

1 A bill to be entitled
2 An act relating to elections; creating s. 97.029,
3 F.S.; prohibiting certain persons from settling
4 certain actions, consenting to conditions, or agreeing
5 to certain orders in certain circumstances; requiring
6 certain persons to make certain legal challenges and
7 move to dismiss or otherwise terminate a court's
8 jurisdiction in certain circumstances; amending s.
9 97.052, F.S.; revising the information that the
10 uniform statewide voter registration application must
11 be designed to elicit from applicants; amending s.
12 97.053, F.S.; revising the criteria for determining if
13 a voter registration application is complete; amending
14 s. 97.057, F.S.; requiring the Department of Highway
15 Safety and Motor Vehicle to assist the Department of
16 State in identifying certain residence address
17 changes; requiring the Department of State to report
18 such changes to supervisors of elections; amending s.
19 97.0575, F.S.; revising the requirements for third-
20 party voter registration organizations; providing
21 applicability; revising the circumstances under which
22 fines may be imposed for voter registration
23 applications; revising the requirements for rules that
24 the Division of Elections must adopt; amending s.
25 97.1031, F.S.; revising information that an elector

26 must provide to a supervisor of elections when the
27 elector changes his or her residence address, party
28 affiliation, or name; creating s. 97.106, F.S.;
29 prohibiting certain agencies and state and local
30 officials from engaging in certain acts relating to
31 elections; amending s. 98.0981, F.S.; providing that
32 certain ballot types or precinct subtotals may not be
33 reported in precinct-level election results; amending
34 s. 100.041, F.S.; providing exceptions to elections
35 and terms of county commissioners; amending s.
36 100.111, F.S.; revising the method of filling a
37 vacancy in nomination for a political party; creating
38 s. 101.046, F.S.; providing a signature verification
39 procedure; amending s. 101.048, F.S.; requiring the
40 supervisor of elections to notify the registered
41 political party of specified electors under certain
42 circumstances; amending s. 101.051, F.S.; revising the
43 distance certain persons must maintain at a polling
44 place, drop box site, or early voting site; amending
45 s. 101.545, F.S.; requiring ballots, forms, and
46 election materials to be retained for a specified
47 minimum time; amending s. 101.5605, F.S.; revising the
48 timeframe within which the department shall approve or
49 disapprove a voting system that is submitted for
50 approval; amending s. 101.5614, F.S.; revising

51 requirements for making true duplicate copies of vote-
52 by-mail ballots under certain circumstances; requiring
53 that an observer of the duplication of ballots be
54 provided certain allowances; requiring that the
55 duplication process must take place in the presence of
56 a canvassing board member; requiring a canvassing
57 board to make certain determinations; amending s.
58 101.591, F.S.; revising the timeframe and requirements
59 for the report of the results of the audit submitted
60 to the department; amending s. 101.595, F.S.;
61 providing additional requirements for a specified
62 report; revising the date by which the report must be
63 submitted; amending s. 101.62, F.S.; revising the
64 effective length of time for requests for vote-by-mail
65 ballots from electors; providing requirements for
66 specified requests for vote-by-mail ballots; revising
67 information that electors requesting such ballots must
68 disclose; providing information that the supervisor of
69 elections must record for each request for a vote-by-
70 mail ballot; revising the list of people to whom the
71 supervisor of elections may deliver vote-by-mail
72 ballots; prohibiting counties, municipalities, and
73 state agencies from sending vote-by-mail ballots
74 unless specified requirements are met; providing an
75 exception; amending s. 101.64, F.S.; revising the

76 requirements for delivery of vote-by-mail ballots;
77 amending s. 101.68, F.S.; providing requirements for a
78 supervisor; revising the timeframe for the beginning
79 of the canvassing of vote-by-mail ballots by the
80 county canvassing board; revising the duties of the
81 canvassing board under specified circumstances;
82 requiring the supervisor of elections to notify the
83 registered political party of specified electors under
84 certain circumstances; amending s. 101.69, F.S.;
85 revising the requirements for the return of vote-by-
86 mail ballots; providing requirements for secure drop
87 boxes; requiring that certain persons provide a
88 certain declaration or attestation with certain vote-
89 by-mail ballots that are returned to a drop box;
90 requiring that copies of such declarations and
91 attestations be made available in a certain manner;
92 providing that a supervisor of elections is subject to
93 a civil penalty in certain circumstances; amending s.
94 102.031, F.S.; prohibiting the solicitation of voters
95 within a certain distance of a drop box; revising the
96 definition of the terms "solicit" and "solicitation";
97 prohibiting certain persons from prohibiting the
98 solicitation of voters by a candidate or a candidate's
99 designee outside of a no-solicitation zone; creating
100 s. 102.07, F.S.; requiring the supervisor of elections

101 to post and update on his or her website certain
 102 information at specified intervals; amending s.
 103 102.141, F.S.; requiring that certain information be
 104 published on the supervisor of election's website;
 105 requiring additional information to be made available
 106 for public notices of county canvassing board
 107 meetings; creating s. 104.032, F.S.; prohibiting the
 108 making of a false declaration or a false attestation
 109 for certain purposes; providing criminal penalties;
 110 amending s. 104.0616, F.S.; revising the definition of
 111 the term "immediate family"; revising the acts that
 112 result in a misdemeanor relating to vote-by-mail
 113 ballots; authorizing a person to distribute, order,
 114 request, collect, deliver, or possess the vote-by-mail
 115 ballot of another person in certain circumstances;
 116 requiring such person to carry a certain declaration;
 117 amending s. 124.011, F.S.; providing exceptions to
 118 elections and terms of county commissioners after
 119 decennial redistricting; providing applicability;
 120 providing an effective date.

121

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

123

124 Section 1. Section 97.029, Florida Statutes, is created to
 125 read:

126 97.029 Civil actions challenging the validity of election
 127 laws.—

128 (1) In a civil action challenging the validity of a
 129 provision of the Florida Election Code in which a state or
 130 county agency or officer is a party in state or federal court,
 131 the officer, agent, official, or attorney who represents or is
 132 acting on behalf of such agency or officer may not settle such
 133 action, consent to any condition, or agree to any order in
 134 connection therewith if the settlement, condition, or order
 135 nullifies, suspends, or is in conflict with any provision of the
 136 Florida Election Code, unless:

137 (a) At the time settlement negotiations have begun in
 138 earnest, written notification is given to the President of the
 139 Senate, the Speaker of the House of Representatives, and the
 140 Attorney General.

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

146 (c) At least 10 days before the date a settlement or
 147 presettlement agreement or order is to be made final, written
 148 notification is given to the President of the Senate, the
 149 Speaker of the House of Representatives, and the Attorney
 150 General.

151 (2) If any notification required by this section is
152 precluded by federal law, federal regulation, court order, or
153 court rule, the officer, agent, official, or attorney
154 representing such agency or officer, or the Attorney General,
155 shall challenge the constitutionality in the civil suit affected
156 and give prompt notice thereof to the President of the Senate,
157 the Speaker of the House of Representatives, and the Attorney
158 General.

159 (3) If, after a court has entered an order or judgment
160 that nullifies or suspends, or orders or justifies official
161 action that is in conflict with, a provision of the Florida
162 Election Code, the Legislature amends the general law to remove
163 the invalidity or unenforceability, the officer, agent,
164 official, or attorney who represents or is acting on behalf of
165 the agency or officer bound by such order or judgment must
166 promptly after such amendment of the general law move to dismiss
167 or otherwise terminate any ongoing jurisdiction of such case.

168 Section 2. Paragraph (t) of subsection (2) of section
169 97.052, Florida Statutes, is amended to read:

170 97.052 Uniform statewide voter registration application.—

171 (2) The uniform statewide voter registration application
172 must be designed to elicit the following information from the
173 applicant:

174 (t)~~1.~~ Whether the applicant has ~~never~~ been convicted of a
175 felony and, if convicted, has had his or her voting rights

176 restored by including the statement "I affirm that I am not a
177 convicted felon or, if I am, my right to vote has been restored
178 ~~I have never been convicted of a felony.~~" and providing a box
179 for the applicant to check to affirm the statement.

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

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

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

196 97.053 Acceptance of voter registration applications.—

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

200 1. The applicant's name.

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

210 3. The applicant's date of birth.

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

213 5.a. The applicant's current and valid Florida driver
214 license number or the identification number from a Florida
215 identification card issued under s. 322.051, or

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

219
220 In case an applicant has not been issued a current and valid
221 Florida driver license, Florida identification card, or social
222 security number, the applicant shall affirm this fact in the
223 manner prescribed in the uniform statewide voter registration
224 application.

225 6. A mark in the ~~applicable~~ checkbox affirming that the

226 applicant has not been convicted of a felony or that, if
227 convicted, ~~has had his or her civil rights restored through~~
228 ~~executive clemency, or~~ has had his or her voting rights restored
229 pursuant to s. 4, Art. VI of the State Constitution.

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

234 8. The original signature or a digital signature
235 transmitted by the Department of Highway Safety and Motor
236 Vehicles of the applicant swearing or affirming under the
237 penalty for false swearing pursuant to s. 104.011 that the
238 information contained in the registration application is true
239 and subscribing to the oath required by s. 3, Art. VI of the
240 State Constitution and s. 97.051.

241 (6) A voter registration application, including an
242 application with a change in name, address, or party
243 affiliation, may be accepted as valid only after the department
244 has verified the authenticity or nonexistence of the driver
245 license number, the Florida identification card number, or the
246 last four digits of the social security number provided by the
247 applicant. If a completed voter registration application has
248 been received by the book-closing deadline but the driver
249 license number, the Florida identification card number, or the
250 last four digits of the social security number provided by the

251 applicant cannot be verified, the applicant shall be notified
252 that the number cannot be verified and that the applicant must
253 provide evidence to the supervisor sufficient to verify the
254 authenticity of the applicant's driver license number, Florida
255 identification card number, or last four digits of the social
256 security number. If the applicant provides the necessary
257 evidence, the supervisor shall place the applicant's name on the
258 registration rolls as an active voter. If the applicant has not
259 provided the necessary evidence or the number has not otherwise
260 been verified prior to the applicant presenting himself or
261 herself to vote, the applicant shall be provided a provisional
262 ballot. The provisional ballot shall be counted only if the
263 number is verified by the end of the canvassing period or if the
264 applicant presents evidence to the supervisor of elections
265 sufficient to verify the authenticity of the applicant's driver
266 license number, Florida identification card number, or last four
267 digits of the social security number no later than 5 p.m. of the
268 second day following the election.

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

271 97.057 Voter registration by the Department of Highway
272 Safety and Motor Vehicles.—

273 (13) The Department of Highway Safety and Motor Vehicles
274 must assist the Department of State in regularly identifying
275 changes in residence address on the driver license or

276 identification card of a voter. The Department of State must
 277 report each such change to the appropriate supervisor of
 278 elections who must change the voter's registration records in
 279 accordance with s. 98.065(4).

280 Section 5. Paragraphs (c) and (d) of subsection (1),
 281 paragraph (a) of subsection (3), and subsection (5) of section
 282 97.0575, Florida Statutes, are amended to read:

283 97.0575 Third-party voter registrations.—

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

288 (c) The names, permanent addresses, and temporary
 289 addresses, if any, of each registration agent registering
 290 persons to vote in this state on behalf of the organization.
 291 This paragraph does not apply to persons who only solicit
 292 applications and do not collect or handle voter registration
 293 applications.

294 ~~(d) A sworn statement from each registration agent~~
 295 ~~employed by or volunteering for the organization stating that~~
 296 ~~the agent will obey all state laws and rules regarding the~~
 297 ~~registration of voters. Such statement must be on a form~~
 298 ~~containing notice of applicable penalties for false~~
 299 ~~registration.~~

300 (3) (a) A third-party voter registration organization that

301 collects voter registration applications serves as a fiduciary
302 to the applicant, ensuring that any voter registration
303 application entrusted to the organization, irrespective of party
304 affiliation, race, ethnicity, or gender, must ~~shall~~ be promptly
305 delivered to the division or the supervisor of elections in the
306 county in which the elector resides within 14 days after
307 completed by the applicant, but not after registration closes
308 for the next ensuing election. A third-party voter registration
309 organization must notify the applicant at the time the
310 application is collected that the organization might not deliver
311 the application to the division or the supervisor of elections
312 in the county in which the elector resides in less than 14 days
313 or before registration closes for the next ensuing election and
314 must advise the applicant that he or she may deliver the
315 application in person or by mail. The third-party voter
316 registration organization must also inform the applicant how to
317 register online with the division and how to determine whether
318 the application has been delivered ~~48 hours after the applicant~~
319 ~~completes it or the next business day if the appropriate office~~
320 ~~is closed for that 48-hour period.~~ If a voter registration
321 application collected by any third-party voter registration
322 organization is not promptly delivered to the division or
323 supervisor of elections in the county in which the elector
324 resides, the third-party voter registration organization is
325 liable for the following fines:

326 1. A fine in the amount of \$50 for each application
327 received by the division or the supervisor of elections in the
328 county which the elector resides more than 14 days ~~48 hours~~
329 after the applicant delivered the completed voter registration
330 application to the third-party voter registration organization
331 or any person, entity, or agent acting on its behalf ~~or the next~~
332 ~~business day, if the office is closed~~. A fine in the amount of
333 \$250 for each application received if the third-party voter
334 registration organization or person, entity, or agency acting on
335 its behalf acted willfully.

336 2. A fine in the amount of \$100 for each application
337 collected by a third-party voter registration organization or
338 any person, entity, or agent acting on its behalf, before book
339 closing for any given election for federal or state office and
340 received by the division or the supervisor of elections in the
341 county in which the elector resides after the book-closing
342 deadline for such election. A fine in the amount of \$500 for
343 each application received if the third-party registration
344 organization or person, entity, or agency acting on its behalf
345 acted willfully.

346 3. A fine in the amount of \$500 for each application
347 collected by a third-party voter registration organization or
348 any person, entity, or agent acting on its behalf, which is not
349 submitted to the division or supervisor of elections in the
350 county in which the elector resides. A fine in the amount of

351 \$1,000 for any application not submitted if the third-party
352 voter registration organization or person, entity, or agency
353 acting on its behalf acted willfully.

354
355 The aggregate fine pursuant to this paragraph which may be
356 assessed against a third-party voter registration organization,
357 including affiliate organizations, for violations committed in a
358 calendar year is \$1,000.

359 (5) The division shall adopt by rule a form to elicit
360 specific information concerning the facts and circumstances from
361 a person who claims to have been registered to vote by a third-
362 party voter registration organization but who does not appear as
363 an active voter on the voter registration rolls. The division
364 shall also adopt rules to ensure the integrity of the
365 registration process, including controls to ensure that all
366 completed forms are promptly delivered to the division or an
367 supervisor in the county in which the elector resides ~~rules~~
368 ~~requiring third party voter registration organizations to~~
369 ~~account for all state and federal registration forms used by~~
370 ~~their registration agents. Such rules may require an~~
371 ~~organization to provide organization and form specific~~
372 ~~identification information on each form as determined by the~~
373 ~~department as needed to assist in the accounting of state and~~
374 ~~federal registration forms.~~

375 Section 6. Section 97.1031, Florida Statutes, is amended

376 to read:

377 97.1031 Notice of change of residence, change of name, or
 378 change of party affiliation.—

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

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

386 1. Contacting the supervisor of elections via telephone or
 387 electronic means, in which case the elector must provide his or
 388 her date of birth and the last four digits of his or her social
 389 security number, his or her Florida driver license number, or
 390 his or her Florida identification card number, whichever may be
 391 verified in the supervisor's records; or

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

394 (2) When an elector seeks to change party affiliation, the
 395 elector shall notify his or her supervisor of elections or other
 396 voter registration official by submitting a voter registration
 397 application ~~using a signed written notice that contains the~~
 398 ~~elector's date of birth or voter registration number.~~ When an
 399 elector changes his or her name by marriage or other legal
 400 process, the elector shall notify his or her supervisor of

401 | elections or other voter registration official by submitting a
 402 | voter registration application ~~using a signed written notice~~
 403 | ~~that contains the elector's date of birth or voter's~~
 404 | ~~registration number.~~

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

410 | Section 7. Section 97.106, Florida Statutes, is created to
 411 | read:

412 | 97.106 Prohibition on use of private funds for election
 413 | related expenses.—No agency or state or local official
 414 | responsible for conducting elections, including, but not limited
 415 | to, a supervisor of elections, may solicit, accept, use, or
 416 | dispose of any donation in the form of money, grants, property,
 417 | or personal services from an individual or a nongovernmental
 418 | entity for the purpose of funding election-related expenses or
 419 | voter education or registration programs.

420 | Section 8. Paragraph (a) of subsection (2) of section
 421 | 98.0981, Florida Statutes, is amended to read:

422 | 98.0981 Reports; voting history; statewide voter
 423 | registration system information; precinct-level election
 424 | results; book closing statistics.—

425 | (2) PRECINCT-LEVEL ELECTION RESULTS.—

426 (a) Within 30 days after certification by the Elections
 427 Canvassing Commission of a presidential preference primary
 428 election, special election, primary election, or general
 429 election, the supervisors of elections shall collect and submit
 430 to the department precinct-level election results for the
 431 election in a uniform electronic format specified by paragraph
 432 (c). The precinct-level election results shall be compiled
 433 separately for the primary or special primary election that
 434 preceded the general or special general election, respectively.
 435 The results shall specifically include for each precinct the
 436 total of all ballots cast for each candidate or nominee to fill
 437 a national, state, county, or district office or proposed
 438 constitutional amendment, with subtotals for each candidate and
 439 ballot type. However, ballot type or precinct subtotals in a
 440 race or question having fewer than 30 voters voting on the
 441 ballot type or in the precinct may not be reported in precinct
 442 results, unless fewer than 30 voters voted a ballot type. "All
 443 ballots cast" means ballots cast by voters who cast a ballot
 444 whether at a precinct location, by vote-by-mail ballot including
 445 overseas vote-by-mail ballots, during the early voting period,
 446 or by provisional ballot.

447 Section 9. Paragraph (a) of subsection (2) of section
 448 100.041, Florida Statutes, is amended to read:

449 100.041 Officers chosen at general election.—

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

451 member districts after decennial redistricting, each county
452 commissioner from an odd-numbered district shall be elected at
453 the general election in each year the number of which is a
454 multiple of 4, for a 4-year term commencing on the second
455 Tuesday following such election, and each county commissioner
456 from an even-numbered district shall be elected at the general
457 election in each even-numbered year the number of which is not a
458 multiple of 4, for a 4-year term commencing on the second
459 Tuesday following such election. A county commissioner is
460 "elected" for purposes of this paragraph on the date that the
461 county canvassing board certifies the results of the election
462 pursuant to s. 102.151.

463 Section 10. Paragraph (a) of subsection (3) of section
464 100.111, Florida Statutes, is amended to read:

465 100.111 Filling vacancy.—

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

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

476 2. If the vacancy in nomination is for the office of
477 United States Representative, state senator, state
478 representative, state attorney, or public defender, the state
479 party chair shall ~~notify the appropriate county chair or chairs~~
480 ~~and, within 5 days, the appropriate county chair or chairs shall~~
481 call a meeting of the state executive committee members residing
482 ~~members of the executive committee~~ in the affected county or
483 counties to consider designation of a nominee to fill the
484 vacancy.

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

490
491 The name of any person so designated shall be submitted to the
492 filing officer before whom the candidate qualified within 7 days
493 after notice to the chair in order that the person designated
494 may have his or her name on the ballot of the ensuing general
495 election. If the name of the new nominee is submitted after the
496 certification of results of the preceding primary election,
497 however, the ballots shall not be changed and the former party
498 nominee's name will appear on the ballot. Any ballots cast for
499 the former party nominee will be counted for the person
500 designated by the political party to replace the former party

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

504 Section 11. Section 101.046, Florida Statutes, is created
 505 to read:

506 101.046 Signature verification procedure.—When a signature
 507 is verified with the voter's signature in the registration
 508 records, the verifier shall only use a signature in the
 509 registration books or the precinct register from the preceding 4
 510 years. If a wet signature is not available from the preceding 4
 511 years, the verifier may use the most recent wet signature on
 512 record. For purposes of this section, "wet signature" means a
 513 signature that a voter physically signed on paper with a pen or
 514 other writing utensil.

515 Section 12. Paragraph (a) of subsection (6) of section
 516 101.048, Florida Statutes, is amended to read:

517 101.048 Provisional ballots.—

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

524 1. Notifying the elector of the signature deficiency by e-
 525 mail and directing the elector to the cure affidavit and

526 instructions on the supervisor's website;

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

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

533

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

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

551 101.051 Electors seeking assistance in casting ballots;
552 oath to be executed; forms to be furnished.—

553 (2) It is unlawful for any person to be in the voting
554 booth with any elector except as provided in subsection (1). A
555 person at a polling place, drop box site, or early voting site,
556 or within 150 ~~100~~ feet of the entrance of a polling place, drop
557 box site, or early voting site, may not solicit any elector in
558 an effort to provide assistance to vote pursuant to subsection
559 (1). Any person who violates this subsection commits a
560 misdemeanor of the first degree, punishable as provided in s.
561 775.082 or s. 775.083.

562 Section 14. Section 101.545, Florida Statutes, is amended
563 to read:

564 101.545 Retention and destruction of certain election
565 materials.—All ballots, forms, and other election materials
566 shall be retained in the custody of the supervisor of elections
567 for a minimum of 22 months after an election and in accordance
568 with the schedule approved by the Division of Library and
569 Information Services of the Department of State. All unused
570 ballots, forms, and other election materials may, with the
571 approval of the Department of State, be destroyed by the
572 supervisor after the election for which such ballots, forms, or
573 other election materials were to be used.

574 Section 15. Paragraph (d) of subsection (2) of section
575 101.5605, Florida Statutes, is amended to read:

576 | 101.5605 Examination and approval of equipment.—

577 | (2)

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

581 | Section 16. Paragraph (a) of subsection (4) of section
582 | 101.5614, Florida Statutes, is amended to read:

583 | 101.5614 Canvass of returns.—

584 | (4) (a) If any vote-by-mail ballot is physically damaged so
585 | that it cannot properly be counted by the voting system's
586 | automatic tabulating equipment, a true duplicate copy shall be
587 | made of the damaged ballot in an open and accessible room in the
588 | presence of witnesses and substituted for the damaged ballot.
589 | Likewise, a duplicate ballot shall be made of a vote-by-mail
590 | ballot containing an overvoted race or a marked vote-by-mail
591 | ballot containing an undervoted race, if there is a clear
592 | indication on the ballot that the voter has made a definite
593 | choice in the overvoted or undervoted race or ballot measure. A
594 | duplicate in which every race is undervoted which shall include
595 | all valid votes as determined by the canvassing board based on
596 | rules adopted by the division pursuant to s. 102.166(4). A
597 | duplicate may not include a vote if the voter's intent in such
598 | race or on such measure is not clear. Upon request, a physically
599 | present candidate, a political party official, a political
600 | committee official, or an authorized designee thereof, must be

601 allowed to observe the duplication of ballots. The observer must
602 be allowed to stand in close enough proximity to observe the
603 duplication of ballots in such a way that the observer is able
604 to see the markings on each ballot and the duplication taking
605 place. All duplicate ballots must ~~shall~~ be clearly labeled
606 "duplicate," bear a serial number which shall be recorded on the
607 defective ballot, and be counted in lieu of the defective
608 ballot. The duplication of ballots must happen in the presence
609 of at least one canvassing board member. After a ballot has been
610 duplicated, the defective ballot shall be placed in an envelope
611 provided for that purpose, and the duplicate ballot shall be
612 tallied with the other ballots for that precinct. Upon objection
613 by an observer to a duplicate of a ballot, the ballot must be
614 presented to the canvassing board for a determination of the
615 validity of the duplicate. The canvassing board must document
616 the serial number of the ballot in the canvassing board's
617 minutes. The canvassing board must decide whether the
618 duplication is valid. If the duplicate ballot is determined to
619 be valid, the duplicate ballot must be counted. If the duplicate
620 ballot is determined to be invalid, the duplicate ballot must be
621 rejected and a proper duplicate ballot must be made and counted
622 in lieu of the original.

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

625 101.591 Voting system audit.—

626 (5) By December 15 of each general election year ~~Within 15~~
627 ~~days after completion of the audit,~~ the county canvassing board
628 or the board responsible for certifying the election shall
629 provide a report with the results of the audit to the Department
630 of State in a standard format as prescribed by the department.
631 The report must be consolidated into one report with the
632 overvote and undervote report required under s. 101.595(1). The
633 report shall contain, but is not limited to, the following
634 items:

635 (a) The overall accuracy of audit.

636 (b) A description of any problems or discrepancies
637 encountered.

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

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

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

643 101.595 Analysis and reports of voting problems.—

644 (1) No later than December 15 of each general election
645 year, the supervisor of elections in each county shall report to
646 the Department of State the total number of overvotes and
647 undervotes in the "President and Vice President" or "Governor
648 and Lieutenant Governor" race that appears first on the ballot
649 or, if neither appears, the first race appearing on the ballot
650 pursuant to s. 101.151(2), along with the likely reasons for

651 such overvotes and undervotes and other information as may be
652 useful in evaluating the performance of the voting system and
653 identifying problems with ballot design and instructions which
654 may have contributed to voter confusion. This report must be
655 consolidated into one report with the audit report required
656 under s. 101.591(5).

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

661 Section 19. Paragraphs (a) and (b) of subsection (1),
662 subsection (3), and paragraph (c) of subsection (4) of section
663 101.62, Florida Statutes, are amended, and subsection (7) is
664 added to that section, to read:

665 101.62 Request for vote-by-mail ballots.—

666 (1)(a) The supervisor shall accept a request for a vote-
667 by-mail ballot from an elector in person or in writing. One
668 request ~~is shall be~~ deemed sufficient to receive a vote-by-mail
669 ballot for all elections through the end of the calendar year of
670 the next second ensuing regularly scheduled general election
671 provided that a request received after November 6, 2018, and
672 before July 1, 2021, is deemed sufficient through the end of the
673 calendar year of the second ensuing regularly scheduled general
674 election, unless the elector or the elector's designee indicates
675 at the time the request is made the elections within such period

676 for which the elector desires to receive a vote-by-mail ballot.
677 Such request may be considered canceled when any first-class
678 mail sent by the supervisor to the elector is returned as
679 undeliverable.

680 (b) The supervisor may accept a written or telephonic
681 request for a vote-by-mail ballot to be mailed to an elector's
682 address on file in the Florida Voter Registration System from
683 the elector, or, if directly instructed by the elector, a member
684 of the elector's immediate family, or the elector's legal
685 guardian. If a telephone request is made the elector must
686 provide the elector's Florida driver license number, the
687 elector's Florida identification card number, or the last four
688 digits of the elector's social security number, whichever may be
689 verified in the supervisor's records. If the ballot is
690 requested to be mailed to an address other than the elector's
691 address on file in the Florida Voter Registration System, the
692 request must be made in writing, ~~and~~ signed by the elector, and
693 include the elector's Florida driver license number, the
694 elector's Florida identification card number, or the last four
695 digits of the elector's social security number. However, an
696 absent uniformed service voter or an overseas voter seeking a
697 vote-by-mail ballot is not required to submit a signed, written
698 request for a vote-by-mail ballot that is being mailed to an
699 address other than the elector's address on file in the Florida
700 Voter Registration System. For purposes of this section, the

701 term "immediate family" has the same meaning as specified in
702 paragraph (4) (c). The person making the request must disclose:
703 1. The name of the elector for whom the ballot is
704 requested.
705 2. The elector's address.
706 3. The elector's date of birth.
707 4. The elector's Florida driver license number, the
708 elector's Florida identification card number, or the last four
709 digits of the elector's social security number, whichever may be
710 verified in the supervisor's records.
711 5. The requester's name.
712 ~~6.5.~~ The requester's address.
713 ~~7.6.~~ The requester's driver license number, if available.
714 ~~8.7.~~ The requester's relationship to the elector.
715 ~~9.8.~~ The requester's signature (written requests only).
716 (3) For each request for a vote-by-mail ballot received,
717 the supervisor shall record the date the request was made, the
718 identity of the voter's designee making the request, if any, the
719 last four digits of the social security number, Florida driver
720 license number, or Florida identification card number provided
721 with a written request if not verified by the supervisor, the
722 date the vote-by-mail ballot was delivered to the voter or the
723 voter's designee or the date the vote-by-mail ballot was
724 delivered to the post office or other carrier, the address to
725 which the ballot was mailed, the date the ballot was received by

726 | the supervisor, the absence of the voter's signature on the
727 | voter's certificate, if applicable, whether there is a
728 | mismatching voter signature on the voter's certificate, and such
729 | other information he or she may deem necessary. This information
730 | shall be provided in electronic format as provided by rule
731 | adopted by the division. The information shall be updated and
732 | made available no later than 8 a.m. of each day, including
733 | weekends, beginning 60 days before the primary until 15 days
734 | after the general election and shall be contemporaneously
735 | provided to the division. This information shall be confidential
736 | and exempt from s. 119.07(1) and shall be made available to or
737 | reproduced only for the voter requesting the ballot, a
738 | canvassing board, an election official, a political party or
739 | official thereof, a candidate who has filed qualification papers
740 | and is opposed in an upcoming election, and registered political
741 | committees for political purposes only.

742 | (4)

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

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

749 | 2. By forwardable mail, e-mail, or facsimile machine
750 | transmission to absent uniformed services voters and overseas

751 voters. The absent uniformed services voter or overseas voter
752 may designate in the vote-by-mail ballot request the preferred
753 method of transmission. If the voter does not designate the
754 method of transmission, the vote-by-mail ballot shall be mailed.

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

758 4. By delivery to a designee on election day or up to 9
759 days before ~~prior to~~ the day of an election. Any elector may
760 designate in writing a person to pick up the ballot for the
761 elector; however, the person designated may not pick up more
762 than two vote-by-mail ballots per election, other than the
763 designee's own ballot, except that additional ballots may be
764 picked up for members of the designee's immediate family. For
765 purposes of this section, "immediate family" means the
766 designee's spouse or the parent, child, grandparent, grandchild,
767 or sibling of the designee or of the designee's spouse. The
768 designee shall provide to the supervisor the written
769 authorization by the elector and a picture identification of the
770 designee and must complete an affidavit. The designee shall
771 state in the affidavit that the designee is authorized by the
772 elector to pick up that ballot and shall indicate if the elector
773 is a member of the designee's immediate family and, if so, the
774 relationship. The department shall prescribe the form of the
775 affidavit. If the supervisor is satisfied that the designee is

776 authorized to pick up the ballot and that the signature of the
777 elector on the written authorization matches the signature of
778 the elector on file, the supervisor shall give the ballot to
779 that designee for delivery to the elector.

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

789 (7) Except as expressly authorized for voters having a
790 disability under s. 101.662, for overseas voters under s.
791 101.697, or for local referenda under ss. 101.6102 and 101.6103,
792 a county, municipality, or state agency may not send a vote-by-
793 mail ballot to a voter unless the voter has requested a vote-by-
794 mail ballot in the manner authorized under this section.

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

797 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

798 (1) (a) The supervisor shall enclose with each vote-by-mail
799 ballot two envelopes: a secrecy envelope, into which the absent
800 elector shall enclose his or her marked ballot; and a mailing

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

829 101.68 Canvassing of vote-by-mail ballot.—

830 (1) The supervisor of the county in which ~~where~~ the absent
 831 elector resides shall receive the voted ballot, at which time
 832 the supervisor shall compare the signature of the elector on the
 833 voter's certificate with the signature of the elector in the
 834 registration books or the precinct register to determine whether
 835 the elector is duly registered in the county and must ~~may~~ record
 836 on the elector's registration record ~~certificate~~ that the
 837 elector has voted. During the signature comparison process, the
 838 supervisor may not have any knowledge of the political
 839 affiliation of the voter whose signature is subject to
 840 verification. An elector who dies after casting a vote-by-mail
 841 ballot but on or before election day shall remain listed in the
 842 registration books until the results have been certified for the
 843 election in which the ballot was cast. The supervisor shall
 844 safely keep the ballot unopened in his or her office until the
 845 county canvassing board canvasses the vote. Except as provided
 846 in subsection (4), after a vote-by-mail ballot is received by
 847 the supervisor, the ballot is deemed to have been cast, and
 848 changes or additions may not be made to the voter's certificate.

849 (2) (a) The county canvassing board may begin the
 850 canvassing of vote-by-mail ballots upon the completion of the

851 public testing of automatic tabulating equipment pursuant to s.
852 101.5612(2) at 7 a.m. on the 22nd day before the election, but
853 must begin such canvassing by not later than noon on the day
854 following the election. In addition, for any county using
855 electronic tabulating equipment, the processing of vote by mail
856 ballots through such tabulating equipment may begin at 7 a.m. on
857 the 22nd day before the election. However, notwithstanding any
858 such authorization to begin canvassing or otherwise processing
859 vote-by-mail ballots early, no result shall be released until
860 after the closing of the polls in that county on election day.
861 Any supervisor, deputy supervisor, canvassing board member,
862 election board member, or election employee who releases the
863 results of a canvassing or processing of vote-by-mail ballots
864 prior to the closing of the polls in that county on election day
865 commits a felony of the third degree, punishable as provided in
866 s. 775.082, s. 775.083, or s. 775.084.

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

872 (c)1. The canvassing board must, if the supervisor has not
873 already done so, compare the signature of the elector on the
874 voter's certificate or on the vote-by-mail ballot cure affidavit
875 as provided in subsection (4) with the signature of the elector

876 in the registration books or the precinct register to see that
877 the elector is duly registered in the county and to determine
878 the legality of that vote-by-mail ballot. A vote-by-mail ballot
879 may only be counted if:

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

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

890

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

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

900 3. A vote-by-mail ballot is not considered illegal if the

901 signature of the elector does not cross the seal of the mailing
902 envelope.

903 4. If any elector or candidate present believes that a
904 vote-by-mail ballot is illegal due to a defect apparent on the
905 voter's certificate or the cure affidavit, he or she may, at any
906 time before the ballot is removed from the envelope, file with
907 the canvassing board a protest against the canvass of that
908 ballot, specifying the precinct, the voter's certificate or the
909 cure affidavit ~~the ballot~~, and the reason he or she believes the
910 ballot to be illegal. A challenge based upon a defect in the
911 voter's certificate or cure affidavit may not be accepted after
912 the ballot has been removed from the mailing envelope.

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

919 (d) The canvassing board shall record the ballot upon the
920 proper record, unless the ballot has been previously recorded by
921 the supervisor. The mailing envelopes shall be opened and the
922 secrecy envelopes shall be mixed so as to make it impossible to
923 determine which secrecy envelope came out of which signed
924 mailing envelope; however, in any county in which an electronic
925 or electromechanical voting system is used, the ballots may be

926 sorted by ballot styles and the mailing envelopes may be opened
927 and the secrecy envelopes mixed separately for each ballot
928 style. The votes on vote-by-mail ballots shall be included in
929 the total vote of the county.

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

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

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

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

945
946 In addition to the notification required under subparagraph 1.,
947 subparagraph 2., or subparagraph 3., the supervisor must notify
948 the elector of the signature deficiency by first-class mail and
949 direct the elector to the cure affidavit and instructions on the
950 supervisor's website. Beginning the day before the election, the

951 supervisor is not required to provide notice of the signature
952 deficiency by first-class mail, but shall continue to provide
953 notice as required under subparagraph 1., subparagraph 2., or
954 subparagraph 3. In addition, a supervisor must notify the
955 registered political party, if any, of any elector who has a
956 signature deficiency. The political parties must provide the
957 supervisor of each county one e-mail address that the supervisor
958 may use to notify the political party of the signature
959 deficiency. The supervisor must contact the political party
960 promptly after contacting the elector.

961 Section 22. Subsection (2) of section 101.69, Florida
962 Statutes, is amended and subsection (3) is added to that section
963 to read:

964 101.69 Voting in person; return of vote-by-mail ballot.—

965 (2) (a) The supervisor shall allow an elector who has
966 received a vote-by-mail ballot to physically return a voted
967 vote-by-mail ballot to the supervisor by placing the return mail
968 envelope containing his or her marked ballot in a secure drop
969 box. Secure drop boxes shall be placed at the main office of the
970 supervisor, at each branch office of the supervisor, and at each
971 early voting site. Secure drop boxes may also be placed at any
972 other site that would otherwise qualify as an early voting site
973 under s. 101.657(1). Except for secure drop boxes at an office
974 of the supervisor, a secure drop box may only be used; provided,
975 ~~however, that any such site must be staffed during the county's~~

976 early voting hours of operation and must be monitored in person
977 by an employee of the supervisor's office ~~or a sworn law~~
978 ~~enforcement officer.~~ A secure drop box at an office of the
979 supervisor must be continuously monitored in person by an
980 employee of the supervisor's office during regular office hours.
981 During other hours, a secure drop box at an office of the
982 supervisor may only be accessible if it is secured from
983 tampering and monitored by video surveillance. The supervisor
984 must keep recordings of video surveillance of such secure drop
985 boxes and provide a copy to any candidate or political party
986 submitting a written request for the recordings within 24 hours
987 after receipt of such request.

988 (b) A supervisor shall designate each drop box site at
989 least 30 days before an election. The supervisor shall provide
990 the address of each drop box location to the division at least
991 30 days before an election. On each day of early voting, all
992 drop boxes must be emptied at the end of early voting hours and
993 all the ballots retrieved from the drop boxes must be returned
994 to the supervisor's office. After a drop box location has been
995 designated, it may not be moved or changed. A drop box may not
996 be placed in a location so as to favor or disfavor any one
997 political party or candidate.

998 (c) An elector's designee designated under s. 104.0616 may
999 also return the elector's ballot to a drop box if he or she has
1000 on his or her person the declaration described in s.

1001 104.0616(4).

1002 (d) A person returning a ballot by use of a drop box

1003 monitored by an elections employee must present his or her

1004 Florida driver license or Florida identification card to the

1005 employee monitoring the drop box. The employee must ensure that

1006 the name on the identification provided matches the printed name

1007 on the mailing envelope or the name of the designee on the

1008 declaration described in s. 104.0616(4). If an elector returning

1009 the elector's own ballot is not in possession of his or her

1010 Florida driver license or Florida identification card, the

1011 elector must complete a signed attestation stating that the

1012 elector did not have a Florida driver license or Florida

1013 identification card on his or her person when returning his or

1014 her own ballot. If the name on the license or identification

1015 card does not match the name printed on the mailing envelope,

1016 the ballot may only be deposited if the person provides a

1017 declaration described in s. 104.0616(4) which names the person

1018 as designee. The declaration or attestation must be affixed to

1019 the return mailing envelope and the ballot shall be deposited

1020 into the drop box. A copy of the declaration or attestation must

1021 be maintained with other election records.

1022 (e) The Division of Elections may prescribe by rule a form

1023 of the attestation described in paragraph (d) which shall

1024 include notice that making false attestation is a felony of the

1025 third degree under s. 104.032. The division and each supervisor

1026 shall ensure that copies of the attestation described in
 1027 paragraph (d) and the declaration described in s. 104.0616(4)
 1028 are available online and at each supervisor's office for the
 1029 convenience of voters. Each supervisor shall ensure that copies
 1030 of the attestation described in paragraph (d) are available at
 1031 each drop box location.

1032 (3) If any drop box at an early voting site is left
 1033 accessible for ballot receipt when early voting is not underway,
 1034 the supervisor is subject to a civil penalty of \$25,000. The
 1035 Division of Elections is authorized to enforce this provision.

1036 Section 23. Paragraphs (a), (b), and (e) of subsection (4)
 1037 of section 102.031, Florida Statutes, are amended to read:

1038 102.031 Maintenance of good order at polls; authorities;
 1039 persons allowed in polling rooms and early voting areas;
 1040 unlawful solicitation of voters.—

1041 (4) (a) No person, political committee, or other group or
 1042 organization may solicit voters inside the polling place or
 1043 within 150 feet of a drop box or the entrance to any polling
 1044 place, a polling room where the polling place is also a polling
 1045 room, an early voting site, or an office of the supervisor where
 1046 vote-by-mail ballots are requested and printed on demand for the
 1047 convenience of electors who appear in person to request them.
 1048 Before the opening of the polling place or early voting site,
 1049 the clerk or supervisor shall designate the no-solicitation zone
 1050 and mark the boundaries.

1051 (b) For the purpose of this subsection, the terms
 1052 "solicit" or "solicitation" shall include, but not be limited
 1053 to, seeking or attempting to seek any vote, fact, opinion, or
 1054 contribution; distributing or attempting to distribute any
 1055 political or campaign material, leaflet, or handout; conducting
 1056 a poll except as specified in this paragraph; seeking or
 1057 attempting to seek a signature on any petition; ~~and~~ selling or
 1058 attempting to sell any item; and engaging in any activity with
 1059 the intent to influence or effect of influencing a voter. The
 1060 terms "solicit" or "solicitation" may not be construed to
 1061 prohibit exit polling.

1062 (e) The owner, operator, or lessee of the property on
 1063 which a polling place or an early voting site is located, or an
 1064 agent or employee thereof, may not prohibit the solicitation of
 1065 voters by a candidate or a candidate's designee outside of the
 1066 no-solicitation zone during polling hours.

1067 Section 24. Section 102.07, Florida Statutes, is created
 1068 to read:

1069 102.07 Vote-by-mail count reporting.—Beginning at 7:00
 1070 p.m. the day before election day, the supervisor must, at least
 1071 once every hour while actively counting, post on his or her
 1072 website the number of vote-by-mail ballots have been received
 1073 and the number of vote-by-mail ballots that remain uncounted.

1074 Section 25. Subsection (1) and paragraph (b) of subsection
 1075 (2) of section 102.141, Florida Statutes, are amended to read:

1076 | 102.141 County canvassing board; duties.—

1077 | (1) The county canvassing board shall be composed of the
1078 | supervisor of elections; a county court judge, who shall act as
1079 | chair; and the chair of the board of county commissioners. The
1080 | names of the canvassing board members must be published on the
1081 | supervisor's website before any vote-by-mail ballot is
1082 | distributed. Alternate canvassing board members must be
1083 | appointed pursuant to paragraph (e). In the event any member of
1084 | the county canvassing board is unable to serve, is a candidate
1085 | who has opposition in the election being canvassed, or is an
1086 | active participant in the campaign or candidacy of any candidate
1087 | who has opposition in the election being canvassed, such member
1088 | shall be replaced as follows:

1089 | (a) If no county court judge is able to serve or if all
1090 | are disqualified, the chief judge of the judicial circuit in
1091 | which the county is located shall appoint as a substitute member
1092 | a qualified elector of the county who is not a candidate with
1093 | opposition in the election being canvassed and who is not an
1094 | active participant in the campaign or candidacy of any candidate
1095 | with opposition in the election being canvassed. In such event,
1096 | the members of the county canvassing board shall meet and elect
1097 | a chair.

1098 | (b) If the supervisor of elections is unable to serve or
1099 | is disqualified, the chair of the board of county commissioners
1100 | shall appoint as a substitute member a member of the board of

1101 county commissioners who is not a candidate with opposition in
1102 the election being canvassed and who is not an active
1103 participant in the campaign or candidacy of any candidate with
1104 opposition in the election being canvassed. The supervisor,
1105 however, shall act in an advisory capacity to the canvassing
1106 board.

1107 (c) If the chair of the board of county commissioners is
1108 unable to serve or is disqualified, the board of county
1109 commissioners shall appoint as a substitute member one of its
1110 members who is not a candidate with opposition in the election
1111 being canvassed and who is not an active participant in the
1112 campaign or candidacy of any candidate with opposition in the
1113 election being canvassed.

1114 (d) If a substitute member or alternate member cannot be
1115 appointed as provided elsewhere in this subsection, or in the
1116 event of a vacancy in such office, the chief judge of the
1117 judicial circuit in which the county is located shall appoint as
1118 a substitute member or alternate member a qualified elector of
1119 the county who is not a candidate with opposition in the
1120 election being canvassed and who is not an active participant in
1121 the campaign or candidacy of any candidate with opposition in
1122 the election being canvassed.

1123 (e)1. The chief judge of the judicial circuit in which the
1124 county is located shall appoint a county court judge as an
1125 alternate member of the county canvassing board or, if each

1126 county court judge is unable to serve or is disqualified, shall
1127 appoint an alternate member who is qualified to serve as a
1128 substitute member under paragraph (a).

1129 2. The chair of the board of county commissioners shall
1130 appoint a member of the board of county commissioners as an
1131 alternate member of the county canvassing board or, if each
1132 member of the board of county commissioners is unable to serve
1133 or is disqualified, shall appoint an alternate member who is
1134 qualified to serve as a substitute member under paragraph (d).

1135 3. If a member of the county canvassing board is unable to
1136 participate in a meeting of the board, the chair of the county
1137 canvassing board or his or her designee shall designate which
1138 alternate member will serve as a member of the board in the
1139 place of the member who is unable to participate at that
1140 meeting.

1141 4. If not serving as one of the three members of the
1142 county canvassing board, an alternate member may be present,
1143 observe, and communicate with the three members constituting the
1144 county canvassing board, but may not vote in the board's
1145 decisions or determinations.

1146 (2)

1147 (b) Public notice of the canvassing board members,
1148 alternates, time, and place at which the county canvassing board
1149 shall meet to canvass the absent electors' ballots and
1150 provisional ballots must be given at least 48 hours prior

1151 thereto by publication on the supervisor's website and published
1152 in one or more newspapers of general circulation in the county
1153 or, if there is no newspaper of general circulation in the
1154 county, by posting such notice in at least four conspicuous
1155 places in the county. The time given in the notice as to the
1156 convening of the meeting of the county canvassing board must be
1157 specific and may not be a time period during which the board may
1158 meet.

1159 Section 26. Section 104.032, Florida Statutes, is created
1160 to read:

1161 104.032 False declaration or attestation regarding vote-
1162 by-mail ballots.-Any person who makes a false declaration under
1163 s. 104.0616(4) to distribute, order, request, collect, deliver,
1164 or possess the vote-by-mail ballot of another person or makes a
1165 false attestation under s. 101.69(2)(d) is guilty of a felony of
1166 the third degree, punishable as provided in s. 775.082, s.
1167 775.083, or s. 775.084.

1168 Section 27. Section 104.0616, Florida Statutes, is amended
1169 to read:

1170 104.0616 Vote-by-mail ballots and voting; violations.-

1171 (1) For purposes of this section, the term "immediate
1172 family" means a person's spouse or the parent, child,
1173 grandparent, grandchild, or sibling of the person or the
1174 person's spouse.

1175 (2) Any person who distributes, orders, requests,

1176 collects, delivers, ~~provides or offers to provide,~~ and any
 1177 ~~person who accepts, a pecuniary or other benefit in exchange for~~
 1178 ~~distributing, ordering, requesting, collecting, delivering,~~ or
 1179 otherwise physically possesses a vote-by-mail ballot of another
 1180 person, except for a designee as provided in subsection (3) or
 1181 ~~possessing more than two vote-by-mail ballots per election in~~
 1182 ~~addition to his or her own ballot or a ballot belonging to an~~
 1183 ~~immediate family member, except as~~ authorized provided in s.
 1184 101.62 or s. 101.655 ~~ss. 101.6105-101.694,~~ commits a misdemeanor
 1185 of the first degree, punishable as provided in s. 775.082, s.
 1186 775.083, or s. 775.084.

1187 (3) A person may distribute, order, request, collect,
 1188 deliver, or possess the vote-by-mail ballot of another person if
 1189 designated to do so through a declaration as provided in
 1190 subsection (4), for:

1191 (a) An immediate family member.

1192 (b) Two other voters in an election.

1193 (4) A person designated to distribute, order, request,
 1194 collect, deliver, or possess the vote-by-mail ballot of another
 1195 person must carry with him or her a declaration for each ballot
 1196 possessed, signed by the voter and the designee in substantially
 1197 the following form:

1198 DECLARATION TO POSSESS BALLOT BELONGING TO PERSON

1199 INCLUDING AN IMMEDIATE FAMILY MEMBER

1200 I, (print name of designee), have been designated

1201 by (print name of voter whose ballot you are handling)
 1202 to possess such individual's vote-by-mail ballot. I
 1203 acknowledge that making a false declaration to
 1204 distribute, order, request, collect, deliver, or
 1205 possess the vote-by-mail ballot of another person is a
 1206 felony of the third degree, punishable under s.
 1207 104.032, Florida Statutes.

1208
 1209 ...(signature of voter whose ballot is being
 1210 carried)...

1211
 1212 ...(date voter signed declaration)...

1213
 1214 ...(signature of designee)...

1215
 1216 ...(date designee signed)...

1217
 1218 ...(relationship of designee to voter)...

1219
 1220 Section 28. Subsection (2) of section 124.011, Florida
 1221 Statutes, is amended to read:

1222 124.011 Alternate procedure for the election of county
 1223 commissioners to provide for single-member representation;
 1224 applicability.-

1225 (2) (a) All commissioners shall be elected for 4-year terms
 1226 which shall be staggered so that, alternately, one more or one
 1227 less than half of the commissioners elected from residence areas
 1228 and, if applicable, one of the commissioners elected at large
 1229 from the entire county are elected every 2 years, except that
 1230 any commissioner may be elected to an initial term of less than
 1231 4 years if necessary to achieve or maintain such system of
 1232 staggered terms. Notwithstanding any law to the contrary, at the
 1233 general election immediately following redistricting directed by
 1234 s. 1(e), Art. VIII of the State Constitution, each commissioner
 1235 elected only by electors who reside in the district must be
 1236 elected and terms thereafter shall be staggered as provided in
 1237 s. 100.041.

1238 (b) The term of a commissioner elected under paragraph (a)
 1239 commences on the second Tuesday after such election.

1240 (c) This subsection does not apply to:

1241 1. Miami-Dade County.

1242 2. Any county the charter of which limits the number of
 1243 terms a commissioner may serve.

1244 Section 29. This act shall take effect July 1, 2021.