The Committee on Rules (Thurston) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause and insert:

Section 1. Subsection (1) of section 20.10, Florida Statutes, is amended to read:

20.10 Department of State.—There is created a Department of State.

(1) The head of the Department of State is the Secretary of State. The Secretary of State shall be elected at the statewide general election at which the Governor, Lieutenant Governor, and
Cabinet officers are elected as provided in s. 5, Art. IV of the State Constitution, for a term of 4 years beginning on the first Tuesday after the first Monday in January of the year following such election appointed by the Governor, subject to confirmation by the Senate, and shall serve at the pleasure of the Governor. The Secretary of State shall perform the functions conferred by the State Constitution upon the custodian of state records.

Section 2. Subsection (6) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—
(6) If a voter registration applicant fails to provide any of the required information on the voter registration application form, the supervisor shall notify the applicant of the failure by mail within 5 business days after the supervisor has the information available in the voter registration system. The applicant shall have an opportunity to complete the application form to vote in the next election up until the book closing for that next election.

Section 3. Subsections (2) and (4), paragraph (b) of subsection (5), and subsection (6) of section 97.053, Florida Statutes, are amended to read:

97.053 Acceptance of voter registration applications.—
(2) A voter registration application is complete and becomes the official voter registration record of that applicant when all information necessary to establish the applicant’s eligibility pursuant to s. 97.041 is received by a voter registration official and verified pursuant to subsection (6). If the applicant fails to complete his or her voter registration application prior to the date of book closing for an election,
then such applicant shall not be eligible to vote in that
election.

(4) The registration date for a valid initial voter
registration application that has been mailed to a driver
license office, a voter registration agency, an armed forces
recruitment office, the division, or the office of any
supervisor in the state and bears a clear postmark is the date
of that postmark. If an initial voter registration application
that has been mailed does not bear a postmark or if the postmark
is unclear, the registration date is the date the application is
received by any supervisor or the division, unless it is
received within 5 days after the closing of the books for an
election, excluding Saturdays, Sundays, and legal holidays, in
which case the registration date is the book-closing date.

(5)

(b) An applicant who fails to designate party affiliation
or affirmatively select no party affiliation may not must be
registered without party affiliation. The supervisor must notify
the voter by mail that the voter has not been registered without
party affiliation and that the voter must complete a new
registration application and designate a party affiliation or
affirmatively select no party affiliation. The voter
registration application must clearly denote this requirement
may change party affiliation as provided in s. 97.1031.

(6) A voter registration application may be accepted as
valid only after the department has verified the authenticity or
nonexistence of the driver license number, the Florida
identification card number, or the last four digits of the
social security number provided by the applicant. If a completed
voter registration application has been received by the book-
closing deadline but the driver license number, the Florida
identification card number, or the last four digits of the
social security number provided by the applicant cannot be
verified, the applicant shall be notified that the number cannot
be verified and that the applicant must provide evidence to the
supervisor sufficient to verify the authenticity of the
applicant’s driver license number, Florida identification card
number, or last four digits of the social security number. If
the applicant provides the necessary evidence, the supervisor
shall place the applicant’s name on the registration rolls as an
active voter. If the applicant has not provided the necessary
evidence or the number has not otherwise been verified prior to
the applicant presenting himself or herself to vote, the
applicant shall be provided a provisional ballot. The
provisional ballot shall be counted only if the number is
verified by the end of the canvassing period or if the applicant
presents evidence to the supervisor of elections sufficient to
verify the authenticity of the applicant’s driver license
number, Florida identification card number, or last four digits
of the social security number within a reasonable amount of time
after no later than 5 p.m. of the second day following the
election.

Section 4. Sections 97.055 and 97.0555, Florida Statutes,
are repealed.

Section 5. Section 97.0556, Florida Statutes, is created to
read:

97.0556 Same-day voter registration.—A person who meets the
qualifications to register to vote in s. 97.041 and provides the
information required for the uniform statewide voter registration application prescribed in s. 97.052 may register to vote and cast a ballot on election day or at an early voting site.

Section 6. Subsection (1) of section 97.057, Florida Statutes, is amended to read:

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

(1) The Department of Highway Safety and Motor Vehicles shall provide the opportunity to preregister to vote, register to vote, or update a voter registration record to each individual who comes to an office of that department to:

(a) Apply for or renew a driver license;

(b) Apply for or renew an identification card pursuant to chapter 322; or

(c) Change an address on an existing driver license or identification card.

Section 7. Paragraph (a) of subsection (3) of section 97.0575, Florida Statutes, is amended to read:

97.0575 Third-party voter registrations.—

(3)(a) A third-party voter registration organization that collects voter registration applications serves as a fiduciary to the applicant, ensuring that any voter registration application entrusted to the organization, irrespective of party affiliation, race, ethnicity, or gender, shall be promptly delivered to the division or the supervisor of elections within 48 hours after the applicant completes it or the next business day if the appropriate office is closed for that 48-hour period.

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

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

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

3. A fine in the amount of $500 for each application
collected by a third-party voter registration organization or
any person, entity, or agent acting on its behalf, which is not
submitted to the division or supervisor of elections. A fine in
the amount of $1,000 for any application not submitted if the
third-party voter registration organization or person, entity,
or agency acting on its behalf acted willfully.
The aggregate fine pursuant to this paragraph which may be assessed against a third-party voter registration organization, including affiliate organizations, for violations committed in a calendar year is $1,000.

Section 8. Paragraph (c) of subsection (4) of section 98.065, Florida Statutes, is amended to read:

98.065 Registration list maintenance programs.—

(4)

(c) The supervisor must designate as inactive all voters who have not voted in at least one of the last two general elections, who have been sent an address confirmation final notice, and who have not returned the postage prepaid, preaddressed return form within 30 days or for which the final notice has been returned as undeliverable. Names on the inactive list may not be used to calculate the number of signatures needed on any petition. A voter on the inactive list may be restored to the active list of voters upon the voter updating his or her registration, requesting a vote-by-mail ballot, or appearing to vote. However, if the voter does not update his or her voter registration information, request a vote-by-mail ballot, or vote by the second general election after being placed on the inactive list, the voter’s name shall be removed from the statewide voter registration system and the voter shall be required to reregister to have his or her name restored to the statewide voter registration system.

Section 9. Paragraph (d) of subsection (1) and subsection (3) of section 98.0981, Florida Statutes, are amended to read:

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

(1) **VOTING HISTORY AND STATEWIDE VOTER REGISTRATION SYSTEM INFORMATION.**—

(d) File specifications are as follows:

1. The file shall contain records designated by the categories below for all qualified voters who, regardless of the voter’s county of residence or active or inactive registration status on election day at the book closing for the corresponding election that the file is being created for:

   a. Voted a regular ballot at a precinct location.

   b. Voted at a precinct location using a provisional ballot that was subsequently counted.

   c. Voted a regular ballot during the early voting period.

   d. Voted during the early voting period using a provisional ballot that was subsequently counted.

   e. Voted by vote-by-mail ballot.

   f. Attempted to vote by vote-by-mail ballot, but the ballot was not counted.

   g. Attempted to vote by provisional ballot, but the ballot was not counted in that election.

2. Each file shall be created or converted into a tab-delimited format.

3. File names shall adhere to the following convention:

   a. Three-character county identifier as established by the department followed by an underscore.

   b. Followed by four-character file type identifier of “VHO3” followed by an underscore.

   c. Followed by FVRS election ID followed by an underscore.

   d. Followed by Date Created followed by an underscore.
e. Date format is YYYYMDD.
f. Followed by Time Created - HHMMSS.
g. Followed by ".txt".

4. Each record shall contain the following columns: Record Identifier, FVRS Voter ID Number, FVRS Election ID Number, Vote Date, Vote History Code, Precinct, Congressional District, House District, Senate District, County Commission District, and School Board District.

(3) PRECINCT-LEVEL PREELECTION BOOK CLOSING STATISTICS.—After the 29th day before the date of an election but before the date of book closing but before the date of an election as defined in s. 97.021 to fill a national, state, county, or district office, or to vote on a proposed constitutional amendment, the department shall compile the following precinct-level statistical data for each county:

(a) Precinct numbers.
(b) Total number of active registered voters by party for each precinct.

Section 10. Paragraph (a) of subsection (7) of section 99.061, Florida Statutes, is amended to read:

99.061 Method of qualifying for nomination or election to federal, state, county, or district office.—

(7)(a) In order for a candidate to be qualified, the following items must be received by the filing officer by the end of the qualifying period:

1. A cashier’s check purchased with funds of the campaign account or a properly executed check drawn upon the candidate’s campaign account payable to the person or entity as prescribed by the filing officer in an amount not less than the fee
required by s. 99.092, unless the candidate obtained the
required number of signatures on petitions pursuant to s.
99.095. The filing fee for a special district candidate is not
required to be drawn upon the candidate’s campaign account. If a
candidate’s check is returned by the bank for any reason, the
filing officer shall immediately notify the candidate and the
candidate shall have until the end of qualifying to pay the fee
with a cashier’s check purchased from funds of the campaign
account. Failure to pay the fee as provided in this subparagraph
shall disqualify the candidate.

2. The candidate’s oath required by s. 99.021, which must
contain the name of the candidate as it is to appear on the
ballot; the office sought, including the district or group
number if applicable; and the signature of the candidate, which
must be verified under oath or affirmation pursuant to s.
92.525(1)(a).

3. If the office sought is partisan, the written statement
of political party affiliation required by s. 99.021(1)(b).

4. The completed form for the appointment of campaign
treasurer and designation of campaign depository, as required by
s. 106.021.

5. The full and public disclosure or statement of financial
interests required by subsection (5). A public officer who has
filed the full and public disclosure or statement of financial
interests with the Commission on Ethics or the supervisor before
qualifying for office may file a copy of
that disclosure at the time of qualifying.

Section 11. Subsection (7) and paragraph (a) of subsection
(11) of section 100.371, Florida Statutes, are amended to read:
100.371 Initiatives; procedure for placement on ballot.—

(7) (a) A sponsor that collects petition forms or uses a petition circulator to collect petition forms serves as a fiduciary to the elector signing the petition form, ensuring that any petition form entrusted to the petition circulator shall be promptly delivered to the supervisor of elections within 30 days after the elector signs the form.

(a) If a petition form collected by any petition circulator is not promptly delivered to the supervisor of elections, the sponsor is liable for the following fines:

1. A fine in the amount of $50 for each petition form received by the supervisor of elections more than 30 days after the elector signed the petition form or the next business day, if the office is closed. A fine in the amount of $250 for each petition form received if the sponsor or petition circulator acted willfully.

2. A fine in the amount of $500 for each petition form collected by a petition circulator which is not submitted to the supervisor of elections. A fine in the amount of $1,000 for any petition form not submitted if the sponsor or petition circulator acted willfully.

(b) A showing by the sponsor that the failure to deliver the petition form within the required timeframe is based upon force majeure or impossibility of performance is an affirmative defense to a violation of this subsection. The fines described in this subsection may be waived upon a showing that the failure to deliver the petition form promptly is based upon force majeure or impossibility of performance.

(c) A sponsor shall deliver petition forms, which must be
grouped in batches by the petition circulator who collected them, to the supervisor.

(11)(a) An initiative petition form circulated for signature may not be bundled with or attached to any other petition. Each signature shall be dated when made and shall be valid until the next February 1 occurring in an even-numbered year for the purpose of the amendment appearing on the ballot for the general election occurring in that same year, provided all other requirements of law are met. The sponsor shall submit signed and dated forms to the supervisor of elections for the county of residence listed by the person signing the form for verification of the number of valid signatures obtained. If a signature on a petition is from a registered voter in another county, the supervisor shall notify the petition sponsor of the misfiled petition. The supervisor shall promptly verify the signatures within 60 days after receipt of the petition forms and payment of a fee for the actual cost of signature verification incurred by the supervisor. However, for petition forms submitted less than 60 days before February 1 of an even-numbered year, the supervisor shall promptly verify the signatures within 30 days after receipt of the form and payment of the fee for signature verification. The supervisor shall promptly record, in the manner prescribed by the Secretary of State, the date each form is received by the supervisor, and the date the signature on the form is verified as valid. The supervisor may verify that the signature on a form is valid only if:

1. The form contains the original signature of the purported elector. A digital signature of the purported elector
which complies with the requirements of part I of chapter 668 is considered an original signature for purposes of this requirement.

   2. The purported elector has accurately recorded on the form the date on which he or she signed the form.

   3. The form sets forth the purported elector’s name, address, city, county, and voter registration number or date of birth.

   4. The purported elector is, at the time he or she signs the form and at the time the form is verified, a duly qualified and registered elector in the state.

   5. The signature was obtained legally, including that if a paid petition circulator was used, the circulator was validly registered under subsection (3) when the signature was obtained.

The supervisor shall retain the signature forms for at least 1 year following the election in which the issue appeared on the ballot or until the division notifies the supervisors of elections that the committee that circulated the petition is no longer seeking to obtain ballot position.

Section 12. Section 100.51, Florida Statutes, is created to read:

   100.51 General Election Day paid holiday.—In order to encourage civic participation, enable more individuals to serve as poll workers, and provide additional time for the resolution of any issues that arise while an elector is casting his or her vote, General Election Day is a paid holiday. An elector is entitled to absent himself or herself from any service or employment in which he or she is engaged or employed during the
time the polls are open on General Election Day. An elector who
absents himself or herself under this section may not be
penalized in any way and a deduction may not be made from his or
her usual salary or wages on account of his or her absence.

Section 13. Section 101.016, Florida Statutes, is created
to read:

101.016 Strategic elections equipment reserve.—The Division
of Elections shall maintain a strategic elections equipment
reserve of voting systems that may be deployed in the event of
an emergency as defined in s. 101.732 or upon the occurrence of
equipment capacity issues due to unexpected voter turnout. The
reserve shall include tabulation equipment and any other
necessary equipment, such as printers, that are in use by each
supervisor of elections. In lieu of maintaining a physical
reserve of such equipment, the division may contract with a
vendor of voting equipment that shall provide such equipment on
an as-needed basis.

Section 14. Subsections (1) and (2) of section 101.048,
Florida Statutes, are amended to read:

101.048 Provisional ballots.—
(1) At all elections, a voter claiming to be properly
registered in the state and eligible to vote at the precinct in
the election but whose eligibility cannot be determined, a
person whom an election official asserts is not eligible, and
other persons specified in the code shall be entitled to vote a
provisional ballot in the county in which the voter claims to be
registered. Once voted, the provisional ballot shall be placed
in a secrecy envelope and thereafter sealed in a provisional
ballot envelope. The provisional ballot shall be deposited in a
ballot box. All provisional ballots shall remain sealed in their envelopes for return to the supervisor of elections. The department shall prescribe the form of the provisional ballot envelope. A person casting a provisional ballot shall have the right to present written evidence supporting his or her eligibility to vote to the supervisor of elections by not later than 5 p.m. on the second day following the election.

(2)(a) The county canvassing board shall examine each Provisional Ballot Voter’s Certificate and Affirmation to determine if the person voting that ballot was entitled to vote in the county in which at the precinct where the person cast a vote in the election and that the person had not already cast a ballot in the election. In determining whether a person casting a provisional ballot is entitled to vote, the county canvassing board shall review the information provided in the Voter’s Certificate and Affirmation, written evidence provided by the person pursuant to subsection (1), information provided in any cure affidavit and accompanying supporting documentation pursuant to subsection (6), any other evidence presented by the supervisor, and, in the case of a challenge, any evidence presented by the challenger. A ballot of a person casting a provisional ballot shall be canvassed pursuant to paragraph (b) unless the canvassing board determines by a preponderance of the evidence that the person was not entitled to vote.

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

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

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

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

(c) Any provisional ballot not counted must remain in the envelope containing the Provisional Ballot Voter’s Certificate and Affirmation and the envelope shall be marked “Rejected as Illegal.”

(d) If a provisional ballot is validated following the submission of a cure affidavit, the supervisor must make a copy of the affidavit, affix it to a voter registration application, and immediately process it as a valid request for a signature update pursuant to s. 98.077.

Section 15. Paragraph (a) of subsection (2) and paragraph (a) of subsection (3) of section 101.151, Florida Statutes, are amended to read:

101.151 Specifications for ballots.
(2)(a) The ballot must include the following office titles above the names of the candidates for the respective offices in the following order:

1. The office titles of President and Vice President above the names of the candidates for President and Vice President of the United States nominated by the political party that received the highest vote for Governor in the last general election of the Governor in this state, followed by the names of other candidates for President and Vice President of the United States who have been properly nominated.

2. The office titles of United States Senator and Representative in Congress.

3. The office titles of Governor and Lieutenant Governor; Attorney General; Chief Financial Officer; Commissioner of Agriculture; Secretary of State; State Attorney, with the applicable judicial circuit; and Public Defender, with the applicable judicial circuit.

4. The office titles of State Senator and State Representative, with the applicable district for the office printed beneath.

5. The office titles of Clerk of the Circuit Court or, when the Clerk of the Circuit Court also serves as the County Comptroller, Clerk of the Circuit Court and Comptroller, when authorized by law; Clerk of the County Court, when authorized by law; Sheriff; Property Appraiser; Tax Collector; District Superintendent of Schools; and Supervisor of Elections.

6. The office titles of Board of County Commissioners, with the applicable district printed beneath each office, and such other county and district offices as are involved in the
election, in the order fixed by the Department of State, followed, in the year of their election, by “Party Offices,” and thereunder the offices of state and county party executive committee members.

(3)(a) The names of the candidates of each the party that received the highest number of votes for Governor in the last election in which a Governor was elected shall be ordered randomly placed first for each office on the general election ballot, together with an appropriate abbreviation of the party name; the names of the candidates of the party that received the second highest vote for Governor shall be placed second for each office, together with an appropriate abbreviation of the party name.

Section 16. Subsection (6) is added to section 101.5612, Florida Statutes, to read:

101.5612 Testing of tabulating equipment.—
(6) A supervisor of elections shall annually file with the Secretary of State a detailed plan for operations in the event that maximum voter turnout occurs on election day and a recount is required in each race on a ballot.

Section 17. Paragraph (a) of subsection (1), subsection (2), and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended, and subsection (7) is added to that section, to read:

101.62 Request for vote-by-mail ballots.—
(1)(a) The supervisor shall accept a request for a vote-by-mail ballot from an elector in person or in writing. One request shall be deemed sufficient to receive a vote-by-mail ballot for all elections until the elector or the elector’s designee
notifies the supervisor that the elector cancels such request through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector’s designee indicates at the time the request is made the elections for which the elector desires to receive a vote-by-mail ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(2) A request for a vote-by-mail ballot to be mailed to a voter must be received no later than 5 p.m. on the 11th day before the election by the supervisor. The supervisor shall mail vote-by-mail ballots to voters requesting ballots by such deadline no later than 8 days before the election.

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

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

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

3. By personal delivery before 7 p.m. on election day to the elector, upon presentation of the identification required in s. 101.043.
4. By delivery to a designee on election day or up to 11 \( \text{days prior to the day of an election. Any elector may designate a person to pick up the ballot for the elector; however, the person designated may not pick up more than two vote-by-mail ballots per election, other than the designee’s own ballot, except that additional ballots may be picked up for members of the designee’s immediate family. For purposes of this section, “immediate family” means the designee’s spouse or the parent, child, grandparent, or sibling of the designee or of the designee’s spouse. The designee shall provide to the supervisor the written authorization by the elector and a picture identification of the designee and must complete an affidavit. The designee shall state in the affidavit that the designee is authorized by the elector to pick up that ballot and shall indicate if the elector is a member of the designee’s immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.}

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

(7) If a deadline imposed under this section falls on a day when the office of the supervisor is usually closed, the deadline shall be extended until the next business day.

Section 18. Subsections (1) and (2) of section 101.64, Florida Statutes, are amended to read:

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

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

Note: Please Read Instructions Carefully Before Marking Ballot and Completing Voter’s Certificate.

VOTER’S CERTIFICATE

I, ...., do solemnly swear or affirm that I am a qualified and registered voter of .... County, Florida, and that I have not and will not vote more than one ballot in this election. I understand that if I commit or attempt to commit any fraud in connection with voting, vote a fraudulent ballot, or vote more than once in an election, I can be convicted of a felony of the third degree and fined up to $5,000 and/or imprisoned for up to 5 years. I also understand that failure to sign this certificate...
will invalidate my ballot.
...(Date)...
...(Voter’s Signature or Last Four Digits of Social Security Number)...
...(E-Mail Address)...
...(Home Telephone Number)...
...(Mobile Telephone Number)...

(2) The certificate shall be arranged on the back of the mailing envelope so that the line for the signature or the last four digits of the social security number of the absent elector is across the seal of the envelope; however, no statement shall appear on the envelope which indicates that a signature or the last four digits of the social security number of the voter must cross the seal of the envelope. The absent elector shall execute the certificate on the envelope.

Section 19. Section 101.65, Florida Statutes, is amended to read:

101.65 Instructions to absent electors.—The supervisor shall enclose with each vote-by-mail ballot separate printed instructions in substantially the following form; however, where the instructions appear in capitalized text, the text of the printed instructions must be in bold font:

READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING BALLOT.

1. VERY IMPORTANT. In order to ensure that your vote-by-mail ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the day of the election. However, if you are an overseas voter casting a ballot in a presidential
preference primary or general election, your vote-by-mail ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election. Note that the later you return your ballot, the less time you will have to cure any signature deficiencies, which may cause your ballot to not be counted is authorized until 5 p.m. on the 2nd day after the election.

2. Mark your ballot in secret as instructed on the ballot. You must mark your own ballot unless you are unable to do so because of blindness, disability, or inability to read or write.

3. Mark only the number of candidates or issue choices for a race as indicated on the ballot. If you are allowed to “Vote for One” candidate and you vote for more than one candidate, your vote in that race will not be counted.

4. Place your marked ballot in the enclosed secrecy envelope.

5. Insert the secrecy envelope into the enclosed mailing envelope which is addressed to the supervisor.

6. Seal the mailing envelope and completely fill out the Voter’s Certificate on the back of the mailing envelope.

7. VERY IMPORTANT. In order for your vote-by-mail ballot to be counted, you must sign your name or print the last four digits of your social security number on the line above (Voter’s Signature or Last Four Digits of Social Security Number). A vote-by-mail ballot will be considered illegal and not be counted if the signature or the last four digits of the social security number on the voter’s certificate does not match the signature or social security number on record. The signature on
file at the time the supervisor of elections in the county in which your precinct is located receives your vote-by-mail ballot is the signature that will be used to verify your signature on the voter’s certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received before your vote-by-mail ballot is received.

8. VERY IMPORTANT. If you are an overseas voter, you must include the date you signed the Voter’s Certificate or printed the last four digits of your social security number on the line above (Date) or your ballot may not be counted.

9. Mail, deliver, or have delivered the completed mailing envelope. Be sure there is sufficient postage if mailed. THE COMPLETED MAILING ENVELOPE CAN BE DELIVERED TO THE OFFICE OF THE SUPERVISOR OF ELECTIONS OF THE COUNTY IN WHICH YOUR PRECINCT IS LOCATED OR DROPPED OFF AT AN AUTHORIZED SECURE DROP BOX, AVAILABLE AT EACH EARLY VOTING LOCATION.

10. FELONY NOTICE. It is a felony under Florida law to accept any gift, payment, or gratuity in exchange for your vote for a candidate. It is also a felony under Florida law to vote in an election using a false identity or false address, or under any other circumstances making your ballot false or fraudulent.

Section 20. Subsection (1), paragraphs (a) and (c) of subsection (2), and paragraphs (a) through (d) of subsection (4) of section 101.68, Florida Statutes, are amended to read:

101.68 Canvassing of vote-by-mail ballot.—

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

(2)(a) The county canvassing board may begin the canvassing
of vote-by-mail ballots upon the completion of the public
testing of automatic tabulating equipment pursuant to s.
101.5612(2) at 7 a.m. on the 22nd day before the election, but
must begin such canvassing by no later than noon on the day
following the election. In addition, for any county using
electronic tabulating equipment, the processing of vote-by-mail
ballots through such tabulating equipment may begin at 7 a.m. on
the 22nd day before the election. However, notwithstanding any
such authorization to begin canvassing or otherwise processing
vote-by-mail ballots early, no result shall be released until
after the closing of the polls in that county on election day.
Any supervisor, deputy supervisor, canvassing board member,
election board member, or election employee who releases the
results of a canvassing or processing of vote-by-mail ballots
prior to the closing of the polls in that county on election day commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

For purposes of this subparagraph, any canvassing board finding that an elector’s signatures or partial social security numbers do not match must be by majority vote and beyond a reasonable doubt.
2. The ballot of an elector who casts a vote-by-mail ballot shall be counted even if the elector dies on or before election day, as long as, before the death of the voter, the ballot was postmarked by the United States Postal Service, date-stamped with a verifiable tracking number by a common carrier, or already in the possession of the supervisor.

3. A vote-by-mail ballot is not considered illegal if the signature or partial social security number of the elector does not cross the seal of the mailing envelope.

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

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

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

1. Notifying the elector of the signature or partial social security number deficiency by e-mail and directing the elector to the cure affidavit and instructions on the supervisor’s website;

2. Notifying the elector of the signature or partial social security number deficiency by text message and directing the elector to the cure affidavit and instructions on the supervisor’s website; or

3. Notifying the elector of the signature or partial social security number deficiency by telephone and directing the elector to the cure affidavit and instructions on the supervisor’s website.

In addition to the notification required under subparagraph 1., subparagraph 2., or subparagraph 3., the supervisor must notify the elector of the signature or partial social security number deficiency by first-class mail and direct the elector to the cure affidavit and instructions on the supervisor’s website.

Beginning the day before the election, the supervisor is not required to provide notice of the signature deficiency by first-class mail, but shall continue to provide notice as required under subparagraph 1., subparagraph 2., or subparagraph 3.

(b) The supervisor shall allow a reasonable amount of time for such an elector to complete and submit an affidavit in order to cure the vote-by-mail ballot until 5 p.m. on the 2nd day.
after the election.

(c) The elector must complete a cure affidavit in substantially the following form:

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

...(Voter’s Signature or Last Four Digits of Social Security Number)...
...(Address)...

(d) Instructions must accompany the cure affidavit in substantially the following form:

READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT TO COUNT.

1. In order to ensure that your vote-by-mail ballot will be
counted, your affidavit should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located in a reasonable amount of time no later than 5 p.m. on the 2nd day after the election.

2. You must sign your name or print the last four digits of your social security number on the line above (Voter’s Signature or Last Four Digits of Social Security Number).

3. You must make a copy of one of the following forms of identification:

   a. Tier 1 identification.—Current and valid identification that includes your name and photograph: Florida driver license; Florida identification card issued by the Department of Highway Safety and Motor Vehicles; United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; a Florida license to carry a concealed weapon or firearm; or an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality; or

   b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1 FORM OF IDENTIFICATION, identification that shows your name and current residence address: current utility bill, bank statement, government check, paycheck, or government document (excluding voter information card).

4. Place the envelope bearing the affidavit into a mailing envelope addressed to the supervisor. Insert a copy of your
identification in the mailing envelope. Mail (if time permits),
deliver, or have delivered the completed affidavit along with
the copy of your identification to your county supervisor of
elections. Be sure there is sufficient postage if mailed and
that the supervisor’s address is correct. Remember, your
information MUST reach your county supervisor of elections in a
reasonable amount of time no later than 5 p.m. on the 2nd day
after the election, or your ballot will not count.

5. Alternatively, you may fax or e-mail your completed
affidavit and a copy of your identification to the supervisor of
elections. If e-mailing, please provide these documents as
attachments.

Section 21. Section 101.6952, Florida Statutes, is amended
to read:

101.6952 Vote-by-mail ballots for absent uniformed services
and overseas voters.—

(1) If an absent uniformed services voter’s or an overseas
voter’s request for an official vote-by-mail ballot pursuant to
s. 101.62 includes an e-mail address, the supervisor of
elections shall:

(a) Record the voter’s e-mail address in the vote-by-mail
ballot record;

(b) Confirm by e-mail that the vote-by-mail ballot request
was received and include in that e-mail the estimated date the
vote-by-mail ballot will be sent to the voter; and

(c) Notify the voter by e-mail when the voted vote-by-mail
ballot is received by the supervisor of elections.

(2)(a) An absent uniformed services voter or an overseas
voter who makes timely application for but does not receive an
(b)1. In an election for federal office, an elector may designate a candidate by writing the name of a candidate on the ballot. Except for a primary or special primary election, the elector may alternatively designate a candidate by writing the name of a political party on the ballot. A written designation of the political party shall be counted as a vote for the candidate of that party if there is such a party candidate in the race.

2. In a state or local election, an elector may vote in the section of the federal write-in absentee ballot designated for nonfederal races by writing on the ballot the title of each office and by writing on the ballot the name of the candidate for whom the elector is voting. Except for a primary, special primary, or nonpartisan election, the elector may alternatively designate a candidate by writing the name of a political party on the ballot. A written designation of the political party shall be counted as a vote for the candidate of that party if there is such a party candidate in the race. In addition, the elector may vote on any ballot measure presented in such election by identifying the ballot measure on which he or she desires to vote and specifying his or her vote on the measure. For purposes of this section, a vote cast in a judicial merit retention election shall be treated in the same manner as a ballot measure in which the only allowable responses are “Yes” or “No.”

(c) In the case of a joint candidacy, such as for the
offices of President/Vice President or Governor/Lieutenant Governor, a valid vote for one or both qualified candidates on the same ticket shall constitute a vote for the joint candidacy.

(d) For purposes of this subsection and except when the context clearly indicates otherwise, such as when a candidate in the election is affiliated with a political party whose name includes the word “Independent,” “Independence,” or a similar term, a voter designation of “No Party Affiliation” or “Independent,” or any minor variation, misspelling, or abbreviation thereof, shall be considered a designation for the candidate, other than a write-in candidate, who qualified to run in the race with no party affiliation. If more than one candidate qualifies to run as a candidate with no party affiliation, the designation may not count for any candidate unless there is a valid, additional designation of the candidate’s name.

(e) Any abbreviation, misspelling, or other minor variation in the form of the name of an office, the name of a candidate, the ballot measure, or the name of a political party must be disregarded in determining the validity of the ballot.

(3)(a) An absent uniformed services voter or an overseas voter who submits a federal write-in absentee ballot and later receives an official vote-by-mail ballot may submit the official vote-by-mail ballot. An elector who submits a federal write-in absentee ballot and later receives and submits an official vote-by-mail ballot should make every reasonable effort to inform the appropriate supervisor of elections that the elector has submitted more than one ballot.

(b) A federal write-in absentee ballot may not be canvassed
until 7 p.m. on the day of the election. A federal write-in absentee ballot from an absent overseas voter in a presidential preference primary or general election may not be canvassed until the conclusion of the 10-day period specified in subsection (5). Each federal write-in absentee ballot received by 7 p.m. on the day of the election shall be canvassed pursuant to ss. 101.5614(4) and 101.68, unless the elector’s official vote-by-mail ballot is received by 7 p.m. on election day. Each federal write-in absentee ballot from an absent overseas voter in a presidential preference primary or general election received by 10 days after the date of the election shall be canvassed pursuant to ss. 101.5614(4) and 101.68, unless the absent overseas voter’s official vote-by-mail ballot is received by 10 days after the date of the election. If the elector’s official vote-by-mail ballot is received by 7 p.m. on election day, or, for an overseas voter in a presidential preference primary or general election, no later than 10 days after the date of the election, the federal write-in absentee ballot is invalid and the official vote-by-mail ballot shall be canvassed. The time shall be regulated by the customary time in standard use in the county seat of the locality.

(4) For vote-by-mail ballots received from absent uniformed services voters or overseas voters, there is a presumption that the envelope was mailed on the date stated on the outside of the return envelope, regardless of the absence of a postmark on the mailed envelope or the existence of a postmark date that is later than the date of the election.

(5) A vote-by-mail ballot from an absent overseas voter in any presidential preference primary or general election which is
postmarked or dated no later than the date of the election and
is received by the supervisor of elections of the county in
which the overseas voter is registered no later than 10 days
after the date of the election shall be counted as long as the
vote-by-mail ballot is otherwise proper.

Section 22. Section 101.697, Florida Statutes, is amended
to read:

101.697 Electronic transmission of election materials.—
(1) The Department of State shall determine whether secure
electronic means can be established for receiving ballots from
overseas voters. If such security can be established, the
department shall adopt rules to authorize a supervisor of
elections to accept from an overseas voter a request for a vote-
by-mail ballot or a voted vote-by-mail ballot by secure
facsimile machine transmission or other secure electronic means.
The rules must provide that in order to accept a voted ballot,
the verification of the voter must be established, the security
of the transmission must be established, and each ballot
received must be recorded.

(2) The Department of State shall determine whether secure
electronic means can be established for receiving ballots from
voters for good cause, including during or immediately after an
emergency as defined in s. 101.732. If such secure electronic
means can be established, the department shall adopt rules to
authorize a supervisor of elections to accept from a voter a
voted ballot by secure facsimile machine transmission or other
secure electronic means. The rules must provide that in order to
accept a voted ballot, the verification of the voter must be
established, the security of the transmission must be
established, and each ballot received must be recorded. Such a ballot may not be accepted by a supervisor of elections except upon a determination of good cause by the department.

Section 23. Subsection (6) is added to section 101.71, Florida Statutes, to read:

101.71 Polling place.—

(6) A polling place may not be located within a gated community unless the legal residence of every elector in the precinct is within such gated community.

Section 24. Paragraph (e) of subsection (4) of section 102.031, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

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

(4)

(e) The owner, operator, or lessee of the property on which a polling place or an early voting site is located, or an agent or employee thereof, may not prohibit the solicitation of voters outside of the no-solicitation zone during polling hours.

(6) Bullhorns or other devices used to amplify sound are prohibited in close proximity to:

(a) A polling place during voting hours.

(b) An office of the supervisor during a recount.

Section 25. Subsection (2) of section 102.111, Florida Statutes, is amended to read:

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 9 a.m. on the 9th day after a primary election to certify the
returns for each federal, state, and multicounty office. The commission shall meet at 9 a.m. on the 14th day after a general election to certify the returns of the election for each federal, state, and multicounty office. The commission shall meet at 9 a.m. on the 21st day after a general election to certify the returns for each federal and state office. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

Section 26. Subsection (2) of section 102.112, Florida Statutes, is amended to read:

102.112 Deadline for submission of county returns to the Department of State.—

(2) Returns must be filed by 5 p.m. on the 7th day following a primary election, and by noon on the 12th day following the general election for multicounty offices, and by noon on the 19th day following the general election for federal and statewide offices. However, the Department of State may correct typographical errors, including the transposition of numbers, in any returns submitted to the Department of State pursuant to s. 102.111(2).

Section 27. Section 102.181, Florida Statutes, is created to read:
102.181 Action against supervisor of elections.—

(1) Any elector qualified to vote in or any candidate for office in an election may file an action against the supervisor of elections administering such election for noncompliance with any provision of this code.

(2) Any elector or candidate who files such an action is entitled to an immediate hearing.

(3) In any such action, any filing fees or costs shall be waived and attorney fees shall be awarded to the prevailing party or parties.

Section 28. This act shall take effect July 1, 2021.

And the title is amended as follows:

Delete everything before the enacting clause and insert:

A bill to be entitled An act relating to elections; amending s. 20.10, F.S.; requiring the Secretary of State to be elected rather than appointed; specifying when such election will occur; amending s. 97.052, F.S.; conforming provisions to changes made by the act; amending s. 97.053, F.S.; providing that an applicant must designate a party affiliation or select no party affiliation to be registered to vote; requiring a supervisor of elections to notify an applicant who fails to be registered; requiring the voter registration application to include certain information; providing for the canvassing of provisional ballots if certain
information is provided within a reasonable amount of
time following an election; repealing s. 97.055, F.S.,
relating to the closure of registration books for an
election; repealing s. 97.0555, F.S., relating to late
registration to vote; creating s. 97.0556, F.S.;
providing that a person who meets certain requirements
may register to vote and cast a ballot on election day
or at an early voting site; amending s. 97.057, F.S.;
requiring the Department of Highway Safety and Motor
Vehicles to provide the opportunity to preregister to
vote to certain individuals; amending s. 97.0575,
F.S.; revising penalties for third-party voter
registration organizations collecting voter
registration applications; amending s. 98.065, F.S.;
providing additional requirements before a voter can
be made inactive; amending s. 98.0981, F.S.; revising
certain reports and data to conform with changes made
by the act; amending s. 99.061, F.S.; authorizing a
candidate to pay his or her qualifying fee with a
cashier’s check; amending s. 100.371, F.S.; providing
a requirement for the delivery of certain petitions;
specifying that a digital signature that complies with
the Electronic Signature Act of 1996 satisfies the
requirement that a petition form must contain an
original signature; creating s. 100.51, F.S.;
designating General Election Day as a paid holiday;
providing that any elector may absent himself or
herself from service or employment at a specific time
on a General Election Day and may not be penalized or
have pay reduced for such absence; creating s. 101.016, F.S.; requiring the Division of Elections to maintain a strategic elections equipment reserve of voting systems and other equipment for specified purposes; requiring such reserve to include specified equipment; authorizing the division to contract with specified entities rather than physically maintain such reserve; amending s. 101.048, F.S.; providing that a person may cast a provisional ballot in the county in which the voter claims to be registered; amending s. 101.151, F.S.; revising the order in which office titles and names of candidates are placed on the ballot; amending s. 101.5612, F.S.; requiring the supervisor of elections to annually file a plan for operations under certain conditions; amending s. 101.62, F.S.; providing that a request for a vote-by-mail ballot is valid until the request is canceled; revising the deadline by which vote-by-mail ballots must be received by a supervisor of elections; revising the period during which a supervisor of elections may deliver certain ballots; providing for extension of deadlines under certain conditions; amending s. 101.64, F.S.; requiring the supervisor of elections to enclose a postage paid mailing envelope with each vote-by-mail ballot; providing that vote-by-mail ballot voter certificates may require a voter’s signature or the last four digits of the voter’s social security number; amending s. 101.65, F.S.; revising instructions that must be provided with a
vote-by-mail ballot; amending s. 101.68, F.S.;
requiring the supervisor of elections to compare the
signature or partial social security number with the
signature or partial social security number in the
registration books or precinct register when
canvassing a vote-by-mail ballot; authorizing the
canvassing of vote-by-mail ballots upon the completion
of the public preelection testing of automatic
tabulating equipment; revising the timeframe during
which an elector may cure a vote-by-mail ballot;
amending s. 101.6952, F.S.; authorizing an absent
voter to submit a federal write-in absentee ballot or
vote-by-mail ballot; revising requirements for the
canvassing of specified ballots; providing that a
certain presumption applies to vote-by-mail ballots
received from absent voters; requiring a vote-by-mail
ballot from an absent voter which is postmarked by a
certain date to be counted; amending s. 101.697, F.S.;
requiring the Department of State to adopt rules to
authorize a supervisor of elections to accept a voted
ballot by secure electronic means under certain
circumstances; amending s. 101.71, F.S.; prohibiting a
polling place from being located within a gated
community unless certain conditions are met; amending
s. 102.031, F.S.; removing a provision prohibiting the
restriction of solicitation by certain parties;
prohibiting the use of devices that amplify sound in
certain locations; amending s. 102.111, F.S.; revising
the dates by which the Elections Canvassing Commission
must certify certain election returns; amending s. 102.112, F.S.; revising the deadlines for submission of county returns to the Department of State; creating s. 102.181, F.S.; authorizing certain persons to file actions against a supervisor of elections who fail to comply with the Florida Election Code; providing that such person is entitled to an immediate hearing; providing for the waiver of fees and costs and the award of attorney fees; providing an effective date.