A bill to be entitled
An act relating to election administration; amending
s. 97.052, F.S.; revising requirements for the uniform
statewide voter registration application; amending s.
97.0525, F.S.; authorizing an applicant to submit an
online voter registration application using the last
four digits of the applicant’s social security number;
prescribing procedures for applicants who submit an
application using the last four digits of their social
security numbers; specifying additional requirements
for comprehensive risk assessments of the online voter
registration system; amending s. 97.053, F.S.;
revising requirements governing the acceptance of
voter registration applications; amending s. 97.057,
F.S.; requiring the Department of Highway Safety and
Motor Vehicles to assist the Department of State in
identifying certain residence address changes;
requiring the Department of State to report such
changes to supervisors of elections; amending s.
97.0575, F.S.; revising requirements for third-party
voter registration organizations; providing
applicability; revising circumstances under which a
third-party voter registration organization is subject
to fines for violations regarding the delivery of
voter registration applications; revising requirements
for Division of Elections rules governing third-party
voter registration organizations; amending s. 97.0585,
F.S.; deleting an exemption from public records
requirements for information related to a voter
registration applicant’s or voter’s prior felony conviction and his or her restoration of voting rights to conform to changes made by the act; amending s. 97.1031, F.S.; revising requirements for notifying the supervisor of address changes; modifying procedures for submitting changes of name or party affiliation to conform to changes made by the act; amending s. 98.0981, F.S.; providing that certain ballot types or precinct subtotals may not be reported in precinct-level election results; requiring supervisors to post live turnout data for election day voting and vote-by-mail ballot statistics on their websites; requiring supervisors to transmit live turnout data to the Division of Elections; directing the division to create and maintain a statewide voter turnout dashboard on its website using such data; amending s. 99.021, F.S.; requiring a person seeking to qualify for office as a candidate with no party affiliation to subscribe to an oath or affirmation that he or she is registered without party affiliation and has not been a registered member of a political party for a specified timeframe; amending ss. 99.061 and 99.063, F.S.; conforming provisions to changes made by the act; amending s. 101.043, F.S.; deleting a provision that prohibits the use of an address appearing on identification presented by an elector at the polls as a basis to confirm an elector’s legal residence; deleting a provision that prohibits a clerk or an inspector from asking an elector to provide additional
identification information under specified circumstances; amending s. 101.051, F.S.; prohibiting certain solicitation of voters at drop box locations; increasing the no-solicitation zone surrounding a drop box location or the entrance of a polling place or an early voting site wherein certain activities are prohibited; amending s. 101.545, F.S.; requiring ballots, forms, and election materials to be retained for a specified minimum timeframe following an election; amending s. 101.5605, F.S.; revising the timeframe within which the department must approve or disapprove a voting system submitted for certification; amending s. 101.5614, F.S.; revising requirements for making true duplicate copies of vote-by-mail ballots under certain circumstances; requiring that an observer of the duplication of ballots be provided certain allowances; requiring the canvassing board to take certain action in response to an objection to a ballot duplicate; amending s. 101.591, F.S.; revising the timeframe and requirements for the voting systems audit report submitted to the department; amending s. 101.595, F.S.; requiring a specified report regarding overvotes and undervotes to be submitted with the voting systems audit report; revising the date by which the department must submit the report to the Governor and Legislature; amending s. 101.62, F.S.; limiting the duration of requests for vote-by-mail ballots to all elections through the end of the calendar year of the next regularly scheduled
general election; specifying applicability; requiring
certain vote-by-mail ballot requests to include
additional identifying information regarding the
requesting elector; requiring supervisors of elections
to record whether a voter’s certificate on a vote-by-
mail ballot has a mismatched signature; revising the
definition of the term “immediate family” to conform
to changes made by the act; prohibiting counties,
municipalities, and state agencies from sending vote-
by-mail ballots to voters absent a request; providing
exceptions; amending s. 101.64, F.S.; prohibiting the
display of an absent elector’s party affiliation or
other partisan information on the outside of vote-by-
mail ballots and return and secrecy envelopes;
amending s. 101.68, F.S.; specifying that the
supervisor may not use any knowledge of a voter’s
party affiliation during the signature comparison
process; authorizing the canvassing of vote-by-mail
ballots upon the completion of the public preelection
testing of automatic tabulating equipment; amending s.
101.69, F.S.; revising requirements governing the
placement and supervision of secure drop boxes for the
return of vote-by-mail ballots; requiring the
supervisor to designate drop box locations in advance
of an election; prohibiting changes in drop box
locations for an election after their initial
designation; specifying requirements regarding the
retrieval of vote-by-mail ballots returned in a drop
box; providing that the supervisor is subject to a
civil penalty for certain violations regarding drop boxes; amending s. 102.031, F.S.; prohibiting certain solicitation activities within a specified area surrounding a drop box; revising the definition of “solicit” and “solicitation” to include the giving, or attempting to give, any item to a voter by certain persons; providing for construction; restricting certain persons from prohibiting the solicitation of voters by a candidate or a candidate’s designee outside of the no-solicitation zone; amending s. 102.141, F.S.; requiring the names of canvassing board members be published on the supervisor’s website before the tabulation of any vote-by-mail ballots in an election; authorizing each political party and candidate to have one watcher at canvassing board meetings within a distance that allows him or her to directly observe proceedings; requiring additional information be included in public notices of canvassing board meetings; amending s. 104.0616, F.S.; revising the definition of “immediate family”; prohibiting any person from distributing, ordering, requesting, collecting, delivering, or otherwise physically possessing more than two vote-by-mail ballots of other electors per election, not including immediate family members; providing exceptions; providing a penalty; providing effective dates.

Be It Enacted by the Legislature of the State of Florida:
Section 1. Paragraph (t) of subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.—

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

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

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

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

Section 2. Effective July 1, 2022, subsections (1) through (4) of section 97.0525, Florida Statutes, are amended to read:

97.0525 Online voter registration.—
(1) Beginning October 1, 2017, an applicant may submit an online voter registration application using the procedures set forth in this section.

(2) The division shall establish and maintain a secure Internet website that safeguards an applicant’s information to ensure data integrity and permits an applicant to:

(a) Submit a voter registration application, including first-time voter registration applications and updates to current voter registration records.

(b) Submit information necessary to establish an applicant’s eligibility to vote, pursuant to s. 97.041, which includes the information required for the uniform statewide voter registration application pursuant to s. 97.052(2).

(c) Swear to the oath required pursuant to s. 97.051.

(3)(a) The online voter registration system must comply with the information technology security provisions of s. 282.318 and must use a unique identifier for each applicant to prevent unauthorized persons from altering a voter’s registration information. For an applicant to update his or her voter registration record, he or she must provide his or her date of birth and either his or her Florida driver license number or the identification number from a Florida identification card issued under s. 322.051 or the last four digits of his or her social security number if the applicant has not been issued a Florida driver license or identification card.

(b) The division shall conduct a comprehensive risk assessment of the online voter registration system before making the system publicly available and every 2 years thereafter. The comprehensive risk assessment must comply with the risk
assessment methodology developed by the Department of Management Services for identifying security risks, determining the magnitude of such risks, and identifying areas that require safeguards. In addition, the comprehensive risk assessment must incorporate all of the following:

1. Load testing and stress testing to ensure that the online voter registration system has sufficient capacity to accommodate foreseeable use, including during periods of high volume of website users in the week immediately preceding the book-closing deadline for an election.

2. Screening of computers and networks used to support the online voter registration system for malware and other vulnerabilities.

3. Evaluation of database infrastructure, including software and operating systems, in order to fortify defenses against cyberattacks.

4. Identification of any anticipated threats to the security and integrity of data collected, maintained, received, or transmitted by the online voter registration system.

(4)(a) In order to submit a voter registration application through the online voter registration system, an applicant must provide his or her Florida driver license number or the identification number from a Florida identification card issued under s. 322.051; or if an applicant has not been issued a Florida driver license or Florida identification card, he or she must provide the last four digits of the applicant’s social security number.

(b)1. If the applicant has submitted his or her Florida driver license number or the identification number from a
Florida identification card with a voter registration application, the online voter registration system shall compare the Florida driver license number or Florida identification number submitted pursuant to s. 97.052(2)(n) with information maintained by the Department of Highway Safety and Motor Vehicles to confirm that the name and date of birth on the application are consistent with the records of the Department of Highway Safety and Motor Vehicles.

2. (b) If the applicant’s name and date of birth are consistent with the records of the Department of Highway Safety and Motor Vehicles, the online voter registration system shall transmit, using the statewide voter registration system maintained pursuant to s. 98.035, the applicant’s registration application, along with the digital signature of the applicant on file with the Department of Highway Safety and Motor Vehicles, to the supervisor of elections. The applicant’s digital signature satisfies the signature requirement of s. 97.052(2)(q).

(c) 1. If the applicant has submitted the last four digits of his or her social security number, the online voter registration system must verify the last four digits of the social security number in accordance with s. 97.053(6).

2. If the last four digits of the applicant’s social security number are verified pursuant to s. 97.053(6), the online voter registration system shall transmit, using the statewide voter registration system maintained pursuant to s. 98.035, the applicant’s registration application to the supervisor of elections.

(d) If the applicant’s name and date of birth cannot be
verified by the records of the Department of Highway Safety and
Motor Vehicles, or if the last four digits of the applicant’s
social security number cannot be verified applicant indicated
that he or she has not been issued a Florida driver license or
Florida identification card, the online voter registration
system shall populate the applicant’s information into a
printable voter registration application pursuant to s.
97.052(2) and direct the applicant to print, sign, and date the
application and deliver the application to the supervisor of
elections for disposition pursuant to s. 97.073.

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

97.053 Acceptance of voter registration applications.—
(5)(a) A voter registration application is complete if it
contains the following information necessary to establish the
applicant’s eligibility pursuant to s. 97.041, including:
1. The applicant’s name.
2. The applicant’s address of legal residence, including a
distinguishing apartment, suite, lot, room, or dormitory room
number or other identifier, if appropriate. Failure to include a
distinguishing apartment, suite, lot, room, or dormitory room or
other identifier on a voter registration application does not
impact a voter’s eligibility to register to vote or cast a
ballot, and such an omission may not serve as the basis for a
challenge to a voter’s eligibility or reason to not count a
ballot.
3. The applicant’s date of birth.
4. A mark in the checkbox affirming that the applicant is a
citizen of the United States.
5.a. The applicant’s current and valid Florida driver license number or the identification number from a Florida identification card issued under s. 322.051, or

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

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

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

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

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

(6) A voter registration application, including an

CODING: Words stricken are deletions; words underlined are additions.
application with a change in name, address, or party affiliation, 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 no later than 5 p.m. of the second day following the election.

Section 4. Subsection (13) is added to section 97.057, Florida Statutes, to read:
97.057 Voter registration by the Department of Highway Safety and Motor Vehicles.—

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

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

97.0575 Third-party voter registrations.—

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

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

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

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

1. A fine in the amount of $50 for each application
received by the division or the supervisor of elections in the
county in which the applicant resides more than 14 days 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 in the
county in which the applicant resides 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 in the
county in which the applicant resides. A fine in the amount of
$1,000 for any application not submitted if the third-party
voter registration organization or person, entity, or agency
acting on its behalf acted willfully.

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

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

Section 6. Paragraphs (d), (e), and (f) of subsection (1) of section 97.0585, Florida Statutes, are amended to read:

97.0585 Public records exemption; information regarding voters and voter registration; confidentiality.—

(1) The following information held by an agency, as defined in s. 119.011, and obtained for the purpose of voter registration is confidential and exempt from s. 119.07(1) and s. 24(a), Art. I of the State Constitution and may be used only for purposes of voter registration:

(d) Information related to a voter registration applicant’s or voter’s prior felony conviction and whether such person has had his or her voting rights restored by the Board of Executive Clemency or pursuant to s. 4, Art. VI of the State Constitution.

(e) All information concerning preregistered voter registration applicants who are 16 or 17 years of age.

(f) Paragraph (d) is Paragraphs (d) and (e) are subject
to the Open Government Sunset Review Act in accordance with s. 119.15 and shall stand repealed on October 2, 2024, unless reviewed and saved from repeal through reenactment by the Legislature.

Section 7. Paragraph (b) of subsection (1) and subsection (2) of section 97.1031, Florida Statutes, are amended to read:

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

(1)

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

1. Contacting the supervisor of elections via telephone or electronic means, in which case the elector must provide his or her date of birth and either his or her Florida driver license number or the identification number from a Florida identification card issued under s. 322.051 or the last four digits of the his or her social security number if the elector has not been issued a Florida driver license or identification card; or

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

(2) When an elector seeks to change party affiliation, the elector shall notify his or her supervisor of elections or other voter registration official by submitting a voter registration application or other using a signed written notice that contains the elector’s date of birth or voter registration number and either his or her Florida driver license number or the identification number from a Florida identification card issued
under s. 322.051 or the last four digits of his or her social
security number if the elector has not been issued a Florida
driver license or identification card. When an elector changes
his or her name by marriage or other legal process, the elector
shall notify his or her supervisor of elections or other voter
registration official by submitting a voter registration
application or other using a signed written notice that contains
the elector’s date of birth or voter’s registration number and
either his or her Florida driver license number or the
identification number from a Florida identification card issued
under s. 322.051 or the last four digits of his or her social
security number if the elector has not been issued a Florida
driver license or identification card.

Section 8. Present subsections (4) and (5) of section
98.0981, Florida Statutes, are redesignated as subsections (5)
and (6), respectively, a new subsection (4) is added to that
section, and paragraph (a) of subsection (2) of that section is
amended, to read:

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

(2) PRECINCT-LEVEL ELECTION RESULTS.—

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

(4) LIVE TURNOUT DATA.—

(a) Supervisors of elections shall make live voter turnout
data on election day available on their respective websites. At
a minimum, a supervisor must post updated turnout data on their
website at 8 a.m., 2 p.m., and 6 p.m. on election day. The
supervisors shall transmit the turnout data to the division,
which must create and maintain a real-time statewide turnout
dashboard that is available for viewing by the public on its
website as the data becomes available.

(b) For each election, supervisors of elections shall make
available on their respective websites the number of vote-by-
mail ballots requested, the number of completed vote-by-mail
ballots received, and the number of vote-by-mail ballots not yet
tabulated. Such information must be updated daily.

Section 9. Present paragraph (c) of subsection (1) of
section 99.021, Florida Statutes, is redesignated as paragraph (d), and a new paragraph (c) is added to that subsection, to read:

99.021 Form of candidate oath.—

(1)

(c) In addition, any person seeking to qualify for office as a candidate with no party affiliation shall, at the time of subscribing to the oath or affirmation, state in writing that he or she is registered without any party affiliation and that he or she has not been a registered member of any political party for 365 days before the beginning of qualifying preceding the general election for which the person seeks to qualify.

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 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); or if the candidate is running without party affiliation for a partisan office, the written statement required by s. 99.021(1)(c).

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 of elections prior to qualifying for office may file a copy of that disclosure at the time of qualifying.

Section 11. Paragraph (b) of subsection (2) of section 99.063, Florida Statutes, is amended to read:

99.063 Candidates for Governor and Lieutenant Governor.—
(2) No later than 5 p.m. of the 9th day following the primary election, each designated candidate for Lieutenant Governor shall file with the Department of State:
(b) If the office sought is partisan, the written statement of political party affiliation required by s. 99.021(1)(b); or if the office sought is without party affiliation, the written statement required by s. 99.021(1)(c).

Section 12. Paragraphs (b) and (c) of subsection (1) of section 101.043, Florida Statutes, are amended to read:

101.043 Identification required at polls.—

(1) (b) If the picture identification does not contain the signature of the elector, an additional identification that provides the elector’s signature shall be required. The address appearing on the identification presented by the elector may not be used as the basis to confirm an elector’s legal residence or otherwise challenge an elector’s legal residence. The elector shall sign his or her name in the space provided on the precinct register or on an electronic device provided for recording the elector’s signature. The clerk or inspector shall compare the signature with that on the identification provided by the elector and enter his or her initials in the space provided on the precinct register or on an electronic device provided for that purpose and allow the elector to vote if the clerk or inspector is satisfied as to the identity of the elector.

c) When an elector presents his or her picture identification to the clerk or inspector and the elector’s address on the picture identification matches the elector’s address in the supervisor’s records, the elector may not be asked to provide additional information or to recite his or her home address.

Section 13. Subsections (2) and (5) of section 101.051,
Florida Statutes, are amended to read:

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

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

(5) If an elector needing assistance requests that a person other than an election official provide him or her with assistance in voting, the clerk or one of the inspectors shall require the person providing assistance to take the following oath:

DECLARATION TO PROVIDE ASSISTANCE

State of Florida
County of....
Date....
Precinct....

I, ...(Print name)...., have been requested by ...(print name of elector needing assistance).... to provide him or her with assistance to vote. I swear or affirm that I am not the employer, an agent of the employer, or an officer or agent of
the union of the voter and that I have not solicited this voter
at the polling place, drop box location, or early voting site or
within 150 feet of such locations in an effort to provide
assistance.

...(Signature of assistor)...

Sworn and subscribed to before me this .... day of ....,
...(year)....

...(Signature of Official Administering Oath)...

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

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

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

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

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

101.5614 Canvass of returns.—

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

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

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

(a) The overall accuracy of audit.

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

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

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

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

101.595 Analysis and reports of voting problems.—

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

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

Section 19. Paragraphs (a) and (b) of subsection (1), subsection (3), 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 through the end of the calendar year of the next second ensuing regularly scheduled general election, provided that a request received after November 6, 2018, and before July 1, 2021, is deemed sufficient through the end of the calendar year of the second ensuing regularly scheduled general election, unless the elector or the elector’s designee indicates at the time the request is made the elections for which the elector desires to receive a vote-by-mail ballot. Such request may be considered canceled when any first-class mail sent by the supervisor to the elector is returned as undeliverable.

(b) The supervisor may accept a written or telephonic request for a vote-by-mail ballot to be mailed to an elector’s address on file in the Florida Voter Registration System from the elector, or, if directly instructed by the elector, a member of the elector’s immediate family, or the elector’s legal guardian. For written or telephonic requests, the elector must provide either his or her Florida driver license number or Florida identification card number or the last four digits of his or her social security number. If the ballot is requested to be mailed to an address other than the elector’s address on file in the Florida Voter Registration System, the request must be made in writing, and signed by the elector, and include either his or her Florida driver license number or Florida identification card number or the last four digits of his or her social security number. However, an absent uniformed service voter or an overseas voter seeking a vote-by-mail ballot is not
required to submit a signed, written request for a vote-by-mail ballot that is being mailed to an address other than the
elector’s address on file in the Florida Voter Registration System. For purposes of this section, the term “immediate family” has the same meaning as specified in paragraph (4)(c).
The person making the request must disclose:
1. The name of the elector for whom the ballot is requested.
2. The elector’s address.
3. The elector’s date of birth.
4. The elector’s Florida driver license number or Florida identification card number or the last four digits of the elector’s social security number.
5. The requester’s name.
6. The requester’s address.
7. The requester’s driver license number or identification card number or the last four digits of the requester’s social security number, if available.
8. The requester’s relationship to the elector.
9. The requester’s signature (written requests only).
3) For each request for a vote-by-mail ballot received, the supervisor shall record the date the request was made; the date the vote-by-mail ballot was delivered to the voter or the voter’s designee or the date the vote-by-mail ballot was delivered to the post office or other carrier; the identity of the voter’s designee or the address to which the ballot was mailed; the date the ballot was received by the supervisor; the absence of the voter’s signature on the voter’s certificate, if applicable; whether the voter’s certificate contains a
signature that does not match the elector’s signature in the registration books or precinct register; and such other information he or she may deem necessary. This information shall be provided in electronic format as provided by division rule adopted by the division. The information shall be updated and made available no later than 8 a.m. of each day, including weekends, beginning 60 days before the primary until 15 days after the general election and shall be contemporaneously provided to the division. This information shall be confidential and exempt from s. 119.07(1) and shall be made available to or reproduced only for the voter requesting the ballot, a canvassing board, an election official, a political party or official thereof, a candidate who has filed qualification papers and is opposed in an upcoming election, and registered political committees for political purposes only.

(4)

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

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

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

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

4. By delivery to a designee on election day or up to 9 days before the day of an election. Any elector may designate in writing 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, grandchild, 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
eexecute an affidavit affirming to the facts which allow for
delivery of the vote-by-mail ballot. The department shall adopt
a rule providing for the form of the affidavit.

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

Section 20. Subsection (6) is added to section 101.64, Florida Statutes, to read:

101.64 Delivery of vote-by-mail ballots; envelopes; form.—
(6) The outside of the ballot and the secrecy and mailing
envelopes may not display the party affiliation of the absent
elector who has been issued such ballot or display any other
partisan information.

Section 21. Subsection (1) and paragraph (a) of subsection
(2) 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 of the elector on the
voter’s certificate with the signature of the elector in the
registration books or the precinct register to determine whether
the elector is duly registered in the county and must may record
on the elector’s registration record certificate that the
elector has voted. During the signature comparison process, the
supervisor may not use any knowledge of the political

CODING: Words stricken are deletions; words underlined are additions.
affiliation of the voter whose signature is subject to verification. 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.

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

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

(2)(a) The supervisor shall allow an elector who has received a vote-by-mail ballot to physically return a voted vote-by-mail ballot to the supervisor by placing the envelope containing his or her marked ballot in a secure drop box. Secure drop boxes shall be placed at the main office of the supervisor, at each branch office of the supervisor, and at each early voting site. Secure drop boxes may also be placed at any other site that would otherwise qualify as an early voting site under s. 101.657(1). A secure drop box may only be used provided, however, that any such site must be staffed during the county’s early voting hours of operation and must be monitored in person by an employee of the supervisor’s office or a sworn law enforcement officer.

(b) A supervisor shall designate each drop box site at least 30 days before an election. After a drop box location has been designated, it may not be moved or changed.

(c) On each day of early voting, all drop boxes must be emptied at the end of early voting hours and all ballots retrieved from the drop boxes must be returned to the supervisor’s office. Employees of the supervisor must comply with procedures for the chain of custody of ballots as required by s. 101.015(4).

(3) If any drop box at an early voting site is left accessible for the return of ballots outside of early voting hours, the supervisor is subject to a civil penalty of $25,000. The division is authorized to enforce this provision.
Section 23. Paragraphs (a), (b), and (e) of subsection (4) of section 102.031, Florida Statutes, are amended to read:

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

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

(b) For the purpose of this subsection, the terms “solicit” or “solicitation” shall include, but not be limited to, seeking or attempting to seek any vote, fact, opinion, or contribution; distributing or attempting to distribute any political or campaign material, leaflet, or handout; conducting a poll except as specified in this paragraph; seeking or attempting to seek a signature on any petition; and selling or attempting to sell any item; and giving or attempting to give any item to a voter. The terms “solicit” or “solicitation” may not be construed to prohibit an employee of, or a volunteer with, the supervisor from providing nonpartisan assistance to voters within the no-solicitation zone such as, but not limited to, giving items to voters, or to prohibit exit polling.

(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
by a candidate or a candidate’s designee outside of the no-
solicitation zone during polling hours.

Section 24. Subsection (1) and paragraphs (a) and (b) of
subsection (2) of section 102.141, Florida Statutes, are amended
to read:

102.141 County canvassing board; duties.—

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

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

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

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

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

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

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

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

(2)(a) The county canvassing board shall meet in a building accessible to the public in the county where the election occurred at a time and place to be designated by the supervisor to publicly canvass the absent electors’ ballots as provided for in s. 101.68 and provisional ballots as provided by ss. 101.048, 101.049, and 101.6925. During each meeting of the county canvassing board, each political party and each candidate may have one watcher within a distance that allows him or her to directly observe ballots being examined for signature matching and other processes. Provisional ballots cast pursuant to s.
101.049 shall be canvassed in a manner that votes for candidates and issues on those ballots can be segregated from other votes. As soon as the absent electors’ ballots and the provisional ballots are canvassed, the board shall proceed to publicly canvass the vote given each candidate, nominee, constitutional amendment, or other measure submitted to the electorate of the county, as shown by the returns then on file in the office of the supervisor.

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

Section 25. Section 104.0616, Florida Statutes, is amended to read:

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

(1) For purposes of this section, the term “immediate family” means a person’s spouse or the parent, child, grandparent, grandchild, or sibling of the person or the person’s spouse.

(2) Any person who distributes, orders, requests, collects, delivers provides or offers to provide, and any person who
accepts, a pecuniary or other benefit in exchange for
distributing, ordering, requesting, collecting, delivering, or
otherwise physically possesses possessing more than two vote-by-
mail ballots per election in addition to his or her own ballot
or a ballot belonging to an immediate family member, except as
provided in ss. 101.6105-101.694, including supervised voting at
assisted living facilities and nursing home facilities as
authorized under s. 101.655, commits a misdemeanor of the first
degree, punishable as provided in s. 775.082 or s. 775.083 or
s. 775.084.

Section 26. Except as otherwise expressly provided in this
act, this act shall take effect July 1, 2021.