A bill to be entitled
An act relating to elections; amending s. 97.052, F.S.; revising the information that the uniform statewide voter registration application must be designed to elicit from applicants; amending s. 97.053, F.S.; revising the criteria for determining if a voter registration application is complete; amending s. 97.057, F.S.; requiring the Department of Highway Safety and Motor Vehicle to assist the Department of State in identifying certain residence address changes; requiring the Department of State to report such changes to supervisors of elections; amending s. 97.0575, F.S.; revising the requirements for third-party voter registration organizations; providing applicability; revising the circumstances under which fines may be imposed for voter registration applications; revising the requirements for rules that the Division of Elections must adopt; amending s. 97.1031, F.S.; revising information that an elector must provide to a supervisor of elections when the elector changes his or her residence address, party affiliation, or name; creating s. 97.106, F.S.; prohibiting certain agencies and state and local officials from engaging in certain acts relating to elections; amending s. 100.041, F.S.; providing
exceptions to elections and terms of county
commissioners; amending s. 100.111, F.S.; revising the
method of filling a vacancy in nomination for a
political party; amending s. 101.048, F.S.; revising
the requirements of provisional ballots under
specified circumstances; requiring the supervisor of
elections to notify the registered political party of
specified electors under certain circumstances;
amending s. 101.051, F.S.; revising the distance
certain persons must maintain at a polling place or
early voting site; amending s. 101.545, F.S.;
requiring ballots, forms, and election materials to be
retained for a specified minimum time; amending s.
101.5605, F.S.; revising the timeframe within which
the department shall approve or disapprove a voting
system that is submitted for approval; amending s.
101.5614, F.S.; revising requirements for making true
duplicate copies of vote-by-mail ballots under certain
circumstances; requiring the duplicate copies and the
original ballots to be made available to specified
persons; requiring a canvassing board to make certain
determinations; amending s. 101.591, F.S.; revising
the timeframe and requirements for the report of the
results of the audit submitted to the department;
amending s. 101.595, F.S.; providing additional
requirements for a specified report; revising the date by which the report must be submitted; amending s. 101.62, F.S.; providing the effective length of time for requests for vote-by-mail ballots from electors; providing requirements for specified requests for vote-by-mail ballots; revising information that electors requesting such ballots must disclose; providing information that the supervisor of elections must record for each request for a vote-by-mail ballot; revising the means by which the supervisor of elections must provide vote-by-mail ballots; revising the list of people to whom the supervisor of elections may not deliver vote-by-mail ballots; prohibiting counties, municipalities, and state agencies from sending vote-by-mail ballots unless specified requirements are met; providing an exception; amending s. 101.64, F.S.; revising the requirements for delivery of vote-by-mail ballots; amending s. 101.68, F.S.; revising the duties of the supervisor of elections upon receipt of vote-by-mail ballots; requiring the supervisor of elections to record and allow certain persons to view certain digital images; revising the timeframe for the beginning of the canvassing of vote-by-mail ballots by the county canvassing board; revising the duties of the
canvassing board under specified circumstances;
requiring the supervisor of elections to notify the
registered political party of specified electors under
certain circumstances; amending s. 101.69, F.S.;
revising the requirements for the return of vote-by-
mail ballots; providing requirements for secure drop
boxes; providing that a supervisor of elections is
subject to a civil penalty in certain circumstances;
amending s. 102.031, F.S.; revising the definition of
the terms "solicit" and "solicitation"; creating s.
102.07, F.S.; requiring the supervisor of elections to
post and update on his or her website certain
information at specified intervals; amending s.
102.141, F.S.; requiring that certain information be
published on the supervisor of election's website;
requiring additional information to be made available
for public notices of county canvassing board
meetings; amending s. 104.0616, F.S.; revising the
acts that result in a misdemeanor relating to vote-by-
mail ballots; creating s. 104.47, F.S.; providing
penalties for misuse of voters' signatures; amending
s. 124.011, F.S.; providing exceptions to elections
and terms of county commissioners after decennial
redistricting; providing an effective date.
Be It Enacted by the Legislature of the State of Florida:

Section 1. Paragraph (t) of subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—
(2) The uniform statewide voter registration application must be designed to elicit the following information from the applicant:

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

2. Whether the applicant has been convicted of a felony, and if convicted, has had his or her civil rights restored through executive clemency, by including the statement "If I have been convicted of a felony, I affirm my voting rights have been restored by the Board of Executive Clemency." and providing a box for the applicant to check to affirm the statement.

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

Section 2. Paragraph (a) of subsection (5) of section 97.053, Florida Statutes, is amended to read:

97.053 Acceptance of voter registration applications.—

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

1. The applicant's name.

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

3. The applicant's date of birth.

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

5.a. The applicant's current and valid Florida driver license number or the identification number from a Florida identification card issued under s. 322.051, or
b. If the applicant has not been issued a current and valid Florida driver license or a Florida identification card, the last four digits of the applicant's social security number.

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

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

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

8. The original signature or a digital signature transmitted by the Department of Highway Safety and Motor Vehicles of the applicant swearing or affirming under the penalty for false swearing pursuant to s. 104.011 that the information contained in the registration application is true and subscribing to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051.
Section 3. Subsection (13) is added to section 97.057, Florida Statutes, to read:

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

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

Section 4. Paragraphs (c) and (d) of subsection (1), paragraph (a) of subsection (3), and subsection (5) of section 97.0575, Florida Statutes, are amended to read:

97.0575 Third-party voter registrations.—

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

(c) The names, permanent addresses, and temporary addresses, if any, of each registration agent registering persons to vote in this state on behalf of the organization. This paragraph does not apply to persons who only solicit applications and do not collect or handle voter registration applications.
(d) A sworn statement from each registration agent employed by or volunteering for the organization stating that the agent will obey all state laws and rules regarding the registration of voters. Such statement must be on a form containing notice of applicable penalties for false registration.

(3)(a) A third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant, ensuring that any voter registration application entrusted to the organization, irrespective of party affiliation, race, ethnicity, or gender, must be promptly delivered to the division or the supervisor of elections within 14 days after the applicant completes it, but not after registration closes for the next ensuing election. A third-party voter registration organization must notify the applicant at the time the application is collected that the organization might not deliver the application to the division or the supervisor of elections in less than 14 days or before registration closes for the next ensuing election and must advise the applicant that he or she may deliver the application in person or by mail. The third-party voter registration organization must also inform the applicant how to register online with the division and how to determine whether the application has been delivered 48 hours after the applicant completes it or the next business day if the appropriate office is closed for that 48-hour period. If a voter
registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections, the third-party voter registration organization is liable for the following fines:

1. A fine in the amount of $50 for each application received by the division or the supervisor of elections more than 14 days after the applicant delivered the completed voter registration application to the third-party voter registration organization or any person, entity, or agent acting on its behalf or the next business day, if the office is closed. A fine in the amount of $250 for each application received if the third-party voter registration organization or person, entity, or agency acting on its behalf acted willfully.

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

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

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

(5) The division shall adopt by rule a form to elicit
specific information concerning the facts and circumstances from
a person who claims to have been registered to vote by a third-
party voter registration organization but who does not appear as
an active voter on the voter registration rolls. The division
shall also adopt rules to ensure the integrity of the
registration process, including controls to ensure that all
completed forms are promptly delivered to the division or an
appropriate supervisor rules requiring third-party voter
registration organizations to account for all state and federal
registration forms used by their registration agents. Such rules
may require an organization to provide organization and form
specific identification information on each form as determined
by the department as needed to assist in the accounting of state
and federal registration forms.

Section 5. Section 97.1031, Florida Statutes, is amended
to read:

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

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

(b) If the address change is within the state and notice is provided to the supervisor of elections of the county where the elector has moved, the elector may do so by:

1. Contacting the supervisor of elections via telephone or electronic means, in which case the elector must provide his or her date of birth and the last four digits of his or her social security number, his or her Florida driver license number, or his or her Florida identification card number; or

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

(2) When an elector seeks to change party affiliation, the elector shall notify his or her supervisor of elections or other voter registration official by using a signed written notice that contains the elector's date of birth or voter registration number and the last four digits of the elector's social security number, the elector's Florida driver license number, or the elector's Florida identification card number. When an elector changes his or her name by marriage or other legal process, the
elector shall notify his or her supervisor of elections or other voter registration official by using a signed written notice that contains the elector's date of birth or voter's registration number and the last four digits of the elector's social security number, the elector's Florida driver license number, or the elector's Florida identification card number.

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

Section 6. Section 97.106, Florida Statutes, is created to read:

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

Section 7. Paragraph (a) of subsection (2) of section 100.041, Florida Statutes, is amended to read:

100.041 Officers chosen at general election.—

(2)(a) Except as provided in s. 124.011 relating to single
member districts after decennial redistricting, each county
commisioner from an odd-numbered district shall be elected at
the general election in each year the number of which is a
multiple of 4, for a 4-year term commencing on the second
Tuesday following such election, and each county commissioner
from an even-numbered district shall be elected at the general
election in each even-numbered year the number of which is not a
multiple of 4, for a 4-year term commencing on the second
Tuesday following such election. A county commissioner is
"elected" for purposes of this paragraph on the date that the
county canvassing board certifies the results of the election
pursuant to s. 102.151.

Section 8. Paragraph (a) of subsection (3) of section
100.111, Florida Statutes, is amended to read:

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

1. If the vacancy in nomination is for a statewide office,
the state party chair shall, within 5 days, call a meeting of
his or her executive board to consider designation of a nominee
to fill the vacancy.
2. If the vacancy in nomination is for the office of United States Representative, state senator, state representative, state attorney, or public defender, the state party chair shall notify the appropriate county chair or chairs and, within 5 days, the appropriate county chair or chairs shall call a meeting of the state executive committee members residing in the affected district or circuit members of the executive committee in the affected county or counties to consider designation of a nominee to fill the vacancy.

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

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

Section 9. Paragraph (b) of subsection (2), paragraph (a)
of subsection (6), and paragraph (b) of subsection (7) of
section 101.048, Florida Statutes, are amended to read:

101.048 Provisional ballots.—

(2)
(b) If it is determined that the person was registered and
entitled to vote at the precinct where the person cast a vote in
the election, the canvassing board must compare the signature on
the Provisional Ballot Voter's Certificate and Affirmation or
the provisional ballot cure affidavit with the most recent
signature on the voter's registration or precinct register. A
provisional ballot may be counted only if:

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

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

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

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

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

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

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

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

(7)

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

Section 10. Subsection (2) of section 101.051, Florida Statutes, is amended to read:

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

(2) It is unlawful for any person to be in the voting booth with any elector except as provided in subsection (1). A person at a polling place or early voting site, or within 150
100 feet of the entrance of a polling place or early voting
site, may not solicit any elector in an effort to provide
assistance to vote pursuant to subsection (1). Any person who
violates this subsection commits a misdemeanor of the first
degree, punishable as provided in s. 775.082 or s. 775.083.

Section 11. Section 101.545, Florida Statutes, is amended
to read:

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

Section 12. Paragraph (d) of subsection (2) of section
101.5605, Florida Statutes, is amended to read:

101.5605 Examination and approval of equipment.—
(2)
(d) The Department of State shall approve or disapprove
any voting system submitted to it within 120 days after the
date of its initial submission.

Section 13. Paragraph (a) of subsection (4) of section
101.5614, Florida Statutes, is amended to read:

101.5614  Canvass of returns.—

(4)(a) If any vote-by-mail ballot is physically damaged so that it cannot properly be counted by the voting system's automatic tabulating equipment, a true duplicate copy shall be made of the damaged ballot in an open and accessible room in the presence of witnesses and substituted for the damaged ballot. Likewise, a duplicate ballot shall be made of a vote-by-mail ballot containing an overvoted race or a marked vote-by-mail ballot containing an undervoted race. A duplicate in which every race is undervoted which shall include all valid votes as determined by the canvassing board based on rules adopted by the division pursuant to s. 102.166(4), if there is a clear indication on the ballot that the voter has made a definite choice in a race or on a ballot measure. A duplicate may not include a vote if the voter's intent in such race or on such measure is not clear. Upon request, a physically present candidate, a political party official, a political committee official, or an authorized designee thereof, must be allowed to observe the duplication of ballots. All duplicate ballots must be on paper that is a different color than the original ballot, shall be clearly labeled "duplicate," bear a serial number which shall be recorded on the defective ballot, and be counted in lieu of the defective ballot. After a ballot has been duplicated, the defective ballot shall be placed in an envelope.
provided for that purpose, and the duplicate ballot shall be
tallied with the other ballots for that precinct. Adjacent
images of each duplicate and original defective ballot must be
made available for inspection to each registered political party
and each candidate or the candidate's designee. Upon objection
to a duplicate of a ballot, the ballot must be presented to the
canvassing board for a determination of the validity of the
duplicate. The canvassing board must document the serial number
of the ballot in the canvassing board's minutes. The canvassing
board must decide whether the duplication is valid. If the
duplicate ballot is determined to be valid, the duplicate ballot
must be counted. If the duplicate ballot is determined to be
invalid, the duplicate ballot must be rejected and a proper
duplicate ballot must be made and counted in lieu of the
original.

Section 14. Subsection (5) of section 101.591, Florida
Statutes, is amended to read:

101.591  Voting system audit.—
(5) By December 15 of each general election year within 15
days after completion of the audit, the county canvassing board
or the board responsible for certifying the election shall
provide a report with the results of the audit to the Department
of State in a standard format as prescribed by the department.
The report must be consolidated into one report with the
overvote and undervote report required under s. 101.595(1). The
The overall accuracy of audit.  
(b) A description of any problems or discrepancies encountered.  
(c) The likely cause of such problems or discrepancies.  
(d) Recommended corrective action with respect to avoiding or mitigating such circumstances in future elections.

Section 15. Subsections (1) and (3) of section 101.595, Florida Statutes, are amended to read:

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

(3) The Department of State shall submit the report to the
Governor, the President of the Senate, and the Speaker of the House of Representatives by February 15 January 31 of each year following a general election.

Section 16. Paragraphs (a) and (b) of subsection (1), subsection (3), and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended, paragraph (d) is added to subsection (1), and subsection (7) is added to that section, to read:

101.62 Request for vote-by-mail ballots.—

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

(b) The supervisor may accept a written or telephonic request for a vote-by-mail ballot to be mailed to an elector's
address on file in the Florida Voter Registration System from
the elector, or, if directly instructed by the elector, a member
of the elector's immediate family, or the elector's legal
guardian. If a telephone request is made the elector must
provide the elector's Florida driver license number, the
elector's Florida identification card number, or the last four
digits of the elector's social security number. If the ballot
is requested to be mailed to an address other than the elector's
address on file in the Florida Voter Registration System, the
request must be made in writing, and signed by the elector, and
include the elector's Florida driver license number, the
elector's Florida identification card number, or the last four
digits of the elector's social security number. However, an
absent uniformed service voter or an overseas voter seeking a
vote-by-mail ballot is not required to submit a signed, written
request for a vote-by-mail ballot that is being mailed to an
address other than the elector's address on file in the Florida
Voter Registration System. For purposes of this section, the
term "immediate family" has the same meaning as specified in
paragraph (4)(c). The person making the request must disclose:

1. The name of the elector for whom the ballot is
requested.

2. The elector's address.

3. The elector's date of birth.

4. The elector's Florida driver license number, the
elector's Florida identification card number, or the last four digits of the elector's social security number.

5. The requester's name.
6. The requester's address.
7. The requester's driver license number, if available.
8. The requester's relationship to the elector.
9. The requester's signature (written requests only).

(d) A supervisor may not mail or otherwise deliver or provide a vote-by-mail ballot to an elector or an elector's designee unless a request for such ballot has been made that meets the requirements of this section.

(3) For each request for a vote-by-mail ballot received, the supervisor shall record the date the request was made, the date the vote-by-mail ballot was delivered to the voter or the voter's designee or the date the vote-by-mail ballot was delivered to the post office or other carrier, the identity of the voter's designee or the address to which the ballot was mailed, the date the ballot was received by the supervisor, the absence of the voter's signature on the voter's certificate, if applicable, whether there is a mismatching voter signature on the voter's certificate, and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days
before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

(4)

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

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

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

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

4. By delivery to a designee on election day or up to 9
days before prior to the day of an election. Any elector may designate in writing an immediate family member or person who resides at the elector's residence to pick up the ballot for the elector; however, the person designated may not pick up more than two vote-by-mail ballots per election, other than the designee's own ballot, except that additional ballots may be picked up for members of the designee's immediate family. For purposes of this section, "immediate family" means the elector's spouse or the parent, child, grandparent, or sibling of the elector.

The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and that shall indicate if the elector is a member of the designee's immediate family and indicate, if so, the relationship or that the designee resides at the elector's residence. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.

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

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

Section 17. Subsection (1) of section 101.64, Florida Statutes, is amended to read:

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

(1)(a) The supervisor shall enclose with each vote-by-mail ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a mailing envelope, into which the absent elector shall then place the secrecy envelope, which shall be addressed to the supervisor and also bear on the back side a certificate in substantially the following form:
Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter's Certificate.

VOTER’S CERTIFICATE

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

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

(b) Each return mailing envelope must bear the voter's name, the voter's residence address, and any encoded mark used by the supervisor's office.

(c) A mailing envelope or secrecy envelope may not bear any indication of the political affiliation of a voter.

Section 18. Subsections (1) and (2) and paragraphs (a) and (h) of subsection (4) of section 101.68, Florida Statutes, are amended to read:

101.68 Canvassing of vote-by-mail ballot.—

(1)(a) The supervisor of the county where the absent
elector resides shall receive the voted ballot, at which time
the supervisor shall compare the signature of the elector on the
voter's certificate with the most recent signature of the
elector in the registration books or the precinct register to
determine whether the elector is duly registered in the county
and must may record on the elector's registration record
certificate that the elector has voted. An elector who dies
after casting a vote-by-mail ballot but on or before election
day shall remain listed in the registration books until the
results have been certified for the election in which the ballot
was cast. The supervisor shall safely keep the ballot unopened
in his or her office until the county canvassing board canvasses
the vote. Except as provided in subsection (4), after a vote-by-
mail ballot is received by the supervisor, the ballot is deemed
to have been cast, and changes or additions may not be made to
the voter's certificate.

(b) The supervisor must record a digital image of the
signature on the voter's certificate or cure affidavit and of
the information required by s. 101.64(1)(b). Political parties,
candidates, and candidates' designees must be allowed to view
such image or images with the signature on the voter's
certificate adjacent to an image of the most recent signature in
the precinct register or registration books. The viewable images
must be sorted or sortable by precinct of voter residence.
Before the 5 days preceding election day, such access must be
available for at least 48 hours before opening the corresponding mailing envelope and separating the mailing envelope from the secrecy envelope. During the 5 days preceding election day, such access must be available for at least 24 hours before separating the mailing envelope from the secrecy envelope. Beginning election day, such access must be available for at least 2 hours before separating the mailing envelope from the secrecy envelope. The political parties, candidates, and candidates' designees must be able to access these images through a secure password protected website. An elector in the county desiring to review signature matches and mismatches must be provided access during the same time periods at the supervisor's office or branch office via a secure computer workstation.

(c) Upon objection by a candidate or an elector to a signature match or mismatch, the mailing envelope must be presented to the canvassing board for a determination of the validity of the signature. Any canvassing board finding that the signatures do not match must be by majority vote and beyond a reasonable doubt. If the signature is determined to be valid, it must be counted. If the signature is not determined to be valid, the ballot must be marked as rejected.

(2)(a) The county canvassing board may begin the canvassing of vote-by-mail ballots upon the completion of the public testing of automatic tabulating equipment pursuant to s. 101.5612(2) at 7 a.m. on the 22nd day before the election, but
must begin such canvassing by not later than noon on the day following the election. In addition, for any county using electronic tabulating equipment, the processing of vote-by-mail ballots through such tabulating equipment may begin at 7 a.m. on the 22nd day before the election. However, notwithstanding any such authorization to begin canvassing or otherwise processing vote-by-mail ballots early, no result shall be released until after the closing of the polls in that county on election day. Any supervisor, deputy supervisor, canvassing board member, election board member, or election employee who releases the results of a canvassing or processing of vote-by-mail ballots prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

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

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

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

   3. A vote-by-mail ballot is not considered illegal if the signature of the elector does not cross the seal of the mailing envelope.
4. If any elector or candidate has reason to believe that a vote-by-mail ballot is illegal due to a defect apparent on the voter's certificate or the cure affidavit, he or she may, at any time before the ballot is removed from the envelope, file with the canvassing board a protest against the canvass of that ballot, specifying the precinct, the voter's certificate or the cure affidavit, the ballot, and the reason he or she believes the ballot to be illegal. A challenge based upon a defect in the voter's certificate or cure affidavit may not be accepted after the ballot has been removed from the mailing envelope.

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

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

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

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

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

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

In addition to the notification required under subparagraph 1., subparagraph 2., or subparagraph 3., the supervisor must notify the elector of the signature deficiency by first-class mail and direct the elector to the cure affidavit and instructions on the supervisor's website. Beginning the day before the election, the supervisor is not required to provide notice of the signature
deficiency by first-class mail, but shall continue to provide
notice as required under subparagraph 1., subparagraph 2., or
subparagraph 3. In addition, a supervisor must notify the
registered political party, if any, of any elector who has a
signature deficiency. The political parties must provide the
supervisor of each county one email address that the supervisor
may use to notify the political party of the signature
deficiency. The supervisor must contact the political party
promptly after contacting the elector.

(h) After all election results on the ballot have been
certified, the supervisor shall, on behalf of the county
canvassing board, notify each elector whose ballot has been
rejected as illegal and provide the specific reason the ballot
was rejected. In addition, unless processed as a signature
update pursuant to paragraph (g), the supervisor shall mail a
voter registration application to the elector to be completed
indicating the elector's current signature if the signature on
the voter's certificate or cure affidavit did not match the
elector's most recent signature in the registration books or
precinct register.

Section 19. Subsection (2) of section 101.69, Florida
Statutes, is amended and subsection (3) is added to that section
to read:

101.69 Voting in person; return of vote-by-mail ballot.—
(2)(a) The supervisor shall allow an elector who has
received a vote-by-mail ballot to physically return a voted vote-by-mail ballot to the supervisor by placing the return mail envelope containing his or her marked ballot in a secure drop box. Secure drop boxes shall be placed at the main office of the supervisor, at each branch office of the supervisor, and at each early voting site. Secure drop boxes may also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1). Except for secure drop boxes at an office of the supervisor, a secure drop box may only be used, provided, however, that any such site must be staffed during the county's early voting hours of operation and must be monitored in person by an employee of the supervisor's office or a sworn law enforcement officer. A secure drop box at an office of the supervisor must be monitored in person by an employee of the supervisor's office or a sworn law enforcement officer during regular office hours. During other hours, a secure drop box at an office of the supervisor may only be accessible if it is secured from tampering and monitored by video surveillance. The supervisor must keep recordings of video surveillance of such secure drop boxes and provide a copy to any candidate or political party submitting a written request for the recordings within 24 hours after receipt of such request.

(b) An elector's immediate family member or a legal resident of the elector's residence may also return the elector's ballot to a drop box. A person returning a ballot by
use of a drop box monitored by an elections employee or a law
enforcement officer must present his or her Florida driver
license or Florida identification card to the employee or law
enforcement officer monitoring the drop box. The employee or law
enforcement officer must ensure that the address on the
identification provided matches the printed residence address on
the mailing envelope. If the address on the identification
provided does not match the address printed on the mailing
evelope, the ballot may only be deposited if the person signs a
declaration under penalty of perjury that he or she is the voter
named on the return envelope or is an immediate family member of
the voter and also includes such immediate family member's
Florida driver license or Florida identification card number or
the last four digits of such family member's social security
number. The declaration must be affixed to the return mailing
evelope and the ballot shall be deposited into the drop box. A
record of the substance of the declaration must be made when the
voter's certificate is reviewed.

(3) If any drop box at an early voting site is left
accessible for ballot receipt when early voting is not underway,
the supervisor is subject to a civil penalty of $25,000. The
Division of Elections is authorized to enforce this provision.

Section 20. Paragraph (b) of subsection (4) of section
102.031, Florida Statutes, is amended to read:

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

(4)
(b) For the purpose of this subsection, the terms
"solicit" or "solicitation" shall include, but not be limited
to, seeking or attempting to seek any vote, fact, opinion, or
contribution; distributing or attempting to distribute any
political or campaign material, leaflet, or handout; conducting
a poll except as specified in this paragraph; seeking or
attempting to seek a signature on any petition; and selling or
attempting to sell any item; giving or attempting to give any
item; and interacting or attempting to interact with any voter.
The terms "solicit" or "solicitation" may not be construed to
prohibit exit polling.

Section 21. Section 102.07, Florida Statutes, is created
to read:

102.07 Vote-by-mail count reporting.—Beginning at 7:00
p.m. the day before election day and every 24 hours thereafter
until all ballots are tabulated, the supervisor must post on his
or her website the number of vote-by-mail ballots have been
received and the number of vote-by-mail ballots that remain
uncounted.

Section 22. Subsection (1) and paragraph (b) of subsection
(2) of section 102.141, Florida Statutes, are amended to read:

102.141 County canvassing board; duties.—
The county canvassing board shall be composed of the supervisor of elections; a county court judge, who shall act as chair; and the chair of the board of county commissioners. The names of the canvassing board members must be published on the supervisor's website before any vote-by-mail ballot is distributed. Alternate canvassing board members must be appointed pursuant to paragraph (e). In the event any member of the county canvassing board is unable to serve, is a candidate who has opposition in the election being canvassed, or is an active participant in the campaign or candidacy of any candidate who has opposition in the election being canvassed, such member shall be replaced as follows:

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

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

(c) If the chair of the board of county commissioners is unable to serve or is disqualified, the board of county commissioners shall appoint as a substitute member one of its members who is not a candidate with opposition in the election being canvassed and who is not an active participant in the campaign or candidacy of any candidate with opposition in the election being canvassed.

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

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

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

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

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

(2)

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

Section 23. Section 104.0616, Florida Statutes, is amended
to read:

104.0616 Vote-by-mail ballots and voting; violations.—
(1) For purposes of this section, the term "immediate
family" means a person's spouse or the parent, child,
grandparent, or sibling of the person or the person's spouse.

(2) Any person who distributes, orders, requests,
collects, delivers, provides or offers to provide, and any
person who accepts, a pecuniary or other benefit in exchange for
distributing, ordering, requesting, collecting, delivering, or
otherwise physically possesses a vote-by-mail ballot of another
person, not including possessing more than two vote-by-mail
ballots per election in addition to his or her own ballot or a
ballot belonging to an immediate family member or an individual
who resides at the same residence, except as authorized provided
in s. 101.655 ss. 101.6105-101.694, commits a misdemeanor of the
first degree, punishable as provided in s. 775.082, s. 775.083,
or s. 775.084.
Section 24. Section 104.47, Florida Statutes, is created to read:

104.47 Penalty for misuse of voter's signature.--Any person who copies or uses a voter signature obtained from election records commits a second degree felony, punishable as provided in s. 775.082 or s. 775.083. This section does not apply to a person who copies or uses a voter signature obtained from elections records for the purpose of challenging or defending an election determination of a voter signature match or mismatch.

Section 25. Subsection (2) of section 124.011, Florida Statutes, is amended to read:

124.011 Alternate procedure for the election of county commissioners to provide for single-member representation.—

(2) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas and, if applicable, one of the commissioners elected at large from the entire county are elected every 2 years, except that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms. Notwithstanding any law to the contrary, at the election immediately following redistricting directed by s. 1(e), Art. VIII of the State Constitution, each commissioner elected only by electors who reside in the district must be elected and terms thereafter shall be staggered as provided in
Section 26. This act shall take effect July 1, 2021.