the notice as to the
1037 convening of the meeting of the county canvassing board must be
1038 specific and may not be a time period during which the board may
1039 meet.

1040 Section 26. Section 104.032, Florida Statutes, is created

Amendment No.

1041 to read:

1042 104.032 False declaration or attestation regarding vote-
1043 by-mail ballots.-Any person who makes a false declaration under
1044 s. 104.0616(4) to distribute, order, request, collect, deliver,
1045 or possess the vote-by-mail ballot of another person or makes a
1046 false attestation under s. 101.69(2)(d) is guilty of a felony of
1047 the third degree, punishable as provided in s. 775.082, s.
1048 775.083, or s. 775.084.

1049
1050 Section 27. Section 104.0616, Florida Statutes, is amended
1051 to read:

1052 104.0616 Vote-by-mail ballots and voting; violations.-

1053 (1) For purposes of this section, the term "immediate
1054 family" means a person's spouse or the parent, child,
1055 grandparent, grandchild, or sibling of the person or the
1056 person's spouse.

1057 (2) Any person who distributes, orders, requests,
1058 collects, delivers, provides or offers to provide, and any
1059 person who accepts, a pecuniary or other benefit in exchange for
1060 distributing, ordering, requesting, collecting, delivering, or
1061 otherwise physically possesses a vote-by-mail ballot of another
1062 person, except for a designee as provided in subsection (3) or
1063 possessing more than two vote-by-mail ballots per election in
1064 addition to his or her own ballot or a ballot belonging to an
1065 immediate family member, except as authorized provided in s.

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

1066 101.62 or s. 101.655 ~~ss. 101.6105-101.694~~, commits a misdemeanor
1067 of the first degree, punishable as provided in s. 775.082, s.
1068 775.083, or s. 775.084.

1069 (3) A person may distribute, order, request, collect,
1070 deliver, or possess the vote-by-mail ballot of another person if
1071 designated to do so through a declaration as provided in
1072 subsection (4), for:

1073 (a) An immediate family member.

1074 (b) Two other voters in an election.

1075 (4) A person designated to distribute, order, request,
1076 collect, deliver, or possess the vote-by-mail ballot of another
1077 person must carry with them a declaration for each ballot
1078 possessed, signed by the voter and the designee in substantially
1079 the following form:

1080 DECLARATION TO POSSESS BALLOT BELONGING TO PERSON INCLUDING
1081 AN IMMEDIATE FAMILY MEMBER

1082 I, (print name of designee), have been designated by (print
1083 name of voter whose ballot you are handling) to possess such
1084 individual's vote-by-mail ballot. I acknowledge that making a
1085 false declaration to distribute, order, request, collect,
1086 deliver, or possess the vote-by-mail ballot of another person is
1087 a felony of the third degree, under s. 104.032, F.S.

1088
1089 ...(signature of voter whose ballot is being carried)...
1090

Amendment No.

1091 ...(date voter signed declaration)...
1092
1093 ...(signature of designee)...
1094
1095 ...(date designee signed)...
1096
1097 ...(relationship of designee to voter)...
1098

1099 Section 28. Subsection (2) of section 124.011, Florida
1100 Statutes, is amended to read:

1101 124.011 Alternate procedure for the election of county
1102 commissioners to provide for single-member representation;
1103 applicability.—

1104 (2)(a) All commissioners shall be elected for 4-year terms
1105 which shall be staggered so that, alternately, one more or one
1106 less than half of the commissioners elected from residence areas
1107 and, if applicable, one of the commissioners elected at large
1108 from the entire county are elected every 2 years, except that
1109 any commissioner may be elected to an initial term of less than
1110 4 years if necessary to achieve or maintain such system of
1111 staggered terms. Notwithstanding any law to the contrary, at the
1112 general election immediately following redistricting directed by
1113 s. 1(e), Art. VIII of the State Constitution, each commissioner
1114 elected only by electors who reside in the district must be

Amendment No.

1115 elected and terms thereafter shall be staggered as provided in
1116 s. 100.041.

1117 (b) The term of a commissioner elected under paragraph (a)
1118 commences on the second Tuesday after such election.

1119 (c) This subsection does not apply to:

1120 1. Miami-Dade County.

1121 2. Any county the charter of which limits the number of
1122 terms a commissioner may serve.

1123
1124 Section 29. This act shall take effect July 1, 2021.

1125
1126 -----
1127 **T I T L E A M E N D M E N T**

1128 Remove everything before the enacting clause and insert:

1129 A bill to be entitled

1130 An act relating to elections; creating s. 97.029,
1131 F.S.; prohibiting certain persons from settling
1132 certain actions, consenting to conditions, or agreeing
1133 to certain orders in certain circumstances; requiring
1134 certain persons to make certain legal challenges and
1135 move to dismiss or otherwise terminate a court's
1136 jurisdiction in certain circumstances; amending s.
1137 97.052, F.S.; revising the information that the
1138 uniform statewide voter registration application must
1139 be designed to elicit from applicants; amending s.

Amendment No.

1140 97.053, F.S.; revising the criteria for determining if
1141 a voter registration application is complete; amending
1142 s. 97.057, F.S.; requiring the Department of Highway
1143 Safety and Motor Vehicle to assist the Department of
1144 State in identifying certain residence address
1145 changes; requiring the Department of State to report
1146 such changes to supervisors of elections; amending s.
1147 97.0575, F.S.; revising the requirements for third-
1148 party voter registration organizations; providing
1149 applicability; revising the circumstances under which
1150 fines may be imposed for voter registration
1151 applications; revising the requirements for rules that
1152 the Division of Elections must adopt; amending s.
1153 97.1031, F.S.; revising information that an elector
1154 must provide to a supervisor of elections when the
1155 elector changes his or her residence address, party
1156 affiliation, or name; creating s. 97.106, F.S.;
1157 prohibiting certain agencies and state and local
1158 officials from engaging in certain acts relating to
1159 elections; amending s. 98.0981, F.S.; providing that
1160 certain ballot types or precinct subtotals may not be
1161 reported in precinct-level election results; amending
1162 s. 100.041, F.S.; providing exceptions to elections
1163 and terms of county commissioners; amending s.
1164 100.111, F.S.; revising the method of filling a

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

1165 vacancy in nomination for a political party; creating
1166 s. 101.046, F.S.; providing a signature verification
1167 procedure; amending s. 101.048, F.S.; requiring the
1168 supervisor of elections to notify the registered
1169 political party of specified electors under certain
1170 circumstances; amending s. 101.051, F.S.; revising the
1171 distance certain persons must maintain at a polling
1172 place, drop box site, or early voting site; amending
1173 s. 101.545, F.S.; requiring ballots, forms, and
1174 election materials to be retained for a specified
1175 minimum time; amending s. 101.5605, F.S.; revising the
1176 timeframe within which the department shall approve or
1177 disapprove a voting system that is submitted for
1178 approval; amending s. 101.5614, F.S.; revising
1179 requirements for making true duplicate copies of vote-
1180 by-mail ballots under certain circumstances; requiring
1181 that an observer of the duplication of ballots be
1182 provided certain allowances; requiring that the
1183 duplication process must take place in the presence of
1184 a canvassing board member; requiring a canvassing
1185 board to make certain determinations; amending s.
1186 101.591, F.S.; revising the timeframe and requirements
1187 for the report of the results of the audit submitted
1188 to the department; amending s. 101.595, F.S.;

1189 providing additional requirements for a specified

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

1190 report; revising the date by which the report must be
1191 submitted; amending s. 101.62, F.S.; revising the
1192 effective length of time for requests for vote-by-mail
1193 ballots from electors; providing requirements for
1194 specified requests for vote-by-mail ballots; revising
1195 information that electors requesting such ballots must
1196 disclose; providing information that the supervisor of
1197 elections must record for each request for a vote-by-
1198 mail ballot; revising the list of people to whom the
1199 supervisor of elections may deliver vote-by-mail
1200 ballots; prohibiting counties, municipalities, and
1201 state agencies from sending vote-by-mail ballots
1202 unless specified requirements are met; providing an
1203 exception; amending s. 101.64, F.S.; revising the
1204 requirements for delivery of vote-by-mail ballots;
1205 amending s. 101.68, F.S.; providing requirements for a
1206 supervisor; revising the timeframe for the beginning
1207 of the canvassing of vote-by-mail ballots by the
1208 county canvassing board; revising the duties of the
1209 canvassing board under specified circumstances;
1210 requiring the supervisor of elections to notify the
1211 registered political party of specified electors under
1212 certain circumstances; amending s. 101.69, F.S.;

1213 revising the requirements for the return of vote-by-
1214 mail ballots; providing requirements for secure drop

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

Amendment No.

1215 boxes; requiring that certain persons provide a
1216 certain declaration with certain vote-by-mail ballots
1217 that are returned to a drop box; requiring that copies
1218 of such declarations be made available in a certain
1219 manner; providing that a supervisor of elections is
1220 subject to a civil penalty in certain circumstances;
1221 amending s. 102.031, F.S.; prohibiting the
1222 solicitation of voters within a certain distance of a
1223 drop box; revising the definition of the terms
1224 "solicit" and "solicitation"; prohibiting certain
1225 persons from prohibiting the solicitation of voters by
1226 a candidate or a candidate's designee outside of a no-
1227 solicitation zone; creating s. 102.07, F.S.; requiring
1228 the supervisor of elections to post and update on his
1229 or her website certain information at specified
1230 intervals; amending s. 102.141, F.S.; requiring that
1231 certain information be published on the supervisor of
1232 election's website; requiring additional information
1233 to be made available for public notices of county
1234 canvassing board meetings; creating s. 104.032, F.S.;
1235 prohibiting the making of a false declaration to
1236 distribute, order, request, collect, deliver, or
1237 possess certain ballots; providing criminal penalties;
1238 amending s. 104.0616, F.S.; revising the definition of
1239 the term "immediate family"; revising the acts that

467639 - h7041-strikeall-Ingoglia1.docx

Published On: 4/7/2021 9:01:41 PM

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 7041 (2021)

Amendment No.

1240 result in a misdemeanor relating to vote-by-mail
1241 ballots; authorizing a person to distribute, order,
1242 request, collect, deliver, or possess the vote-by-mail
1243 ballot of another person in certain circumstances;
1244 requiring such person to carry a certain declaration;
1245 amending s. 124.011, F.S.; providing an effective
1246 date.
1247