

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. 99.012, F.S.; removing provisions relating to the
35 | method of filling a vacancy created by an officer's
36 | resignation to qualify as a candidate for another
37 | public office; amending s. 100.041, F.S.; providing
38 | exceptions to elections and terms of county
39 | commissioners; amending s. 100.111, F.S.; revising the
40 | method of filling a vacancy in nomination for a
41 | political party; creating s. 101.046, F.S.; providing
42 | a signature verification procedure; amending s.
43 | 101.051, F.S.; revising the distance certain persons
44 | must maintain at a polling place, drop box site, or
45 | early voting site; amending s. 101.131, F.S.; revising
46 | requirements for poll watcher identification badges;
47 | amending s. 101.545, F.S.; requiring ballots, forms,
48 | and election materials to be retained for a specified
49 | minimum time; amending s. 101.5605, F.S.; revising the
50 | timeframe within which the department shall approve or

51 disapprove a voting system that is submitted for
52 approval; amending s. 101.5614, F.S.; revising
53 requirements for making true duplicate copies of vote-
54 by-mail ballots under certain circumstances; requiring
55 that an observer of the duplication of ballots be
56 provided certain allowances; requiring that the
57 duplication process must take place in the presence of
58 a canvassing board member; requiring a canvassing
59 board to make certain determinations; amending s.
60 101.572, F.S.; requiring that voter certificates be
61 open for public inspection; providing certain persons
62 with reasonable access to ballot materials; requiring
63 a supervisor to publish notice of such access;
64 amending s. 101.591, F.S.; revising the timeframe and
65 requirements for the report of the results of the
66 audit submitted to the department; amending s.
67 101.595, F.S.; providing additional requirements for a
68 specified report; revising the date by which the
69 report must be submitted; amending s. 101.62, F.S.;
70 revising the effective length of time for requests for
71 vote-by-mail ballots from electors; providing
72 requirements for specified requests for vote-by-mail
73 ballots; revising information that electors requesting
74 such ballots must disclose; providing information that
75 the supervisor of elections must record for each

76 request for a vote-by-mail ballot; revising the list
77 of people to whom the supervisor of elections may
78 deliver vote-by-mail ballots; prohibiting counties,
79 municipalities, and state agencies from sending vote-
80 by-mail ballots unless specified requirements are met;
81 providing an exception; amending s. 101.64, F.S.;
82 revising the requirements for delivery of vote-by-mail
83 ballots; amending s. 101.68, F.S.; providing
84 requirements for a supervisor; revising the timeframe
85 for the beginning of the canvassing of vote-by-mail
86 ballots by the county canvassing board; revising the
87 duties of the canvassing board under specified
88 circumstances; amending s. 101.69, F.S.; revising the
89 requirements for the return of vote-by-mail ballots;
90 providing requirements for secure drop boxes;
91 requiring that certain persons provide a certain
92 declaration or attestation with certain vote-by-mail
93 ballots that are returned to a drop box; requiring
94 that copies of such declarations and attestations be
95 made available in a certain manner; providing that a
96 supervisor of elections is subject to a civil penalty
97 in certain circumstances; amending s. 102.031, F.S.;
98 prohibiting the solicitation of voters within a
99 certain distance of a drop box; revising the
100 definition of the terms "solicit" and "solicitation";

101 prohibiting certain persons from prohibiting the
 102 solicitation of voters by a candidate or a candidate's
 103 designee outside of a no-solicitation zone; creating
 104 s. 102.07, F.S.; requiring the supervisor of elections
 105 to post and update on his or her website certain
 106 information at specified intervals; amending s.
 107 102.141, F.S.; requiring that certain information be
 108 published on the supervisor of election's website;
 109 requiring additional information to be made available
 110 for public notices of county canvassing board
 111 meetings; creating s. 104.032, F.S.; prohibiting the
 112 making of a false declaration or a false attestation
 113 for certain purposes; providing criminal penalties;
 114 amending s. 104.0616, F.S.; revising the definition of
 115 the term "immediate family"; revising the acts that
 116 result in a misdemeanor relating to vote-by-mail
 117 ballots; authorizing a person to distribute, order,
 118 request, collect, deliver, or possess the vote-by-mail
 119 ballot of another person in certain circumstances;
 120 requiring such person to carry a certain declaration;
 121 amending s. 124.011, F.S.; providing exceptions to
 122 elections and terms of county commissioners after
 123 decennial redistricting; providing applicability;
 124 providing an effective date.

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

127

128 Section 1. Section 97.029, Florida Statutes, is created to
129 read:

130 97.029 Civil actions challenging the validity of election
131 laws.—

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

141 (a) At the time settlement negotiations have begun in
142 earnest, written notification is given to the President of the
143 Senate, the Speaker of the House of Representatives, and the
144 Attorney General.

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

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

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

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

172 Section 2. Paragraph (t) of subsection (2) of section
173 97.052, Florida Statutes, is amended to read:

174 97.052 Uniform statewide voter registration application.-

175 (2) The uniform statewide voter registration application
 176 must be designed to elicit the following information from the
 177 applicant:

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

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

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

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

200 97.053 Acceptance of voter registration applications.—
 201 (5) (a) A voter registration application is complete if it
 202 contains the following information necessary to establish the
 203 applicant's eligibility pursuant to s. 97.041, including:
 204 1. The applicant's name.
 205 2. The applicant's address of legal residence, including a
 206 distinguishing apartment, suite, lot, room, or dormitory room
 207 number or other identifier, if appropriate. Failure to include a
 208 distinguishing apartment, suite, lot, room, or dormitory room or
 209 other identifier on a voter registration application does not
 210 impact a voter's eligibility to register to vote or cast a
 211 ballot, and such an omission may not serve as the basis for a
 212 challenge to a voter's eligibility or reason to not count a
 213 ballot.
 214 3. The applicant's date of birth.
 215 4. A mark in the checkbox affirming that the applicant is
 216 a citizen of the United States.
 217 5.a. The applicant's current and valid Florida driver
 218 license number or the identification number from a Florida
 219 identification card issued under s. 322.051, or
 220 b. If the applicant has not been issued a current and
 221 valid Florida driver license or a Florida identification card,
 222 the last four digits of the applicant's social security number.
 223
 224 In case an applicant has not been issued a current and valid

225 Florida driver license, Florida identification card, or social
 226 security number, the applicant shall affirm this fact in the
 227 manner prescribed in the uniform statewide voter registration
 228 application.

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

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

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

245 (6) A voter registration application, including an
 246 application with a change in name, address, or party
 247 affiliation, may be accepted as valid only after the department
 248 has verified the authenticity or nonexistence of 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. If a completed voter registration application has
252 been received by the book-closing deadline but the driver
253 license number, the Florida identification card number, or the
254 last four digits of the social security number provided by the
255 applicant cannot be verified, the applicant shall be notified
256 that the number cannot be verified and that the applicant must
257 provide evidence to the supervisor sufficient to verify the
258 authenticity of the applicant's driver license number, Florida
259 identification card number, or last four digits of the social
260 security number. If the applicant provides the necessary
261 evidence, the supervisor shall place the applicant's name on the
262 registration rolls as an active voter. If the applicant has not
263 provided the necessary evidence or the number has not otherwise
264 been verified prior to the applicant presenting himself or
265 herself to vote, the applicant shall be provided a provisional
266 ballot. The provisional ballot shall be counted only if the
267 number is verified by the end of the canvassing period or if the
268 applicant presents evidence to the supervisor of elections
269 sufficient to verify the authenticity of the applicant's driver
270 license number, Florida identification card number, or last four
271 digits of the social security number no later than 5 p.m. of the
272 second day following the election.

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

275 97.057 Voter registration by the Department of Highway
 276 Safety and Motor Vehicles.—

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

284 Section 5. Paragraphs (c) and (d) of subsection (1),
 285 paragraph (a) of subsection (3), and subsection (5) of section
 286 97.0575, Florida Statutes, are amended to read:

287 97.0575 Third-party voter registrations.—

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

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

298 ~~(d) A sworn statement from each registration agent~~
 299 ~~employed by or volunteering for the organization stating that~~

300 ~~the agent will obey all state laws and rules regarding the~~
301 ~~registration of voters. Such statement must be on a form~~
302 ~~containing notice of applicable penalties for false~~
303 ~~registration.~~

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

325 application collected by any third-party voter registration
326 organization is not promptly delivered to the division or
327 supervisor of elections in the county in which the elector
328 resides, the third-party voter registration organization is
329 liable for the following fines:

330 1. A fine in the amount of \$50 for each application
331 received by the division or the supervisor of elections in the
332 county which the elector resides more than 14 days ~~48 hours~~
333 after the applicant delivered the completed voter registration
334 application to the third-party voter registration organization
335 or any person, entity, or agent acting on its behalf ~~or the next~~
336 ~~business day, if the office is closed~~. A fine in the amount of
337 \$250 for each application received if the third-party voter
338 registration organization or person, entity, or agency acting on
339 its behalf acted willfully.

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

350 3. A fine in the amount of \$500 for each application
351 collected by a third-party voter registration organization or
352 any person, entity, or agent acting on its behalf, which is not
353 submitted to the division or supervisor of elections in the
354 county in which the elector resides. A fine in the amount of
355 \$1,000 for any application not submitted if the third-party
356 voter registration organization or person, entity, or agency
357 acting on its behalf acted willfully.

358

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

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

375 ~~organization to provide organization and form specific~~
376 ~~identification information on each form as determined by the~~
377 ~~department as needed to assist in the accounting of state and~~
378 ~~federal registration forms.~~

379 Section 6. Section 97.1031, Florida Statutes, is amended
380 to read:

381 97.1031 Notice of change of residence, change of name, or
382 change of party affiliation.—

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

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

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

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

398 (2) When an elector seeks to change party affiliation, the
399 elector shall notify his or her supervisor of elections or other

400 voter registration official by submitting a voter registration
401 application ~~using a signed written notice that contains the~~
402 ~~elector's date of birth or voter registration number~~. When an
403 elector changes his or her name by marriage or other legal
404 process, the elector shall notify his or her supervisor of
405 elections or other voter registration official by submitting a
406 voter registration application ~~using a signed written notice~~
407 ~~that contains the elector's date of birth or voter's~~
408 ~~registration number~~.

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

414 Section 7. Section 97.106, Florida Statutes, is created to
415 read:

416 97.106 Prohibition on use of private funds for election
417 related expenses.—No agency or state or local official
418 responsible for conducting elections, including, but not limited
419 to, a supervisor of elections, may solicit, accept, use, or
420 dispose of any donation in the form of money, grants, property,
421 or personal services from an individual or a nongovernmental
422 entity for the purpose of funding election-related expenses or
423 voter education, voter outreach, or registration programs. This
424 section does not prohibit the donation and acceptance of space

425 to be used for a polling room or an early voting location.

426 Section 8. Paragraph (a) of subsection (2) of section
427 98.0981, Florida Statutes, is amended to read:

428 98.0981 Reports; voting history; statewide voter
429 registration system information; precinct-level election
430 results; book closing statistics.—

431 (2) PRECINCT-LEVEL ELECTION RESULTS.—

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

450 whether at a precinct location, by vote-by-mail ballot including
451 overseas vote-by-mail ballots, during the early voting period,
452 or by provisional ballot.

453 Section 9. Paragraph (f) of subsection (3) and paragraph
454 (g) of subsection (4) of section 99.012, Florida Statutes, are
455 amended to read:

456 99.012 Restrictions on individuals qualifying for public
457 office.—

458 (3)

459 ~~(f)1. With regard to an elective office, the resignation~~
460 ~~creates a vacancy in office to be filled by election. Persons~~
461 ~~may qualify as candidates for nomination and election as if the~~
462 ~~public officer's term were otherwise scheduled to expire.~~

463 ~~2. With regard to an elective charter county office or~~
464 ~~elective municipal office, the vacancy created by the officer's~~
465 ~~resignation may be filled for that portion of the officer's~~
466 ~~unexpired term in a manner provided by the respective charter.~~
467 The office is deemed vacant upon the effective date of the
468 resignation submitted by the official in his or her letter of
469 resignation.

470 (4)

471 (g) ~~Notwithstanding the provisions of any special act to~~
472 ~~the contrary, with regard to an elective office, the resignation~~
473 ~~creates a vacancy in office to be filled by election, thereby~~
474 ~~authorizing persons to qualify as candidates for nomination and~~

475 ~~election as if the officer's term were otherwise scheduled to~~
476 ~~expire. With regard to an elective charter county office or~~
477 ~~elective municipal office, the vacancy created by the officer's~~
478 ~~resignation may be filled for that portion of the officer's~~
479 ~~unexpired term in a manner provided by the respective charter.~~
480 The office is deemed vacant upon the effective date of the
481 resignation submitted by the official in his or her letter of
482 resignation.

483 Section 10. Paragraph (a) of subsection (2) of section
484 100.041, Florida Statutes, is amended to read:

485 100.041 Officers chosen at general election.—

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

499 Section 11. Paragraph (a) of subsection (3) of section

500 100.111, Florida Statutes, is amended to read:

501 100.111 Filling vacancy.—

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

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

512 2. If the vacancy in nomination is for the office of
 513 United States Representative, state senator, state
 514 representative, state attorney, or public defender, the state
 515 party chair shall ~~notify the appropriate county chair or chairs~~
 516 ~~and, within 5 days, the appropriate county chair or chairs shall~~
 517 call a meeting of the state executive committee members residing
 518 ~~members of the executive committee~~ in the affected county or
 519 counties to consider designation of a nominee to fill the
 520 vacancy.

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

525 designation of a nominee to fill the vacancy.

526

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

540 Section 12. Section 101.046, Florida Statutes, is created
541 to read:

542 101.046 Signature verification procedure.—When a signature
543 is verified with the voter's signature in the registration
544 records, the verifier shall only use a signature in the
545 registration books or the precinct register from the preceding 8
546 years. If no signature is available from the preceding 8 years,
547 the verifier may use the most recent signature on record. If a
548 wet signature is not available from the preceding 8 years, the
549 verifier may also use the most recent wet signature on record.

550 For purposes of this section, "wet signature" means a signature
 551 that a voter physically signed on paper with a pen or other
 552 writing utensil.

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

555 101.051 Electors seeking assistance in casting ballots;
 556 oath to be executed; forms to be furnished.—

557 (2) It is unlawful for any person to be in the voting
 558 booth with any elector except as provided in subsection (1). A
 559 person at a polling place, drop box site, or early voting site,
 560 or within 150 ~~100~~ feet of the entrance of a polling place, drop
 561 box site, or early voting site, may not solicit any elector in
 562 an effort to provide assistance to vote pursuant to subsection
 563 (1). Any person who violates this subsection commits a
 564 misdemeanor of the first degree, punishable as provided in s.
 565 775.082 or s. 775.083.

566 Section 14. Subsection (5) of section 101.131, Florida
 567 Statutes, is amended to read:

568 101.131 Watchers at polls.—

569 (5) The supervisor of elections shall provide to each
 570 designated poll watcher ~~an, no later than 7 days before early~~
 571 ~~voting begins, a poll watcher~~ identification badge no larger
 572 than 3 inches by 5 inches which ~~that~~ identifies the poll watcher
 573 by name but does not identify the candidate, party, or political
 574 committee that designated the poll watcher. Each poll watcher

575 | must wear his or her identification badge while performing his
576 | or her duties ~~in the polling room or early voting area.~~

577 | Section 15. Section 101.545, Florida Statutes, is amended
578 | to read:

579 | 101.545 Retention and destruction of certain election
580 | materials.—All ballots, forms, and other election materials
581 | shall be retained in the custody of the supervisor of elections
582 | for a minimum of 22 months after an election and in accordance
583 | with the schedule approved by the Division of Library and
584 | Information Services of the Department of State. All unused
585 | ballots, forms, and other election materials may, with the
586 | approval of the Department of State, be destroyed by the
587 | supervisor after the election for which such ballots, forms, or
588 | other election materials were to be used.

589 | Section 16. Paragraph (d) of subsection (2) of section
590 | 101.5605, Florida Statutes, is amended to read:

591 | 101.5605 Examination and approval of equipment.—

592 | (2)

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

596 | Section 17. Paragraph (a) of subsection (4) of section
597 | 101.5614, Florida Statutes, is amended to read:

598 | 101.5614 Canvass of returns.—

599 | (4) (a) If any vote-by-mail ballot is physically damaged so

600 that it cannot properly be counted by the voting system's
601 automatic tabulating equipment, a true duplicate copy shall be
602 made of the damaged ballot in an open and accessible room in the
603 presence of witnesses and substituted for the damaged ballot.
604 Likewise, a duplicate ballot shall be made of a vote-by-mail
605 ballot containing an overvoted race or a marked vote-by-mail
606 ballot containing an undervoted race, if there is a clear
607 indication on the ballot that the voter has made a definite
608 choice in the overvoted or undervoted race or ballot measure. A
609 duplicate ~~in which every race is undervoted which~~ shall include
610 all valid votes as determined by the canvassing board based on
611 rules adopted by the division pursuant to s. 102.166(4). A
612 duplicate may not include a vote if the voter's intent in such
613 race or on such measure is not clear. Upon request, a physically
614 present candidate, a political party official, a political
615 committee official, or an authorized designee thereof, must be
616 allowed to observe the duplication of ballots. The observer must
617 be allowed to stand in close enough proximity to observe the
618 duplication of ballots in such a way that the observer is able
619 to see the markings on each ballot and the duplication taking
620 place. All duplicate ballots must ~~shall~~ be clearly labeled
621 "duplicate," bear a serial number which shall be recorded on the
622 defective ballot, and be counted in lieu of the defective
623 ballot. The duplication of ballots must happen in the presence
624 of at least one canvassing board member. After a ballot has been

625 duplicated, the defective ballot shall be placed in an envelope
 626 provided for that purpose, and the duplicate ballot shall be
 627 tallied with the other ballots for that precinct. Upon objection
 628 by an observer to a duplicate of a ballot, the ballot must be
 629 presented to the canvassing board for a determination of the
 630 validity of the duplicate. The canvassing board must document
 631 the serial number of the ballot in the canvassing board's
 632 minutes. The canvassing board must decide whether the
 633 duplication is valid. If the duplicate ballot is determined to
 634 be valid, the duplicate ballot must be counted. If the duplicate
 635 ballot is determined to be invalid, the duplicate ballot must be
 636 rejected and a proper duplicate ballot must be made and counted
 637 in lieu of the original.

638 Section 18. Section 101.572, Florida Statutes, is amended
 639 to read:

640 101.572 Public inspection of ballots.—

641 (1) The official ballots and ballot cards received from
 642 election boards and removed from vote-by-mail ballot mailing
 643 envelopes and voter certificates on such mailing envelopes or
 644 provisional ballot envelopes shall be open for public inspection
 645 or examination while in the custody of the supervisor of
 646 elections or the county canvassing board at any reasonable time,
 647 under reasonable conditions; however, no persons other than the
 648 supervisor of elections or his or her employees or the county
 649 canvassing board shall handle any official ballot or ballot

650 card. If the ballots are being examined prior to the end of the
651 contest period in s. 102.168, the supervisor of elections shall
652 make a reasonable effort to notify all candidates whose names
653 appear on such ballots or ballot cards by telephone or otherwise
654 of the time and place of the inspection or examination. All such
655 candidates, or their representatives, shall be allowed to be
656 present during the inspection or examination.

657 (2) A candidate, a political party official, or a
658 political committee official, or an authorized designee thereof,
659 shall be granted reasonable access upon request to review or
660 inspect ballot materials before canvassing or tabulation,
661 including voter certificates on vote-by-mail or provisional
662 ballot envelopes, cure affidavits, corresponding comparison
663 signatures, duplicate ballots, and corresponding originals.
664 Before the supervisor begins comparing signatures on vote-by-
665 mail voter certificates, the supervisor must publish notice of
666 the access to be provided under this section, which may be
667 access to the documents or images thereof, and the method of
668 requesting such access. During such review, no person granted
669 access for review may make any copy of a signature.

670 Section 19. Subsection (5) of section 101.591, Florida
671 Statutes, is amended to read:

672 101.591 Voting system audit.—

673 (5) By December 15 of each general election year ~~Within 15~~
674 ~~days after completion of the audit,~~ the county canvassing board

675 or the board responsible for certifying the election shall
676 provide a report with the results of the audit to the Department
677 of State in a standard format as prescribed by the department.
678 The report must be consolidated into one report with the
679 overvote and undervote report required under s. 101.595(1). The
680 report shall contain, but is not limited to, the following
681 items:

- 682 (a) The overall accuracy of audit.
683 (b) A description of any problems or discrepancies
684 encountered.
685 (c) The likely cause of such problems or discrepancies.
686 (d) Recommended corrective action with respect to avoiding
687 or mitigating such circumstances in future elections.

688 Section 20. Subsections (1) and (3) of section 101.595,
689 Florida Statutes, are amended to read:

690 101.595 Analysis and reports of voting problems.—

- 691 (1) No later than December 15 of each general election
692 year, the supervisor of elections in each county shall report to
693 the Department of State the total number of overvotes and
694 undervotes in the "President and Vice President" or "Governor
695 and Lieutenant Governor" race that appears first on the ballot
696 or, if neither appears, the first race appearing on the ballot
697 pursuant to s. 101.151(2), along with the likely reasons for
698 such overvotes and undervotes and other information as may be
699 useful in evaluating the performance of the voting system and

700 identifying problems with ballot design and instructions which
701 may have contributed to voter confusion. This report must be
702 consolidated into one report with the audit report required
703 under s. 101.591(5).

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

708 Section 21. Paragraphs (a) and (b) of subsection (1),
709 subsection (3), and paragraph (c) of subsection (4) of section
710 101.62, Florida Statutes, are amended, and subsection (7) is
711 added to that section, to read:

712 101.62 Request for vote-by-mail ballots.—

713 (1)(a) The supervisor shall accept a request for a vote-
714 by-mail ballot from an elector in person or in writing. One
715 request is ~~shall be~~ deemed sufficient to receive a vote-by-mail
716 ballot for all elections through the end of the calendar year of
717 the next ~~second ensuing~~ regularly scheduled general election
718 provided that a request received after November 6, 2018, and
719 before July 1, 2021, is deemed sufficient through the end of the
720 calendar year of the second ensuing regularly scheduled general
721 election, unless the elector or the elector's designee indicates
722 at the time the request is made the elections within such period
723 for which the elector desires to receive a vote-by-mail ballot.
724 Such request may be considered canceled when any first-class

725 mail sent by the supervisor to the elector is returned as
726 undeliverable.

727 (b) The supervisor may accept a written or telephonic
728 request for a vote-by-mail ballot to be mailed to an elector's
729 address on file in the Florida Voter Registration System from
730 the elector, or, if directly instructed by the elector, a member
731 of the elector's immediate family, or the elector's legal
732 guardian. If a telephone request is made the elector must
733 provide the elector's Florida driver license number, the
734 elector's Florida identification card number, or the last four
735 digits of the elector's social security number, whichever may be
736 verified in the supervisor's records. If the ballot is
737 requested to be mailed to an address other than the elector's
738 address on file in the Florida Voter Registration System, the
739 request must be made in writing, ~~and~~ signed by the elector, and
740 include the elector's Florida driver license number, the
741 elector's Florida identification card number, or the last four
742 digits of the elector's social security number. However, an
743 absent uniformed service voter or an overseas voter seeking a
744 vote-by-mail ballot is not required to submit a signed, written
745 request for a vote-by-mail ballot that is being mailed to an
746 address other than the elector's address on file in the Florida
747 Voter Registration System. For purposes of this section, the
748 term "immediate family" has the same meaning as specified in
749 paragraph (4) (c). The person making the request must disclose:

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

752 2. The elector's address.

753 3. The elector's date of birth.

754 4. The elector's Florida driver license number, the
 755 elector's Florida identification card number, or the last four
 756 digits of the elector's social security number, whichever may be
 757 verified in the supervisor's records.

758 5. The requester's name.

759 ~~6.5.~~ The requester's address.

760 ~~7.6.~~ The requester's driver license number, if available.

761 ~~8.7.~~ The requester's relationship to the elector.

762 ~~9.8.~~ The requester's signature (written requests only).

763 (3) For each request for a vote-by-mail ballot received,
 764 the supervisor shall record the date the request was made, the
 765 identity of the voter's designee making the request, if any, the
 766 last four digits of the social security number, Florida driver
 767 license number, or Florida identification card number of the
 768 elector provided with a written request, the date the vote-by-
 769 mail ballot was delivered to the voter or the voter's designee
 770 or the date the vote-by-mail ballot was delivered to the post
 771 office or other carrier, the address to which the ballot was
 772 mailed, the date the ballot was received by the supervisor, the
 773 absence of the voter's signature on the voter's certificate, if
 774 applicable, whether there is a mismatching voter signature on

775 the voter's certificate, and such other information he or she
776 may deem necessary. This information shall be provided in
777 electronic format as provided by rule adopted by the division.
778 The information shall be updated and made available no later
779 than 8 a.m. of each day, including weekends, beginning 60 days
780 before the primary until 15 days after the general election and
781 shall be contemporaneously provided to the division. This
782 information shall be confidential and exempt from s. 119.07(1)
783 and shall be made available to or reproduced only for the voter
784 requesting the ballot, a canvassing board, an election official,
785 a political party or official thereof, a candidate who has filed
786 qualification papers and is opposed in an upcoming election, and
787 registered political committees for political purposes only.

788 (4)

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

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

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

800 method of transmission, the vote-by-mail ballot shall be mailed.

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

804 4. By delivery to a designee on election day or up to 9
805 days before ~~prior to~~ the day of an election. Any elector may
806 designate in writing a person to pick up the ballot for the
807 elector; however, the person designated may not pick up more
808 than two vote-by-mail ballots per election, other than the
809 designee's own ballot, except that additional ballots may be
810 picked up for members of the designee's immediate family. For
811 purposes of this section, "immediate family" means the
812 designee's spouse or the parent, child, grandparent, grandchild,
813 or sibling of the designee or of the designee's spouse. The
814 designee shall provide to the supervisor the written
815 authorization by the elector and a picture identification of the
816 designee and must complete an affidavit. The designee shall
817 state in the affidavit that the designee is authorized by the
818 elector to pick up that ballot and shall indicate if the elector
819 is a member of the designee's immediate family and, if so, the
820 relationship. The department shall prescribe the form of the
821 affidavit. If the supervisor is satisfied that the designee is
822 authorized to pick up the ballot and that the signature of the
823 elector on the written authorization matches the signature of
824 the elector on file, the supervisor shall give the ballot to

825 that designee for delivery to the elector.

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

835 (7) Except as expressly authorized for voters having a
836 disability under s. 101.662, for overseas voters under s.
837 101.697, or for local referenda under ss. 101.6102 and 101.6103,
838 a county, municipality, or state agency may not send a vote-by-
839 mail ballot to a voter unless the voter has requested a vote-by-
840 mail ballot in the manner authorized under this section.

841 Section 22. Subsection (1) of section 101.64, Florida
842 Statutes, is amended to read:

843 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

844 (1)(a) The supervisor shall enclose with each vote-by-mail
845 ballot two envelopes: a secrecy envelope, into which the absent
846 elector shall enclose his or her marked ballot; and a mailing
847 envelope, into which the absent elector shall then place the
848 secrecy envelope, which shall be addressed to the supervisor and
849 also bear on the back side a certificate in substantially the

875 (1) The supervisor of the county in which ~~where~~ the absent
876 elector resides shall receive the voted ballot, at which time
877 the supervisor shall compare the signature of the elector on the
878 voter's certificate with the signature of the elector in the
879 registration books or the precinct register to determine whether
880 the elector is duly registered in the county and must ~~may~~ record
881 on the elector's registration record ~~certificate~~ that the
882 elector has voted. During the signature comparison process, the
883 supervisor may not use any knowledge of the political
884 affiliation of the voter whose signature is subject to
885 verification. An elector who dies after casting a vote-by-mail
886 ballot but on or before election day shall remain listed in the
887 registration books until the results have been certified for the
888 election in which the ballot was cast. The supervisor shall
889 safely keep the ballot unopened in his or her office until the
890 county canvassing board canvasses the vote. Except as provided
891 in subsection (4), after a vote-by-mail ballot is received by
892 the supervisor, the ballot is deemed to have been cast, and
893 changes or additions may not be made to the voter's certificate.

894 (2) (a) The county canvassing board may begin the
895 canvassing of vote-by-mail ballots upon the completion of the
896 public testing of automatic tabulating equipment pursuant to s.
897 101.5612(2) at 7 a.m. on the 22nd day before the election, but
898 must begin such canvassing by ~~not later than~~ noon on the day
899 following the election. ~~In addition, for any county using~~

900 ~~electronic tabulating equipment, the processing of vote-by-mail~~
901 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
902 ~~the 22nd day before the election.~~ However, notwithstanding any
903 such authorization to begin canvassing or otherwise processing
904 vote-by-mail ballots early, no result shall be released until
905 after the closing of the polls in that county on election day.
906 Any supervisor, deputy supervisor, canvassing board member,
907 election board member, or election employee who releases the
908 results of a canvassing or processing of vote-by-mail ballots
909 prior to the closing of the polls in that county on election day
910 commits a felony of the third degree, punishable as provided in
911 s. 775.082, s. 775.083, or s. 775.084.

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

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

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

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

935

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

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

945 3. A vote-by-mail ballot is not considered illegal if the
 946 signature of the elector does not cross the seal of the mailing
 947 envelope.

948 4. If any elector or candidate present believes that a
 949 vote-by-mail ballot is illegal due to a defect apparent on the

950 voter's certificate or the cure affidavit, he or she may, at any
951 time before the ballot is removed from the envelope, file with
952 the canvassing board a protest against the canvass of that
953 ballot, specifying the precinct, the voter's certificate or the
954 cure affidavit ~~the ballot~~, and the reason he or she believes the
955 ballot to be illegal. A challenge based upon a defect in the
956 voter's certificate or cure affidavit may not be accepted after
957 the ballot has been removed from the mailing envelope.

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

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

975 Section 24. Subsection (2) of section 101.69, Florida
 976 Statutes, is amended and subsection (3) is added to that section
 977 to read:

978 101.69 Voting in person; return of vote-by-mail ballot.—

979 (2) (a) The supervisor shall allow an elector who has
 980 received a vote-by-mail ballot to physically return a voted
 981 vote-by-mail ballot to the supervisor by placing the return mail
 982 envelope containing his or her marked ballot in a secure drop
 983 box. Secure drop boxes shall be placed at the main office of the
 984 supervisor, at each permanent branch office of the supervisor,
 985 and at each early voting site. Secure drop boxes may also be
 986 placed at any other site that would otherwise qualify as an
 987 early voting site under s. 101.657(1). Drop boxes must be
 988 geographically located so as to provide all voters in the county
 989 with an equal opportunity to cast a ballot, insofar as is
 990 practicable. Except for secure drop boxes at an office of the
 991 supervisor, a secure drop box may only be used; provided,
 992 ~~however, that any such site must be staffed during the county's~~
 993 early voting hours of operation and must be monitored in person
 994 by an election worker. A secure drop box at an office of the
 995 supervisor must be continuously monitored in person by an
 996 election worker during regular office hours. During other hours,
 997 a secure drop box at an office of the supervisor may only be
 998 accessible if it is secured from tampering and monitored by
 999 video surveillance. The supervisor must keep recordings of video

1000 surveillance of such secure drop boxes and provide a copy to any
 1001 candidate or political party submitting a written request for
 1002 the recordings within 24 hours after receipt of such request
 1003 ~~employee of the supervisor's office or a sworn law enforcement~~
 1004 ~~officer.~~

1005 (b) A supervisor shall designate each drop box site at
 1006 least 30 days before an election. The supervisor shall provide
 1007 the address of each drop box location to the division at least
 1008 30 days before an election. After a drop box location has been
 1009 designated, it may not be moved or changed except as approved by
 1010 the division to correct a violation of this subsection.

1011 (c) An elector's designee designated under s. 104.0616 may
 1012 also return the elector's ballot to a drop box if he or she has
 1013 on his or her person the declaration described in s.
 1014 104.0616(4).

1015 (d) A person returning a ballot by use of a drop box
 1016 monitored by an election worker must present his or her Florida
 1017 driver license or Florida identification card to the election
 1018 worker monitoring the drop box. The election worker must ensure
 1019 that the name on the identification provided matches the printed
 1020 name on the mailing envelope or the name of the designee on the
 1021 declaration described in s. 104.0616(4). If an elector returning
 1022 the elector's own ballot is not in possession of his or her
 1023 Florida driver license or Florida identification card, the
 1024 elector must complete a signed attestation stating that the

1025 elector did not have a Florida driver license or Florida
1026 identification card on his or her person when returning his or
1027 her own ballot. If the name on the license or identification
1028 card does not match the name printed on the mailing envelope,
1029 the ballot may only be deposited if the person provides a
1030 declaration described in s. 104.0616(4) which names the person
1031 as designee. The declaration or attestation must be deposited
1032 into the drop box with the return mailing envelope. A copy of
1033 the declaration or attestation must be maintained with other
1034 election records. On each day a drop box is in use, the drop box
1035 must be emptied at the end of the day's usage, and more
1036 frequently if usage requires, and all the ballots retrieved from
1037 each drop box must be promptly delivered to the supervisor's
1038 office.

1039 (e) The Division of Elections may prescribe by rule a form
1040 of the attestation described in paragraph (d) which shall
1041 include notice that making false attestation is a felony of the
1042 third degree under s. 104.032. The division and each supervisor
1043 shall ensure that copies of the attestation form described in
1044 paragraph (d) and the declaration form described in s.
1045 104.0616(4) are available online and at each supervisor's office
1046 for the convenience of voters. Each supervisor shall ensure that
1047 copies of the attestation form described in paragraph (d) are
1048 available at each drop box location.

1049 (3) If any drop box is left accessible for ballot receipt

1050 other than as authorized by this section, the supervisor is
 1051 subject to a civil penalty of \$25,000. The Division of Elections
 1052 is authorized to enforce this provision.

1053 Section 25. Paragraphs (a), (b), and (e) of subsection (4)
 1054 of section 102.031, Florida Statutes, are amended to read:

1055 102.031 Maintenance of good order at polls; authorities;
 1056 persons allowed in polling rooms and early voting areas;
 1057 unlawful solicitation of voters.—

1058 (4) (a) No person, political committee, or other group or
 1059 organization may solicit voters inside the polling place or
 1060 within 150 feet of a drop box or the entrance to any polling
 1061 place, a polling room where the polling place is also a polling
 1062 room, an early voting site, or an office of the supervisor where
 1063 vote-by-mail ballots are requested and printed on demand for the
 1064 convenience of electors who appear in person to request them.
 1065 Before the opening of the polling place or early voting site,
 1066 the clerk or supervisor shall designate the no-solicitation zone
 1067 and mark the boundaries.

1068 (b) For the purpose of this subsection, the terms
 1069 "solicit" or "solicitation" shall include, but not be limited
 1070 to, seeking or attempting to seek any vote, fact, opinion, or
 1071 contribution; distributing or attempting to distribute any
 1072 political or campaign material, leaflet, or handout; conducting
 1073 a poll except as specified in this paragraph; seeking or
 1074 attempting to seek a signature on any petition; ~~and~~ selling or

1075 attempting to sell any item; and engaging in any activity with
1076 the intent to influence or effect of influencing a voter. The
1077 terms "solicit" or "solicitation" may not be construed to
1078 prohibit exit polling.

1079 (e) The owner, operator, or lessee of the property on
1080 which a polling place or an early voting site is located, or an
1081 agent or employee thereof, may not prohibit the solicitation of
1082 voters by a candidate or a candidate's designee outside of the
1083 no-solicitation zone during polling hours.

1084 Section 26. Section 102.07, Florida Statutes, is created
1085 to read:

1086 102.07 Vote-by-mail count reporting.—Beginning at 7:00
1087 p.m. election day, the supervisor must, at least once every hour
1088 while actively counting, post on his or her website the number
1089 of vote-by-mail ballots that have been received and the number
1090 of vote-by-mail ballots that remain uncounted.

1091 Section 27. Subsection (1) and paragraph (b) of subsection
1092 (2) of section 102.141, Florida Statutes, are amended to read:

1093 102.141 County canvassing board; duties.—

1094 (1) The county canvassing board shall be composed of the
1095 supervisor of elections; a county court judge, who shall act as
1096 chair; and the chair of the board of county commissioners. The
1097 names of the canvassing board members must be published on the
1098 supervisor's website upon completion of the logic and accuracy
1099 test. Alternate canvassing board members must be appointed

1100 pursuant to paragraph (e). In the event any member of the county
1101 canvassing board is unable to serve, is a candidate who has
1102 opposition in the election being canvassed, or is an active
1103 participant in the campaign or candidacy of any candidate who
1104 has opposition in the election being canvassed, such member
1105 shall be replaced as follows:

1106 (a) If no county court judge is able to serve or if all
1107 are disqualified, the chief judge of the judicial circuit in
1108 which the county is located shall appoint as a substitute member
1109 a qualified elector of the county who is not a candidate with
1110 opposition in the election being canvassed and who is not an
1111 active participant in the campaign or candidacy of any candidate
1112 with opposition in the election being canvassed. In such event,
1113 the members of the county canvassing board shall meet and elect
1114 a chair.

1115 (b) If the supervisor of elections is unable to serve or
1116 is disqualified, the chair of the board of county commissioners
1117 shall appoint as a substitute member a member of the board of
1118 county commissioners who is not a candidate with opposition in
1119 the election being canvassed and who is not an active
1120 participant in the campaign or candidacy of any candidate with
1121 opposition in the election being canvassed. The supervisor,
1122 however, shall act in an advisory capacity to the canvassing
1123 board.

1124 (c) If the chair of the board of county commissioners is

1125 | unable to serve or is disqualified, the board of county
1126 | commissioners shall appoint as a substitute member one of its
1127 | members who is not a candidate with opposition in the election
1128 | being canvassed and who is not an active participant in the
1129 | campaign or candidacy of any candidate with opposition in the
1130 | election being canvassed.

1131 | (d) If a substitute member or alternate member cannot be
1132 | appointed as provided elsewhere in this subsection, or in the
1133 | event of a vacancy in such office, the chief judge of the
1134 | judicial circuit in which the county is located shall appoint as
1135 | a substitute member or alternate member a qualified elector of
1136 | the county who is not a candidate with opposition in the
1137 | election being canvassed and who is not an active participant in
1138 | the campaign or candidacy of any candidate with opposition in
1139 | the election being canvassed.

1140 | (e)1. The chief judge of the judicial circuit in which the
1141 | county is located shall appoint a county court judge as an
1142 | alternate member of the county canvassing board or, if each
1143 | county court judge is unable to serve or is disqualified, shall
1144 | appoint an alternate member who is qualified to serve as a
1145 | substitute member under paragraph (a).

1146 | 2. The chair of the board of county commissioners shall
1147 | appoint a member of the board of county commissioners as an
1148 | alternate member of the county canvassing board or, if each
1149 | member of the board of county commissioners is unable to serve

1150 or is disqualified, shall appoint an alternate member who is
1151 qualified to serve as a substitute member under paragraph (d).

1152 3. If a member of the county canvassing board is unable to
1153 participate in a meeting of the board, the chair of the county
1154 canvassing board or his or her designee shall designate which
1155 alternate member will serve as a member of the board in the
1156 place of the member who is unable to participate at that
1157 meeting.

1158 4. If not serving as one of the three members of the
1159 county canvassing board, an alternate member may be present,
1160 observe, and communicate with the three members constituting the
1161 county canvassing board, but may not vote in the board's
1162 decisions or determinations.

1163 (2)

1164 (b) Public notice of the canvassing board members,
1165 alternates, time, and place at which the county canvassing board
1166 shall meet to canvass the absent electors' ballots and
1167 provisional ballots must be given at least 48 hours prior
1168 thereto by publication on the supervisor's website and published
1169 in one or more newspapers of general circulation in the county
1170 or, if there is no newspaper of general circulation in the
1171 county, by posting such notice in at least four conspicuous
1172 places in the county. The time given in the notice as to the
1173 convening of the meeting of the county canvassing board must be
1174 specific and may not be a time period during which the board may

1175 meet.

1176 Section 28. Section 104.032, Florida Statutes, is created
1177 to read:

1178 104.032 False declaration or attestation regarding vote-
1179 by-mail ballots.—Any person who makes a false declaration under
1180 s. 104.0616(4) to distribute, order, request, collect, deliver,
1181 or possess the vote-by-mail ballot of another person or makes a
1182 false attestation under s. 101.69(2)(d) is guilty of a felony of
1183 the third degree, punishable as provided in s. 775.082, s.
1184 775.083, or s. 775.084.

1185 Section 29. Section 104.0616, Florida Statutes, is amended
1186 to read:

1187 104.0616 Vote-by-mail ballots and voting; violations.—

1188 (1) For purposes of this section, the term "immediate
1189 family" means a person's spouse or the parent, child,
1190 grandparent, grandchild, or sibling of the person or the
1191 person's spouse.

1192 (2) Any person who distributes, orders, requests,
1193 collects, delivers, ~~provides or offers to provide, and any~~
1194 ~~person who accepts, a pecuniary or other benefit in exchange for~~
1195 ~~distributing, ordering, requesting, collecting, delivering, or~~
1196 otherwise physically possesses a vote-by-mail ballot of another
1197 person, except for a designee as provided in subsection (3) or
1198 ~~possessing more than two vote-by-mail ballots per election in~~
1199 ~~addition to his or her own ballot or a ballot belonging to an~~

1200 ~~immediate family member, except~~ as authorized provided in s.
 1201 101.62 or s. 101.655 ~~ss. 101.6105-101.694~~, commits a misdemeanor
 1202 of the first degree, punishable as provided in s. 775.082, s.
 1203 775.083, or s. 775.084.

1204 (3) A person may distribute, order, request, collect,
 1205 deliver, or possess the vote-by-mail ballot of another person if
 1206 designated to do so through a declaration as provided in
 1207 subsection (4), for:

1208 (a) An immediate family member.

1209 (b) Two other voters in an election.

1210 (4) A person designated to distribute, order, request,
 1211 collect, deliver, or possess the vote-by-mail ballot of another
 1212 person must carry with him or her a declaration for each ballot
 1213 possessed, signed by the voter and the designee in substantially
 1214 the following form:

1215 DECLARATION TO POSSESS BALLOT BELONGING TO PERSON
 1216 INCLUDING AN IMMEDIATE FAMILY MEMBER

1217 I, (print name of designee), have been designated
 1218 by (print name of voter whose ballot you are handling)
 1219 to possess such individual's vote-by-mail ballot. I
 1220 acknowledge that making a false declaration to
 1221 distribute, order, request, collect, deliver, or
 1222 possess the vote-by-mail ballot of another person is a
 1223 felony of the third degree, punishable under s.
 1224 104.032, Florida Statutes.

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...(signature of voter whose ballot is being carried)...

...(date voter signed declaration)...

...(signature of designee)...

...(date designee signed)...

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

Section 30. Subsection (2) of section 124.011, Florida Statutes, is amended to read:

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

(2) (a) All commissioners shall be elected for 4-year terms which shall be staggered so that, alternately, one more or one less than half of the commissioners elected from residence areas and, if applicable, one of the commissioners elected at large from the entire county are elected every 2 years, except that any commissioner may be elected to an initial term of less than 4 years if necessary to achieve or maintain such system of staggered terms. Notwithstanding any law to the contrary, at the

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2021

1250 general election immediately following redistricting directed by
1251 s. 1(e), Art. VIII of the State Constitution, each commissioner
1252 elected only by electors who reside in the district must be
1253 elected and terms thereafter shall be staggered as provided in
1254 s. 100.041.

1255 (b) The term of a commissioner elected under paragraph (a)
1256 commences on the second Tuesday after such election.

1257 (c) This subsection does not apply to:

1258 1. Miami-Dade County.

1259 2. Any county the charter of which limits the number of
1260 terms a commissioner may serve.

1261 Section 31. This act shall take effect upon becoming a
1262 law.