

1 A bill to be entitled
2 An act relating to elections; amending s. 97.052,
3 F.S.; revising the information that the uniform
4 statewide voter registration application must be
5 designed to elicit from applicants; amending s.
6 97.053, F.S.; revising the criteria for determining if
7 a voter registration application is complete; amending
8 s. 97.057, F.S.; requiring the Department of Highway
9 Safety and Motor Vehicle to assist the Department of
10 State in identifying certain residence address
11 changes; requiring the Department of State to report
12 such changes to supervisors of elections; amending s.
13 97.0575, F.S.; revising the requirements for third-
14 party voter registration organizations; providing
15 applicability; revising the circumstances under which
16 fines may be imposed for voter registration
17 applications; revising the requirements for rules that
18 the Division of Elections must adopt; amending s.
19 97.1031, F.S.; revising information that an elector
20 must provide to a supervisor of elections when the
21 elector changes his or her residence address, party
22 affiliation, or name; creating s. 97.106, F.S.;
23 prohibiting certain agencies and state and local
24 officials from engaging in certain acts relating to
25 elections; amending s. 100.041, F.S.; providing

26 exceptions to elections and terms of county
27 commissioners; amending s. 100.111, F.S.; revising the
28 method of filling a vacancy in nomination for a
29 political party; amending s. 101.048, F.S.; revising
30 the requirements of provisional ballots under
31 specified circumstances; requiring the supervisor of
32 elections to notify the registered political party of
33 specified electors under certain circumstances;
34 amending s. 101.051, F.S.; revising the distance
35 certain persons must maintain at a polling place or
36 early voting site; amending s. 101.545, F.S.;
37 requiring ballots, forms, and election materials to be
38 retained for a specified minimum time; amending s.
39 101.5605, F.S.; revising the timeframe within which
40 the department shall approve or disapprove a voting
41 system that is submitted for approval; amending s.
42 101.5614, F.S.; revising requirements for making true
43 duplicate copies of vote-by-mail ballots under certain
44 circumstances; requiring the duplicate copies and the
45 original ballots to be made available to specified
46 persons; requiring a canvassing board to make certain
47 determinations; amending s. 101.591, F.S.; revising
48 the timeframe and requirements for the report of the
49 results of the audit submitted to the department;
50 amending s. 101.595, F.S.; providing additional

51 requirements for a specified report; revising the date
52 by which the report must be submitted; amending s.
53 101.62, F.S.; providing the effective length of time
54 for requests for vote-by-mail ballots from electors;
55 providing requirements for specified requests for
56 vote-by-mail ballots; revising information that
57 electors requesting such ballots must disclose;
58 providing information that the supervisor of elections
59 must record for each request for a vote-by-mail
60 ballot; revising the means by which the supervisor of
61 elections must provide vote-by-mail ballots; revising
62 the list of people to whom the supervisor of elections
63 may not deliver vote-by-mail ballots; prohibiting
64 counties, municipalities, and state agencies from
65 sending vote-by-mail ballots unless specified
66 requirements are met; providing an exception; amending
67 s. 101.64, F.S.; revising the requirements for
68 delivery of vote-by-mail ballots; amending s. 101.68,
69 F.S.; revising the duties of the supervisor of
70 elections upon receipt of vote-by-mail ballots;
71 requiring the supervisor of elections to record and
72 allow certain persons to view certain digital images;
73 revising the timeframe for the beginning of the
74 canvassing of vote-by-mail ballots by the county
75 canvassing board; revising the duties of the

76 canvassing board under specified circumstances;
77 requiring the supervisor of elections to notify the
78 registered political party of specified electors under
79 certain circumstances; amending s. 101.69, F.S.;
80 revising the requirements for the return of vote-by-
81 mail ballots; providing requirements for secure drop
82 boxes; providing that a supervisor of elections is
83 subject to a civil penalty in certain circumstances;
84 amending s. 102.031, F.S.; revising the definition of
85 the terms "solicit" and "solicitation"; creating s.
86 102.07, F.S.; requiring the supervisor of elections to
87 post and update on his or her website certain
88 information at specified intervals; amending s.
89 102.141, F.S.; requiring that certain information be
90 published on the supervisor of election's website;
91 requiring additional information to be made available
92 for public notices of county canvassing board
93 meetings; amending s. 104.0616, F.S.; revising the
94 acts that result in a misdemeanor relating to vote-by-
95 mail ballots; creating s. 104.47, F.S.; providing
96 penalties for misuse of voters' signatures; amending
97 s. 124.011, F.S.; providing exceptions to elections
98 and terms of county commissioners after decennial
99 redistricting; providing an effective date.

100

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

102

103 Section 1. Paragraph (t) of subsection (2) of section
 104 97.052, Florida Statutes, is amended to read:

105 97.052 Uniform statewide voter registration application.-

106 (2) The uniform statewide voter registration application
 107 must be designed to elicit the following information from the
 108 applicant:

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

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

121 ~~3. Whether the applicant has been convicted of a felony~~
 122 ~~and, if convicted, has had his or her voting rights restored~~
 123 ~~pursuant s. 4, Art. VI of the State Constitution, by including~~
 124 ~~the statement "If I have been convicted of a felony, I affirm my~~
 125 ~~voting rights have been restored pursuant to s. 4, Art. VI of~~

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126 ~~the State Constitution upon the completion of all terms of my~~
127 ~~sentence, including parole or probation." and providing a box~~
128 ~~for the applicant to check to affirm the statement.~~

129 Section 2. Paragraph (a) of subsection (5) of section
130 97.053, Florida Statutes, is amended to read:

131 97.053 Acceptance of voter registration applications.—

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

135 1. The applicant's name.

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

145 3. The applicant's date of birth.

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

148 5.a. The applicant's current and valid Florida driver
149 license number or the identification number from a Florida
150 identification card issued under s. 322.051, or

151 b. If the applicant has not been issued a current and
152 valid Florida driver license or a Florida identification card,
153 the last four digits of the applicant's social security number.
154

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

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

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

169 8. The original signature or a digital signature
170 transmitted by the Department of Highway Safety and Motor
171 Vehicles of the applicant swearing or affirming under the
172 penalty for false swearing pursuant to s. 104.011 that the
173 information contained in the registration application is true
174 and subscribing to the oath required by s. 3, Art. VI of the
175 State Constitution and s. 97.051.

176 Section 3. Subsection (13) is added to section 97.057,
177 Florida Statutes, to read:

178 97.057 Voter registration by the Department of Highway
179 Safety and Motor Vehicles.—

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

187 Section 4. Paragraphs (c) and (d) of subsection (1),
188 paragraph (a) of subsection (3), and subsection (5) of section
189 97.0575, Florida Statutes, are amended to read:

190 97.0575 Third-party voter registrations.—

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

195 (c) The names, permanent addresses, and temporary
196 addresses, if any, of each registration agent registering
197 persons to vote in this state on behalf of the organization.
198 This paragraph does not apply to persons who only solicit
199 applications and do not collect or handle voter registration
200 applications.

201 ~~(d) A sworn statement from each registration agent~~
202 ~~employed by or volunteering for the organization stating that~~
203 ~~the agent will obey all state laws and rules regarding the~~
204 ~~registration of voters. Such statement must be on a form~~
205 ~~containing notice of applicable penalties for false~~
206 ~~registration.~~

207 (3) (a) A third-party voter registration organization that
208 collects voter registration applications serves as a fiduciary
209 to the applicant, ensuring that any voter registration
210 application entrusted to the organization, irrespective of party
211 affiliation, race, ethnicity, or gender, must ~~shall~~ be promptly
212 delivered to the division or the supervisor of elections within
213 14 days after the applicant completes it, but not after
214 registration closes for the next ensuing election. A third-party
215 voter registration organization must notify the applicant at the
216 time the application is collected that the organization might
217 not deliver the application to the division or the supervisor of
218 elections in less than 14 days or before registration closes for
219 the next ensuing election and must advise the applicant that he
220 or she may deliver the application in person or by mail. The
221 third-party voter registration organization must also inform the
222 applicant how to register online with the division and how to
223 determine whether the application has been delivered ~~48 hours~~
224 ~~after the applicant completes it or the next business day if the~~
225 ~~appropriate office is closed for that 48-hour period. If a voter~~

226 registration application collected by any third-party voter
227 registration organization is not promptly delivered to the
228 division or supervisor of elections, the third-party voter
229 registration organization is liable for the following fines:

230 1. A fine in the amount of \$50 for each application
231 received by the division or the supervisor of elections more
232 than 14 days ~~48 hours~~ after the applicant delivered the
233 completed voter registration application to the third-party
234 voter registration organization or any person, entity, or agent
235 acting on its behalf ~~or the next business day, if the office is~~
236 ~~closed~~. A fine in the amount of \$250 for each application
237 received if the third-party voter registration organization or
238 person, entity, or agency acting on its behalf acted willfully.

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

248 3. A fine in the amount of \$500 for each application
249 collected by a third-party voter registration organization or
250 any person, entity, or agent acting on its behalf, which is not

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251 submitted to the division or supervisor of elections. A fine in
252 the amount of \$1,000 for any application not submitted if the
253 third-party voter registration organization or person, entity,
254 or agency acting on its behalf acted willfully.

255

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

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

275 Section 5. Section 97.1031, Florida Statutes, is amended

276 to read:

277 97.1031 Notice of change of residence, change of name, or
278 change of party affiliation.—

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

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

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

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

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

301 | elector shall notify his or her supervisor of elections or other
 302 | voter registration official by using a signed written notice
 303 | that contains the elector's date of birth or voter's
 304 | registration number and the last four digits of the elector's
 305 | social security number, the elector's Florida driver license
 306 | number, or the elector's Florida identification card number.

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

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

314 | 97.106 Prohibition on use of private funds for election
 315 | related expenses.—No agency or state or local official
 316 | responsible for conducting elections, including, but not limited
 317 | to, a supervisor of elections, may solicit, accept, use, or
 318 | dispose of any donation in the form of money, grants, property,
 319 | or personal services from an individual or a nongovernmental
 320 | entity for the purpose of funding election-related expenses or
 321 | voter education or registration programs.

322 | Section 7. Paragraph (a) of subsection (2) of section
 323 | 100.041, Florida Statutes, is amended to read:

324 | 100.041 Officers chosen at general election.—

325 | (2) (a) Except as provided in s. 124.011 relating to single

326 member districts after decennial redistricting, each county
327 commissioner from an odd-numbered district shall be elected at
328 the general election in each year the number of which is a
329 multiple of 4, for a 4-year term commencing on the second
330 Tuesday following such election, and each county commissioner
331 from an even-numbered district shall be elected at the general
332 election in each even-numbered year the number of which is not a
333 multiple of 4, for a 4-year term commencing on the second
334 Tuesday following such election. A county commissioner is
335 "elected" for purposes of this paragraph on the date that the
336 county canvassing board certifies the results of the election
337 pursuant to s. 102.151.

338 Section 8. Paragraph (a) of subsection (3) of section
339 100.111, Florida Statutes, is amended to read:

340 100.111 Filling vacancy.—

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

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

351 2. If the vacancy in nomination is for the office of
352 United States Representative, state senator, state
353 representative, state attorney, or public defender, the state
354 party chair shall ~~notify the appropriate county chair or chairs~~
355 ~~and, within 5 days, the appropriate county chair or chairs shall~~
356 call a meeting of the state executive committee members residing
357 in the affected district or circuit ~~members of the executive~~
358 ~~committee in the affected county or counties~~ to consider
359 designation of a nominee to fill the vacancy.

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

365
366 The name of any person so designated shall be submitted to the
367 filing officer before whom the candidate qualified within 7 days
368 after notice to the chair in order that the person designated
369 may have his or her name on the ballot of the ensuing general
370 election. If the name of the new nominee is submitted after the
371 certification of results of the preceding primary election,
372 however, the ballots shall not be changed and the former party
373 nominee's name will appear on the ballot. Any ballots cast for
374 the former party nominee will be counted for the person
375 designated by the political party to replace the former party

376 nominee. If there is no opposition to the party nominee, the
377 person designated by the political party to replace the former
378 party nominee will be elected to office at the general election.

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

382 101.048 Provisional ballots.—

383 (2)

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

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

397 2. The cure affidavit contains a signature that does not
398 match the most recent elector's signature in the registration
399 books or the precinct register, but the elector has submitted a
400 current and valid Tier 1 form of identification confirming his

401 or her identity pursuant to subsection (6).

402

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

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

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

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

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

421

422 In addition to the notification required under subparagraph 1.,
423 subparagraph 2., or subparagraph 3., the supervisor must notify
424 the elector of the signature deficiency by first-class mail and
425 direct the elector to the cure affidavit and instructions on the

426 supervisor's website. Beginning the day before the election, the
427 supervisor is not required to provide notice of the signature
428 deficiency by first-class mail, but shall continue to provide
429 notice as required in subparagraph 1., subparagraph 2., or
430 subparagraph 3. In addition, a supervisor must notify the
431 registered political party, if any, of an elector who has a
432 signature deficiency. The political parties must provide the
433 supervisor of each county one email address that the supervisor
434 may use to notify the political party of the signature
435 deficiency. The supervisor must promptly contact the political
436 party after contacting the elector.

437 (7)

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

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

446 101.051 Electors seeking assistance in casting ballots;
447 oath to be executed; forms to be furnished.—

448 (2) It is unlawful for any person to be in the voting
449 booth with any elector except as provided in subsection (1). A
450 person at a polling place or early voting site, or within 150

451 ~~100~~ feet of the entrance of a polling place or early voting
452 site, may not solicit any elector in an effort to provide
453 assistance to vote pursuant to subsection (1). Any person who
454 violates this subsection commits a misdemeanor of the first
455 degree, punishable as provided in s. 775.082 or s. 775.083.

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

458 101.545 Retention and destruction of certain election
459 materials.—All ballots, forms, and other election materials
460 shall be retained in the custody of the supervisor of elections
461 for a minimum of 22 months after an election and in accordance
462 with the schedule approved by the Division of Library and
463 Information Services of the Department of State. All unused
464 ballots, forms, and other election materials may, with the
465 approval of the Department of State, be destroyed by the
466 supervisor after the election for which such ballots, forms, or
467 other election materials were to be used.

468 Section 12. Paragraph (d) of subsection (2) of section
469 101.5605, Florida Statutes, is amended to read:

470 101.5605 Examination and approval of equipment.—

471 (2)

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

475 Section 13. Paragraph (a) of subsection (4) of section

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476 | 101.5614, Florida Statutes, is amended to read:

477 | 101.5614 Canvass of returns.—

478 | (4) (a) If any vote-by-mail ballot is physically damaged so
479 | that it cannot properly be counted by the voting system's
480 | automatic tabulating equipment, a true duplicate copy shall be
481 | made of the damaged ballot in an open and accessible room in the
482 | presence of witnesses and substituted for the damaged ballot.
483 | Likewise, a duplicate ballot shall be made of a vote-by-mail
484 | ballot containing an overvoted race or a marked vote-by-mail
485 | ballot containing an undervoted race. A duplicate in which every
486 | race is undervoted which shall include all valid votes as
487 | determined by the canvassing board based on rules adopted by the
488 | division pursuant to s. 102.166(4), if there is a clear
489 | indication on the ballot that the voter has made a definite
490 | choice in a race or on a ballot measure. A duplicate may not
491 | include a vote if the voter's intent in such race or on such
492 | measure is not clear. Upon request, a physically present
493 | candidate, a political party official, a political committee
494 | official, or an authorized designee thereof, must be allowed to
495 | observe the duplication of ballots. All duplicate ballots must
496 | be on paper that is a different color than the original ballot,
497 | ~~shall~~ be clearly labeled "duplicate," bear a serial number which
498 | shall be recorded on the defective ballot, and be counted in
499 | lieu of the defective ballot. After a ballot has been
500 | duplicated, the defective ballot shall be placed in an envelope

501 provided for that purpose, and the duplicate ballot shall be
502 tallied with the other ballots for that precinct. Adjacent
503 images of each duplicate and original defective ballot must be
504 made available for inspection to each registered political party
505 and each candidate or the candidate's designee. Upon objection
506 to a duplicate of a ballot, the ballot must be presented to the
507 canvassing board for a determination of the validity of the
508 duplicate. The canvassing board must document the serial number
509 of the ballot in the canvassing board's minutes. The canvassing
510 board must decide whether the duplication is valid. If the
511 duplicate ballot is determined to be valid, the duplicate ballot
512 must be counted. If the duplicate ballot is determined to be
513 invalid, the duplicate ballot must be rejected and a proper
514 duplicate ballot must be made and counted in lieu of the
515 original.

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

518 101.591 Voting system audit.—

519 (5) By December 15 of each general election year ~~Within 15~~
520 ~~days after completion of the audit,~~ the county canvassing board
521 or the board responsible for certifying the election shall
522 provide a report with the results of the audit to the Department
523 of State in a standard format as prescribed by the department.
524 The report must be consolidated into one report with the
525 overvote and undervote report required under s. 101.595(1). The

526 | report shall contain, but is not limited to, the following
 527 | items:

528 | (a) The overall accuracy of audit.

529 | (b) A description of any problems or discrepancies
 530 | encountered.

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

532 | (d) Recommended corrective action with respect to avoiding
 533 | or mitigating such circumstances in future elections.

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

536 | 101.595 Analysis and reports of voting problems.—

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

550 | (3) The Department of State shall submit the report to the

551 Governor, the President of the Senate, and the Speaker of the
552 House of Representatives by February 15 ~~January 31~~ of each year
553 following a general election.

554 Section 16. Paragraphs (a) and (b) of subsection (1),
555 subsection (3), and paragraph (c) of subsection (4) of section
556 101.62, Florida Statutes, are amended, paragraph (d) is added to
557 subsection (1), and subsection (7) is added to that section, to
558 read:

559 101.62 Request for vote-by-mail ballots.—

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

574 (b) The supervisor may accept a written or telephonic
575 request for a vote-by-mail ballot to be mailed to an elector's

576 address on file in the Florida Voter Registration System from
577 the elector, or, if directly instructed by the elector, a member
578 of the elector's immediate family, or the elector's legal
579 guardian. If a telephone request is made the elector must
580 provide the elector's Florida driver license number, the
581 elector's Florida identification card number, or the last four
582 digits of the elector's social security number. If the ballot
583 is requested to be mailed to an address other than the elector's
584 address on file in the Florida Voter Registration System, the
585 request must be made in writing, ~~and~~ signed by the elector, and
586 include the elector's Florida driver license number, the
587 elector's Florida identification card number, or the last four
588 digits of the elector's social security number. However, an
589 absent uniformed service voter or an overseas voter seeking a
590 vote-by-mail ballot is not required to submit a signed, written
591 request for a vote-by-mail ballot that is being mailed to an
592 address other than the elector's address on file in the Florida
593 Voter Registration System. For purposes of this section, the
594 term "immediate family" has the same meaning as specified in
595 paragraph (4) (c). The person making the request must disclose:
596 1. The name of the elector for whom the ballot is
597 requested.
598 2. The elector's address.
599 3. The elector's date of birth.
600 4. The elector's Florida driver license number, the

601 elector's Florida identification card number, or the last four
602 digits of the elector's social security number.

603 5. The requester's name.

604 ~~6.5.~~ The requester's address.

605 ~~7.6.~~ The requester's driver license number, if available.

606 ~~8.7.~~ The requester's relationship to the elector.

607 ~~9.8.~~ The requester's signature (written requests only).

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

612 (3) For each request for a vote-by-mail ballot received,
613 the supervisor shall record the date the request was made, the
614 date the vote-by-mail ballot was delivered to the voter or the
615 voter's designee or the date the vote-by-mail ballot was
616 delivered to the post office or other carrier, the identity of
617 the voter's designee or the address to which the ballot was
618 mailed, the date the ballot was received by the supervisor, the
619 absence of the voter's signature on the voter's certificate, if
620 applicable, whether there is a mismatching voter signature on
621 the voter's certificate, and such other information he or she
622 may deem necessary. This information shall be provided in
623 electronic format as provided by rule adopted by the division.
624 The information shall be updated and made available no later
625 than 8 a.m. of each day, including weekends, beginning 60 days

626 | before the primary until 15 days after the general election and
627 | shall be contemporaneously provided to the division. This
628 | information shall be confidential and exempt from s. 119.07(1)
629 | and shall be made available to or reproduced only for the voter
630 | requesting the ballot, a canvassing board, an election official,
631 | a political party or official thereof, a candidate who has filed
632 | qualification papers and is opposed in an upcoming election, and
633 | registered political committees for political purposes only.

634 | (4)

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

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

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

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

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

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651 days before ~~prior to~~ the day of an election. Any elector may
652 designate in writing an immediate family member or person who
653 resides at the elector's residence ~~a person~~ to pick up the
654 ballot for the elector; ~~however, the person designated may not~~
655 ~~pick up more than two vote by mail ballots per election, other~~
656 ~~than the designee's own ballot, except that additional ballots~~
657 ~~may be picked up for members of the designee's immediate family.~~
658 For purposes of this section, "immediate family" means the
659 elector's designee's spouse or the parent, child, grandparent,
660 or sibling of the elector designee or of the elector's
661 ~~designee's~~ spouse. The designee shall provide to the supervisor
662 the written authorization by the elector and a picture
663 identification of the designee and must complete an affidavit.
664 The designee shall state in the affidavit that the designee is
665 authorized by the elector to pick up that ballot and that shall
666 ~~indicate if~~ the elector is a member of the designee's immediate
667 family and indicate, if so, the relationship or that the
668 designee resides at the elector's residence. The department
669 shall prescribe the form of the affidavit. If the supervisor is
670 satisfied that the designee is authorized to pick up the ballot
671 and that the signature of the elector on the written
672 authorization matches the signature of the elector on file, the
673 supervisor shall give the ballot to that designee for delivery
674 to the elector.

675 5. ~~Except as provided in s. 101.655,~~ The supervisor may

676 not deliver a vote-by-mail ballot to an elector or an elector's
677 immediate family member or person residing at the elector's
678 residence on the day of the election unless there is an
679 emergency, to the extent that the elector will be unable to go
680 to his or her assigned polling place. If a vote-by-mail ballot
681 is delivered, the elector or his or her designee shall execute
682 an affidavit affirming to the facts which allow for delivery of
683 the vote-by-mail ballot. The department shall adopt a rule
684 providing for the form of the affidavit.

685 (7) Except as expressly authorized for voters having a
686 disability under s. 101.662, for overseas voters under s.
687 101.697, or for local referenda under ss. 101.6102 and 101.6103,
688 a county, municipality, or state agency may not send a vote-by-
689 mail ballot to a voter unless the voter has requested a vote-by-
690 mail ballot in the manner authorized under this section.

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

693 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

694 (1) (a) The supervisor must ~~shall~~ enclose with each vote-
695 by-mail ballot two envelopes: a secrecy envelope, into which the
696 absent elector must ~~shall~~ enclose his or her marked ballot; and
697 a mailing envelope, into which the absent elector must ~~shall~~
698 then place the secrecy envelope, which shall be addressed to the
699 supervisor and also bear on the back side a certificate in
700 substantially the following form:

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

703 VOTER'S CERTIFICATE

704 I,, do solemnly swear or affirm that I am a qualified
705 and registered voter of County, Florida, and that I have
706 not and will not vote more than one ballot in this election. I
707 understand that if I commit or attempt to commit any fraud in
708 connection with voting, vote a fraudulent ballot, or vote more
709 than once in an election, I can be convicted of a felony of the
710 third degree and fined up to \$5,000 and/or imprisoned for up to
711 5 years. I also understand that failure to sign this certificate
712 will invalidate my ballot.

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

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

715 ...(Mobile Telephone Number)...

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

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

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

724 101.68 Canvassing of vote-by-mail ballot.-

725 (1) (a) The supervisor of the county where the absent

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

742 | (b) The supervisor must record a digital image of the
743 | signature on the voter's certificate or cure affidavit and of
744 | the information required by s. 101.64(1)(b). Political parties,
745 | candidates, and candidates' designees must be allowed to view
746 | such image or images with the signature on the voter's
747 | certificate adjacent to an image of the most recent signature in
748 | the precinct register or registration books. The viewable images
749 | must be sorted or sortable by precinct of voter residence.
750 | Before the 5 days preceding election day, such access must be

751 available for at least 48 hours before opening the corresponding
752 mailing envelope and separating the mailing envelope from the
753 secrecy envelope. During the 5 days preceding election day, such
754 access must be available for at least 24 hours before separating
755 the mailing envelope from the secrecy envelope. Beginning
756 election day, such access must be available for at least 2 hours
757 before separating the mailing envelope from the secrecy
758 envelope. The political parties, candidates, and candidates'
759 designees must be able to access these images through a secure
760 password protected website. An elector in the county desiring to
761 review signature matches and mismatches must be provided access
762 during the same time periods at the supervisor's office or
763 branch office via a secure computer workstation.

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

772 (2) (a) The county canvassing board may begin the
773 canvassing of vote-by-mail ballots upon the completion of the
774 public testing of automatic tabulating equipment pursuant to s.
775 101.5612(2) at 7 a.m. on the 22nd day before the election, but

776 must begin such canvassing by ~~not later than~~ noon on the day
777 following the election. ~~In addition, for any county using~~
778 ~~electronic tabulating equipment, the processing of vote-by-mail~~
779 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
780 ~~the 22nd day before the election.~~ However, notwithstanding any
781 such authorization to begin canvassing or otherwise processing
782 vote-by-mail ballots early, no result shall be released until
783 after the closing of the polls in that county on election day.
784 Any supervisor, deputy supervisor, canvassing board member,
785 election board member, or election employee who releases the
786 results of a canvassing or processing of vote-by-mail ballots
787 prior to the closing of the polls in that county on election day
788 commits a felony of the third degree, punishable as provided in
789 s. 775.082, s. 775.083, or s. 775.084.

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

795 (c)1. The canvassing board must, if the supervisor has not
796 already done so, compare the signature of the elector on the
797 voter's certificate or on the vote-by-mail ballot cure affidavit
798 as provided in subsection (4) with the most recent signature of
799 the elector in the registration books or the precinct register
800 to see that the elector is duly registered in the county and to

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801 determine the legality of that vote-by-mail ballot. A vote-by-
802 mail ballot may only be counted if:

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

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

813
814 For purposes of this subparagraph, any canvassing board finding
815 that an elector's signatures do not match must be by majority
816 vote and beyond a reasonable doubt.

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

823 3. A vote-by-mail ballot is not considered illegal if the
824 signature of the elector does not cross the seal of the mailing
825 envelope.

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826 4. If any elector or candidate has reason to believe
827 ~~present believes~~ that a vote-by-mail ballot is illegal due to a
828 defect apparent on the voter's certificate or the cure
829 affidavit, he or she may, at any time before the ballot is
830 removed from the envelope, file with the canvassing board a
831 protest against the canvass of that ballot, specifying the
832 precinct, the voter's certificate or the cure affidavit ~~the~~
833 ~~ballot~~, and the reason he or she believes the ballot to be
834 illegal. A challenge based upon a defect in the voter's
835 certificate or cure affidavit may not be accepted after the
836 ballot has been removed from the mailing envelope.

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

843 (d) The canvassing board shall record the ballot upon the
844 proper record, unless the ballot has been previously recorded by
845 the supervisor. The mailing envelopes shall be opened and the
846 secrecy envelopes shall be mixed so as to make it impossible to
847 determine which secrecy envelope came out of which signed
848 mailing envelope; however, in any county in which an electronic
849 or electromechanical voting system is used, the ballots may be
850 sorted by ballot styles and the mailing envelopes may be opened

851 and the secrecy envelopes mixed separately for each ballot
852 style. The votes on vote-by-mail ballots shall be included in
853 the total vote of the county.

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

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

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

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

869
870 In addition to the notification required under subparagraph 1.,
871 subparagraph 2., or subparagraph 3., the supervisor must notify
872 the elector of the signature deficiency by first-class mail and
873 direct the elector to the cure affidavit and instructions on the
874 supervisor's website. Beginning the day before the election, the
875 supervisor is not required to provide notice of the signature

876 deficiency by first-class mail, but shall continue to provide
 877 notice as required under subparagraph 1., subparagraph 2., or
 878 subparagraph 3. In addition, a supervisor must notify the
 879 registered political party, if any, of any elector who has a
 880 signature deficiency. The political parties must provide the
 881 supervisor of each county one email address that the supervisor
 882 may use to notify the political party of the signature
 883 deficiency. The supervisor must contact the political party
 884 promptly after contacting the elector.

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

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

899 101.69 Voting in person; return of vote-by-mail ballot.—

900 (2) (a) The supervisor shall allow an elector who has

901 received a vote-by-mail ballot to physically return a voted
902 vote-by-mail ballot to the supervisor by placing the return mail
903 envelope containing his or her marked ballot in a secure drop
904 box. Secure drop boxes shall be placed at the main office of the
905 supervisor, at each branch office of the supervisor, and at each
906 early voting site. Secure drop boxes may also be placed at any
907 other site that would otherwise qualify as an early voting site
908 under s. 101.657(1). Except for secure drop boxes at an office
909 of the supervisor, a secure drop box may only be used; provided,
910 ~~however, that any such site must be staffed~~ during the county's
911 early voting hours of operation and must be monitored in person
912 by an employee of the supervisor's office or a sworn law
913 enforcement officer. A secure drop box at an office of the
914 supervisor must be monitored in person by an employee of the
915 supervisor's office or a sworn law enforcement officer during
916 regular office hours. During other hours, a secure drop box at
917 an office of the supervisor may only be accessible if it is
918 secured from tampering and monitored by video surveillance. The
919 supervisor must keep recordings of video surveillance of such
920 secure drop boxes and provide a copy to any candidate or
921 political party submitting a written request for the recordings
922 within 24 hours after receipt of such request.

923 (b) An elector's immediate family member or a legal
924 resident of the elector's residence may also return the
925 elector's ballot to a drop box. A person returning a ballot by

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926 use of a drop box monitored by an elections employee or a law
927 enforcement officer must present his or her Florida driver
928 license or Florida identification card to the employee or law
929 enforcement officer monitoring the drop box. The employee or law
930 enforcement officer must ensure that the address on the
931 identification provided matches the printed residence address on
932 the mailing envelope. If the address on the identification
933 provided does not match the address printed on the mailing
934 envelope, the ballot may only be deposited if the person signs a
935 declaration under penalty of perjury that he or she is the voter
936 named on the return envelope or is an immediate family member of
937 the voter and also includes such immediate family member's
938 Florida driver license or Florida identification card number or
939 the last four digits of such family member's social security
940 number. The declaration must be affixed to the return mailing
941 envelope and the ballot shall be deposited into the drop box. A
942 record of the substance of the declaration must be made when the
943 voter's certificate is reviewed.

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

948 Section 20. Paragraph (b) of subsection (4) of section
949 102.031, Florida Statutes, is amended to read:

950 102.031 Maintenance of good order at polls; authorities;

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

953 (4)

954 (b) For the purpose of this subsection, the terms
955 "solicit" or "solicitation" shall include, but not be limited
956 to, seeking or attempting to seek any vote, fact, opinion, or
957 contribution; distributing or attempting to distribute any
958 political or campaign material, leaflet, or handout; conducting
959 a poll except as specified in this paragraph; seeking or
960 attempting to seek a signature on any petition; ~~and~~ selling or
961 attempting to sell any item; giving or attempting to give any
962 item; and interacting or attempting to interact with any voter.

963 The terms "solicit" or "solicitation" may not be construed to
964 prohibit exit polling.

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

967 102.07 Vote-by-mail count reporting.—Beginning at 7:00
968 p.m. the day before election day and every 24 hours thereafter
969 until all ballots are tabulated, the supervisor must post on his
970 or her website the number of vote-by-mail ballots have been
971 received and the number of vote-by-mail ballots that remain
972 uncounted.

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

975 102.141 County canvassing board; duties.—

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

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

997 (b) If the supervisor of elections is unable to serve or
998 is disqualified, the chair of the board of county commissioners
999 shall appoint as a substitute member a member of the board of
1000 county commissioners who is not a candidate with opposition in

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1001 the election being canvassed and who is not an active
1002 participant in the campaign or candidacy of any candidate with
1003 opposition in the election being canvassed. The supervisor,
1004 however, shall act in an advisory capacity to the canvassing
1005 board.

1006 (c) If the chair of the board of county commissioners is
1007 unable to serve or is disqualified, the board of county
1008 commissioners shall appoint as a substitute member one of its
1009 members who is not a candidate with opposition in the election
1010 being canvassed and who is not an active participant in the
1011 campaign or candidacy of any candidate with opposition in the
1012 election being canvassed.

1013 (d) If a substitute member or alternate member cannot be
1014 appointed as provided elsewhere in this subsection, or in the
1015 event of a vacancy in such office, the chief judge of the
1016 judicial circuit in which the county is located shall appoint as
1017 a substitute member or alternate member a qualified elector of
1018 the county who is not a candidate with opposition in the
1019 election being canvassed and who is not an active participant in
1020 the campaign or candidacy of any candidate with opposition in
1021 the election being canvassed.

1022 (e)1. The chief judge of the judicial circuit in which the
1023 county is located shall appoint a county court judge as an
1024 alternate member of the county canvassing board or, if each
1025 county court judge is unable to serve or is disqualified, shall

1026 | appoint an alternate member who is qualified to serve as a
 1027 | substitute member under paragraph (a).

1028 | 2. The chair of the board of county commissioners shall
 1029 | appoint a member of the board of county commissioners as an
 1030 | alternate member of the county canvassing board or, if each
 1031 | member of the board of county commissioners is unable to serve
 1032 | or is disqualified, shall appoint an alternate member who is
 1033 | qualified to serve as a substitute member under paragraph (d).

1034 | 3. If a member of the county canvassing board is unable to
 1035 | participate in a meeting of the board, the chair of the county
 1036 | canvassing board or his or her designee shall designate which
 1037 | alternate member will serve as a member of the board in the
 1038 | place of the member who is unable to participate at that
 1039 | meeting.

1040 | 4. If not serving as one of the three members of the
 1041 | county canvassing board, an alternate member may be present,
 1042 | observe, and communicate with the three members constituting the
 1043 | county canvassing board, but may not vote in the board's
 1044 | decisions or determinations.

1045 | (2)

1046 | (b) Public notice of the canvassing board members,
 1047 | alternates, time, and place at which the county canvassing board
 1048 | shall meet to canvass the absent electors' ballots and
 1049 | provisional ballots must be given at least 48 hours prior
 1050 | thereto by publication on the supervisor's website and published

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1051 in one or more newspapers of general circulation in the county
 1052 or, if there is no newspaper of general circulation in the
 1053 county, by posting such notice in at least four conspicuous
 1054 places in the county. The time given in the notice as to the
 1055 convening of the meeting of the county canvassing board must be
 1056 specific and may not be a time period during which the board may
 1057 meet.

1058 Section 23. Section 104.0616, Florida Statutes, is amended
 1059 to read:

1060 104.0616 Vote-by-mail ballots and voting; violations.—

1061 (1) For purposes of this section, the term "immediate
 1062 family" means a person's spouse or the parent, child,
 1063 grandparent, or sibling of the person or the person's spouse.

1064 (2) Any person who distributes, orders, requests,
 1065 collects, delivers, ~~provides or offers to provide, and any~~
 1066 ~~person who accepts, a pecuniary or other benefit in exchange for~~
 1067 ~~distributing, ordering, requesting, collecting, delivering, or~~
 1068 otherwise physically possesses a vote-by-mail ballot of another
 1069 person, not including possessing more than two vote-by-mail
 1070 ~~ballots per election in addition to his or her own ballot or a~~
 1071 ballot belonging to an immediate family member or an individual
 1072 who resides at the same residence, except as authorized ~~provided~~
 1073 in s. 101.655 ~~ss. 101.6105-101.694,~~ commits a misdemeanor of the
 1074 first degree, punishable as provided in s. 775.082, s. 775.083,
 1075 or s. 775.084.

1076 Section 24. Section 104.47, Florida Statutes, is created
 1077 to read:

1078 104.47 Penalty for misuse of voter's signature.-Any person
 1079 who copies or uses a voter signature obtained from election
 1080 records commits a second degree felony, punishable as provided
 1081 in s. 775.082 or s. 775.083. This section does not apply to a
 1082 person who copies or uses a voter signature obtained from
 1083 elections records for the purpose of challenging or defending an
 1084 election determination of a voter signature match or mismatch.

1085 Section 25. Subsection (2) of section 124.011, Florida
 1086 Statutes, is amended to read:

1087 124.011 Alternate procedure for the election of county
 1088 commissioners to provide for single-member representation.-

1089 (2) All commissioners shall be elected for 4-year terms
 1090 which shall be staggered so that, alternately, one more or one
 1091 less than half of the commissioners elected from residence areas
 1092 and, if applicable, one of the commissioners elected at large
 1093 from the entire county are elected every 2 years, except that
 1094 any commissioner may be elected to an initial term of less than
 1095 4 years if necessary to achieve or maintain such system of
 1096 staggered terms. Notwithstanding any law to the contrary, at the
 1097 election immediately following redistricting directed by s.
 1098 1(e), Art. VIII of the State Constitution, each commissioner
 1099 elected only by electors who reside in the district must be
 1100 elected and terms thereafter shall be staggered as provided in

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2021

1101 | s. 100.041.

1102 | Section 26. This act shall take effect July 1, 2021.