

By the Committee on Ethics and Elections; and Senator Hutson

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1 A bill to be entitled
2 An act relating to election administration; creating
3 s. 97.022, F.S.; creating the Office of Election
4 Crimes and Security within the Department of State;
5 specifying duties and the structure of the office;
6 requiring the department to annually report to the
7 Governor and Legislature regarding the office's
8 activities; specifying requirements for such report;
9 amending s. 97.0291, F.S.; clarifying provisions
10 governing the prohibition on the solicitation,
11 acceptance, use, and disposal of private funds for
12 certain election-related expenses; amending s. 97.057,
13 F.S.; conforming a cross-reference; amending s.
14 97.0575, F.S.; revising a limitation on the amount of
15 aggregate fines which may be assessed against a third-
16 party voter registration organization in a calendar
17 year; amending s. 98.065, F.S.; revising the frequency
18 by which supervisors of elections must conduct a
19 registration list maintenance program; modifying
20 required components of registration list maintenance
21 programs; amending s. 98.0655, F.S.; revising the
22 types of registration list maintenance forms to be
23 prescribed by the Department of State to conform to
24 changes made by the act; amending s. 98.075, F.S.;
25 authorizing the Department of State to identify
26 deceased registered voters using information received
27 by the Department of Highway Safety and Motor
28 Vehicles; amending s. 98.093, F.S.; requiring clerks
29 of the circuit court and the Department of Highway

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30 Safety and Motor Vehicles to furnish additional
31 information to the Department of State on a monthly
32 basis; amending s. 100.371, F.S.; revising duties of
33 the supervisor with respect to the processing and
34 retention of initiative petition forms; requiring the
35 supervisor to post additional information regarding
36 petition forms on his or her website; creating s.
37 101.019, F.S.; prohibiting the use of ranked-choice
38 voting to determine election or nomination to elective
39 office; voiding existing or future local ordinances
40 authorizing the use of ranked-choice voting; amending
41 s. 101.5614, F.S.; requiring specified individuals
42 observing the ballot duplication process to sign a
43 specified affidavit acknowledging certain criminal
44 penalties; prohibiting persons authorized to observe,
45 review, or inspect ballot materials or observe
46 canvassing from releasing certain information about an
47 election before the closing of the polls; providing
48 criminal penalties; amending ss. 101.6103 and
49 101.6104, F.S.; revising certain provisions governing
50 the Mail Ballot Election Act to conform to changes
51 made by the act; amending s. 101.64, F.S.; requiring
52 the voter's certificate for vote-by-mail ballots be
53 printed on a separate envelope, instead of the return
54 mailing envelope; revising the voter's certificate to
55 include space for the last four digits of the absent
56 elector's driver license number, Florida
57 identification card number, or social security number;
58 conforming provisions to changes made by the act;

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59 amending s. 101.65, F.S.; revising instructions to
60 absent electors to conform to changes made by the act;
61 amending s. 101.68, F.S.; requiring the supervisor to
62 verify an absent elector's partial identification
63 number listed on the voter's certificate upon receipt
64 of a vote-by-mail ballot; conforming provisions to
65 changes made by the act; requiring that the voter's
66 certificate include an identifying number as a
67 requisite to canvassing; authorizing an elector to
68 cure his or her ballot in the event of a deficiency;
69 amending ss. 101.6921, 101.6923, and 101.6925, F.S.;
70 revising provisions governing special vote-by-mail
71 ballots to certain first-time voters to conform to
72 changes made by the act; amending s. 102.091, F.S.;
73 requiring the Governor, in consultation with the
74 executive director of the Department of Law
75 Enforcement, to appoint special officers to
76 investigate election law violations; specifying
77 requirements for such special officers; providing
78 construction; amending s. 102.101, F.S.; prohibiting a
79 special officer from entering a polling place;
80 providing exceptions; amending s. 104.0616, F.S.;
81 increasing criminal penalties for certain unlawful
82 acts involving vote-by-mail ballots; amending s.
83 104.185, F.S.; increasing criminal penalties for a
84 person who signs another person's name or a fictitious
85 name on specified petitions; amending s. 104.186,
86 F.S.; increasing criminal penalties for a person who
87 unlawfully compensates a petition circulator based on

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88 the number of petition forms gathered; amending s.
89 921.0022, F.S.; ranking a specified offense involving
90 vote-by-mail ballots on the severity ranking chart of
91 the Criminal Punishment Code; requiring the Department
92 of State to submit a report to the Legislature by a
93 specified date; providing report requirements;
94 providing effective dates.

95

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

97

98 Section 1. Section 97.022, Florida Statutes, is created to
99 read:

100 97.022 Office of Election Crimes and Security; creation;
101 purpose and duties.-

102 (1) The Office of Election Crimes and Security is created
103 within the Department of State. The purpose of the office is to
104 aid the Secretary of State in completion of his or her duties
105 under s. 97.012(12) and (15) by:

106 (a) Receiving and reviewing notices and reports generated
107 by government officials or any other person regarding alleged
108 occurrences of election law violations or election
109 irregularities in this state.

110 (b) Initiating independent inquiries and conducting
111 preliminary investigations into allegations of election law
112 violations or election irregularities in this state.

113 (2) The office may review complaints and conduct
114 preliminary investigations into alleged violations of the
115 Florida Election Code or any rule adopted pursuant thereto and
116 any election irregularities.

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117 (3) The secretary shall appoint a director of the office.

118 (4) The office shall be based in Tallahassee and shall
119 employ nonsworn investigators to conduct any investigations. The
120 positions and resources necessary for the office to accomplish
121 its duties shall be established through and subject to the
122 legislative appropriations process.

123 (5) The office shall oversee the department's voter fraud
124 hotline.

125 (6) This section does not limit the jurisdiction of any
126 other office or agency of the state empowered by law to
127 investigate, act upon, or dispose of alleged election law
128 violations.

129 (7) By January 15 of each year, the department shall submit
130 a report to the Governor, the President of the Senate, and the
131 Speaker of the House of Representatives detailing information on
132 investigations of alleged election law violations or election
133 irregularities conducted during the prior calendar year. The
134 report must include the total number of complaints received and
135 independent investigations initiated and the number referred to
136 another agency for further investigation or prosecution,
137 including the total of those sent to a special officer pursuant
138 to s. 102.091. For each alleged violation or irregularity
139 investigated, the report must include:

140 (a) The source of the alleged violation or irregularity;

141 (b) The law allegedly violated or the nature of the
142 irregularity reported;

143 (c) The county in which the alleged violation or
144 irregularity occurred;

145 (d) Whether the alleged violation or irregularity was

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146 referred to another agency for further investigation or
147 prosecution, and if so, to which agency; and

148 (e) The current status of the investigation or resulting
149 criminal case.

150 Section 2. Section 97.0291, Florida Statutes, is amended to
151 read:

152 97.0291 Prohibition on use of private funds for election-
153 related expenses.—No agency or state or local official
154 responsible for conducting elections, including, but not limited
155 to, a supervisor of elections, may solicit, accept, use, or
156 dispose of any donation in the form of money, grants, property,
157 or personal services from an individual or a nongovernmental
158 entity for the purpose of funding any type of election-related
159 expenses related to election administration, including, but not
160 limited to ~~or~~ voter education, voter outreach, voter ~~or~~
161 registration programs, or the cost of any litigation related to
162 election administration. This section does not prohibit the
163 donation and acceptance of space to be used for a polling room
164 or an early voting site.

165 Section 3. Subsection (13) of section 97.057, Florida
166 Statutes, is amended to read:

167 97.057 Voter registration by the Department of Highway
168 Safety and Motor Vehicles.—

169 (13) The Department of Highway Safety and Motor Vehicles
170 must assist the Department of State in regularly identifying
171 changes in residence address on the driver license or
172 identification card of a voter. The Department of State must
173 report each such change to the appropriate supervisor of
174 elections who must change the voter's registration records in

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175 accordance with s. 98.065(5) ~~s. 98.065(4)~~.

176 Section 4. Paragraph (a) of subsection (3) of section
177 97.0575, Florida Statutes, is amended to read:

178 97.0575 Third-party voter registrations.—

179 (3) (a) A third-party voter registration organization that
180 collects voter registration applications serves as a fiduciary
181 to the applicant, ensuring that any voter registration
182 application entrusted to the organization, irrespective of party
183 affiliation, race, ethnicity, or gender, must be promptly
184 delivered to the division or the supervisor of elections in the
185 county in which the applicant resides within 14 days after the
186 application was completed by the applicant, but not after
187 registration closes for the next ensuing election. A third-party
188 voter registration organization must notify the applicant at the
189 time the application is collected that the organization might
190 not deliver the application to the division or the supervisor of
191 elections in the county in which the applicant resides in less
192 than 14 days or before registration closes for the next ensuing
193 election and must advise the applicant that he or she may
194 deliver the application in person or by mail. The third-party
195 voter registration organization must also inform the applicant
196 how to register online with the division and how to determine
197 whether the application has been delivered. If a voter
198 registration application collected by any third-party voter
199 registration organization is not promptly delivered to the
200 division or supervisor of elections in the county in which the
201 applicant resides, the third-party voter registration
202 organization is liable for the following fines:

203 1. A fine in the amount of \$50 for each application

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204 received by the division or the supervisor of elections in the
205 county in which the applicant resides more than 14 days after
206 the applicant delivered the completed voter registration
207 application to the third-party voter registration organization
208 or any person, entity, or agent acting on its behalf. A fine in
209 the amount of \$250 for each application received if the third-
210 party voter registration organization or person, entity, or
211 agency acting on its behalf acted willfully.

212 2. A fine in the amount of \$100 for each application
213 collected by a third-party voter registration organization or
214 any person, entity, or agent acting on its behalf, before book
215 closing for any given election for federal or state office and
216 received by the division or the supervisor of elections in the
217 county in which the applicant resides after the book-closing
218 deadline for such election. A fine in the amount of \$500 for
219 each application received if the third-party registration
220 organization or person, entity, or agency acting on its behalf
221 acted willfully.

222 3. A fine in the amount of \$500 for each application
223 collected by a third-party voter registration organization or
224 any person, entity, or agent acting on its behalf, which is not
225 submitted to the division or supervisor of elections in the
226 county in which the applicant resides. A fine in the amount of
227 \$1,000 for any application not submitted if the third-party
228 voter registration organization or person, entity, or agency
229 acting on its behalf acted willfully.

230

231 The aggregate fine pursuant to this paragraph which may be
232 assessed against a third-party voter registration organization,

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233 including affiliate organizations, for violations committed in a
234 calendar year is \$50,000 ~~\$1,000~~.

235 Section 5. Present subsections (5) and (6) of section
236 98.065, Florida Statutes, are redesignated as subsections (6)
237 and (7), respectively, new subsection (3) is added to that
238 section, and subsection (2) and present subsections (3) and (4)
239 of that section are amended, to read:

240 98.065 Registration list maintenance programs.—

241 (2) A supervisor must incorporate ~~one or more~~ of the
242 following procedures in the supervisor's ~~biennial~~ registration
243 list maintenance program ~~under which~~:

244 (a) At least once each even-numbered year, to begin in the
245 November of a year preceding a presidential election, change-of-
246 address information supplied by the United States Postal Service
247 through its licensees is used to identify registered voters
248 whose addresses might have changed;

249 (b) At least once each odd-numbered year, change-of-address
250 information is identified from returned nonforwardable return-
251 if-undeliverable address confirmation requests mailed ~~mail sent~~
252 to all registered voters in the county; ~~or~~

253 (c) At a supervisor's discretion, change-of-address
254 information is identified from returned nonforwardable return-
255 if-undeliverable address confirmation requests mailed to all
256 registered voters who have not voted in the last 2 years and who
257 did not make a written request that their registration records
258 be updated during that time; and

259 (d) At least once each odd-numbered year, an identifying
260 number solicitation is sent by nonforwardable return-if-
261 undeliverable mail to each voter who does not have a Florida

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262 driver license number, a Florida identification card number, or
263 the last four digits of his or her social security number on
264 file with the supervisor.

265 (3) (a) Address confirmation requests sent pursuant to
266 paragraphs (2) (b) and (c) must be addressed to the voter's
267 address of legal residence. If a request is returned as
268 undeliverable, any other notification sent to the voter pursuant
269 to subsection (5) or s. 98.0655 must be addressed to the voter's
270 mailing address on file, if any, in addition to any residence
271 address on file.

272 (b) An identifying number solicitation sent pursuant to
273 paragraph (2) (d) must be addressed to the voter's mailing
274 address.

275 (4) A registration list maintenance program must be
276 conducted by each supervisor, at a minimum, ~~once in each odd-~~
277 ~~numbered~~ year and must be completed not later than 90 days
278 before ~~prior to~~ the date of any federal election. All list
279 maintenance actions associated with each voter must be entered,
280 tracked, and maintained in the statewide voter registration
281 system.

282 (5) (a) ~~(4) (a)~~ If the supervisor receives change-of-address
283 information pursuant to the activities conducted in subsection
284 (2), from jury notices signed by the voter and returned to the
285 courts, from the Department of Highway Safety and Motor
286 Vehicles, or from other sources which indicates that a
287 registered voter's legal residence might have changed to another
288 location within the state, the supervisor must change the
289 registration records to reflect the new address and must send
290 the voter an address change notice as provided in s. 98.0655(2).

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291 (b) If the supervisor of elections receives change-of-
292 address information pursuant to the activities conducted in
293 subsection (2), from jury notices signed by the voter and
294 returned to the courts, or from other sources which indicates
295 that a registered voter's legal residence might have changed to
296 a location outside the state, the supervisor of elections shall
297 send an address confirmation final notice to the voter as
298 provided in s. 98.0655(3).

299 (c) If the supervisor of elections receives returned mail
300 addressed to a voter at his or her address of legal residence
301 indicating that the mail was undeliverable but without
302 indication of an address change, the supervisor must send an
303 address confirmation request to the voter's mailing address on
304 file.

305 (d) The supervisor must designate as inactive all voters
306 who have been sent an address confirmation final notice and who
307 have not returned the postage prepaid, preaddressed return form
308 within 30 days or for which the final notice has been returned
309 as undeliverable. Names on the inactive list may not be used to
310 calculate the number of signatures needed on any petition. A
311 voter on the inactive list may be restored to the active list of
312 voters upon the voter updating his or her registration,
313 requesting a vote-by-mail ballot, or appearing to vote. However,
314 if the voter does not update his or her voter registration
315 information, request a vote-by-mail ballot, or vote by the
316 second general election after being placed on the inactive list,
317 the voter's name shall be removed from the statewide voter
318 registration system and the voter shall be required to
319 reregister to have his or her name restored to the statewide

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320 voter registration system.

321 Section 6. Subsection (1) of section 98.0655, Florida
322 Statutes, is amended, and subsection (4) is added to that
323 section, to read:

324 98.0655 Registration list maintenance forms.—The department
325 shall prescribe registration list maintenance forms to be used
326 by the supervisors which must include:

327 (1) An address confirmation request that must contain:

328 (a) The voter's name and address of legal residence as
329 shown on the voter registration record; ~~and~~

330 (b) A request that the voter notify the supervisor if
331 either the voter's name or address of legal residence is
332 incorrect;

333 (c) A voter registration application for the voter's use if
334 making a registration change by mail; and

335 (d) Notification that a person who willfully submits any
336 false voter registration information commits a felony of the
337 third degree, as provided by s. 104.011(2).

338 (4) An identifying number solicitation that requests the
339 voter provide his or her Florida driver license number or
340 Florida identification card number and the last four digits of
341 his or her social security number.

342 Section 7. Paragraph (a) of subsection (3) of section
343 98.075, Florida Statutes, is amended to read:

344 98.075 Registration records maintenance activities;
345 ineligibility determinations.—

346 (3) DECEASED PERSONS.—

347 (a)1. The department shall identify those registered voters
348 who are deceased by comparing information received from ~~either~~:

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349 a. The Department of Health as provided in s. 98.093; ~~or~~
350 b. The United States Social Security Administration,
351 including, but not limited to, any master death file or index
352 compiled by the United States Social Security Administration; or
353 c. The Department of Highway Safety and Motor Vehicles.

354 2. Within 7 days after receipt of such information through
355 the statewide voter registration system, the supervisor shall
356 remove the name of the registered voter.

357 Section 8. Section 98.093, Florida Statutes, is amended to
358 read:

359 98.093 Duty of officials to furnish information relating to
360 deceased persons, persons adjudicated mentally incapacitated,
361 ~~and~~ persons convicted of a felony, and persons who are not
362 United States citizens.-

363 (1) In order to identify ineligible registered voters and
364 maintain accurate and current voter registration records in the
365 statewide voter registration system pursuant to procedures in s.
366 98.065 or s. 98.075, it is necessary for the department and
367 supervisors of elections to receive or access certain
368 information from state and federal officials and entities in the
369 format prescribed.

370 (2) To the maximum extent feasible, state and local
371 government agencies shall facilitate provision of information
372 and access to data to the department, including, but not limited
373 to, databases that contain reliable criminal records and records
374 of deceased persons. State and local government agencies that
375 provide such data shall do so without charge if the direct cost
376 incurred by those agencies is not significant.

377 (a) The Department of Health shall furnish monthly to the

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378 department a list containing the name, address, date of birth,
379 date of death, social security number, race, and sex of each
380 deceased person 17 years of age or older.

381 (b) Each clerk of the circuit court shall furnish monthly
382 to the department:

383 1. A list of those persons who have been adjudicated
384 mentally incapacitated with respect to voting during the
385 preceding calendar month, a list of those persons whose mental
386 capacity with respect to voting has been restored during the
387 preceding calendar month, and a list of those persons who have
388 returned signed jury notices during the preceding months to the
389 clerk of the circuit court indicating a change of address. Each
390 list shall include the name, address, date of birth, race, sex,
391 and, whichever is available, the Florida driver license number,
392 Florida identification card number, or social security number of
393 each such person.

394 2. Information on the terms of sentence, including any
395 financial obligations, of all persons listed in the clerk's
396 records who reside within this state and have been convicted of
397 a felony.

398 (c) Upon receipt of information from the United States
399 Attorney, listing persons convicted of a felony in federal
400 court, the department shall use such information to identify
401 registered voters or applicants for voter registration who may
402 be potentially ineligible based on information provided in
403 accordance with s. 98.075.

404 (d) The Department of Law Enforcement shall identify those
405 persons who have been convicted of a felony who appear in the
406 voter registration records supplied by the statewide voter

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407 registration system, in a time and manner that enables the
408 department to meet its obligations under state and federal law.

409 (e) The Florida Commission on Offender Review shall furnish
410 at least bimonthly to the department data, including the
411 identity of those persons granted clemency in the preceding
412 month or any updates to prior records which have occurred in the
413 preceding month. The data shall contain the commission's case
414 number and the person's name, address, date of birth, race,
415 gender, Florida driver license number, Florida identification
416 card number, or the last four digits of the social security
417 number, if available, and references to record identifiers
418 assigned by the Department of Corrections and the Department of
419 Law Enforcement, a unique identifier of each clemency case, and
420 the effective date of clemency of each person.

421 (f) The Department of Corrections shall identify those
422 persons who have been convicted of a felony and committed to its
423 custody or placed on community supervision. The information must
424 be provided to the department at a time and in a manner that
425 enables the department to identify registered voters who are
426 convicted felons and to meet its obligations under state and
427 federal law.

428 (g) The Department of Highway Safety and Motor Vehicles
429 shall furnish monthly to the department:

430 1. A list of those persons whose names have been removed
431 from the driver license database because they have been licensed
432 in another state. The list must ~~shall~~ contain the name, address,
433 date of birth, sex, social security number, and driver license
434 number of each such person.

435 2. A list of those persons who presented evidence of non-

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436 United States citizenship upon being issued a new or renewed
437 Florida driver license or Florida identification card. The list
438 must contain the name; address; date of birth; social security
439 number, if applicable; and Florida driver license number or
440 Florida identification card number, as applicable, of each such
441 person.

442 (3) This section does not limit or restrict the supervisor
443 in his or her duty to remove the names of persons from the
444 statewide voter registration system pursuant to s. 98.075(7)
445 based upon information received from other sources.

446 Section 9. Paragraphs (a) and (c) of subsection (11) of
447 section 100.371, Florida Statutes, are amended to read:

448 100.371 Initiatives; procedure for placement on ballot.—

449 (11) (a) An initiative petition form circulated for
450 signature may not be bundled with or attached to any other
451 petition. Each signature shall be dated when made and shall be
452 valid until the next February 1 occurring in an even-numbered
453 year for the purpose of the amendment appearing on the ballot
454 for the general election occurring in that same year, provided
455 all other requirements of law are met. The sponsor shall submit
456 signed and dated forms to the supervisor of elections for the
457 county of residence listed by the person signing the form for
458 verification of the number of valid signatures obtained. If a
459 signature on a petition is from a registered voter in another
460 county, the supervisor shall notify the petition sponsor of the
461 misfiled petition. The supervisor shall promptly verify the
462 signatures within 60 days after receipt of the petition forms
463 and payment of a fee for the actual cost of signature
464 verification incurred by the supervisor. However, for petition

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465 forms submitted less than 60 days before February 1 of an even-
466 numbered year, the supervisor shall promptly verify the
467 signatures within 30 days after receipt of the form and payment
468 of the fee for signature verification. The supervisor shall
469 promptly record, in the manner prescribed by the Secretary of
470 State, the date each form is received by the supervisor, and the
471 date the signature on the form is verified as valid. The
472 supervisor may verify that the signature on a form is valid only
473 if:

474 1. The form contains the original signature of the
475 purported elector.

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

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

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

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

487
488 The supervisor shall retain all the signature forms, separating
489 forms verified as valid from those deemed invalid, for at least
490 1 year following the election for ~~in~~ which the petition was
491 circulated. The supervisor shall provide a method of viewing and
492 copying valid and invalid forms ~~issue appeared on the ballot or~~
493 ~~until the division notifies the supervisors of elections that~~

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494 ~~the committee that circulated the petition is no longer seeking~~
495 ~~to obtain ballot position.~~

496 (c) On the last day of each month, or on the last day of
497 each week from December 1 of an odd-numbered year through
498 February 1 of the following year, each supervisor shall post on
499 his or her website the total number of signatures submitted, the
500 total number of invalid signatures, the total number of
501 signatures processed, and the aggregate number of verified valid
502 signatures and the distribution of such signatures by
503 congressional district for each proposed amendment proposed by
504 initiative, along with the following information specific to the
505 reporting period: the total number of signed petition forms
506 received, the total number of signatures verified, the
507 distribution of verified valid signatures by congressional
508 district, and the total number of verified petition forms
509 forwarded to the Secretary of State.

510 Section 10. Section 101.019, Florida Statutes, is created
511 to read:

512 101.019 Ranked-choice voting prohibited.—

513 (1) A ranked-choice voting method that allows voters to
514 rank candidates for an office in order of preference and have
515 ballots cast be tabulated in multiple rounds following the
516 elimination of a candidate until a single candidate attains a
517 majority may not be used in determining the election or
518 nomination of any candidate to any local, state, or federal
519 elective office in this state.

520 (2) Any existing or future ordinance enacted or adopted by
521 a county, a municipality, or any other local governmental entity
522 which is in conflict with this section is void.

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523 Section 11. Paragraph (a) of subsection (4) and subsection
524 (8) of section 101.5614, Florida Statutes, are amended to read:
525 101.5614 Canvass of returns.—

526 (4) (a) If any vote-by-mail ballot is physically damaged so
527 that it cannot properly be counted by the voting system's
528 automatic tabulating equipment, a true duplicate copy shall be
529 made of the damaged ballot in an open and accessible room in the
530 presence of witnesses and substituted for the damaged ballot.
531 Likewise, a duplicate ballot shall be made of a vote-by-mail
532 ballot containing an overvoted race if there is a clear
533 indication on the ballot that the voter has made a definite
534 choice in the overvoted race or ballot measure. A duplicate
535 shall include all valid votes as determined by the canvassing
536 board based on rules adopted by the division pursuant to s.
537 102.166(4). A duplicate may be made of a ballot containing an
538 undervoted race or ballot measure if there is a clear indication
539 on the ballot that the voter has made a definite choice in the
540 undervoted race or ballot measure. A duplicate may not include a
541 vote if the voter's intent in such race or on such measure is
542 not clear. Upon request, a physically present candidate, a
543 political party official, a political committee official, or an
544 authorized designee thereof, must be allowed to observe the
545 duplication of ballots upon signing an affidavit affirming his
546 or her acknowledgment that disclosure of election results
547 discerned from observing the ballot duplication process while
548 the election is ongoing is a felony, as provided under
549 subsection (8). The observer must be allowed to observe the
550 duplication of ballots in such a way that the observer is able
551 to see the markings on each ballot and the duplication taking

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552 place. All duplicate ballots must be clearly labeled
553 "duplicate," bear a serial number which shall be recorded on the
554 defective ballot, and be counted in lieu of the defective
555 ballot. The duplication of ballots must happen in the presence
556 of at least one canvassing board member. After a ballot has been
557 duplicated, the defective ballot shall be placed in an envelope
558 provided for that purpose, and the duplicate ballot shall be
559 tallied with the other ballots for that precinct. If any
560 observer makes a reasonable objection to a duplicate of a
561 ballot, the ballot must be presented to the canvassing board for
562 a determination of the validity of the duplicate. The canvassing
563 board must document the serial number of the ballot in the
564 canvassing board's minutes. The canvassing board must decide
565 whether the duplication is valid. If the duplicate ballot is
566 determined to be valid, the duplicate ballot must be counted. If
567 the duplicate ballot is determined to be invalid, the duplicate
568 ballot must be rejected and a proper duplicate ballot must be
569 made and counted in lieu of the original.

570 (8) Any supervisor of elections, deputy supervisor of
571 elections, canvassing board member, election board member, ~~or~~
572 election employee, or other person authorized to observe,
573 review, or inspect ballot materials or observe canvassing who
574 releases any information about votes cast for or against any
575 candidate or ballot measure or any the results of any election
576 before ~~prior to~~ the closing of the polls in that county on
577 election day commits a felony of the third degree, punishable as
578 provided in s. 775.082, s. 775.083, or s. 775.084.

579 Section 12. Effective January 1, 2024, subsections (1),
580 (2), (3), (5), and (7) of section 101.6103, Florida Statutes,

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581 are amended to read:

582 101.6103 Mail ballot election procedure.—

583 (1) Except as otherwise provided in subsection (7), the
584 supervisor of elections shall mail all official ballots with a
585 secrecy envelope, a certificate envelope, a return mailing
586 envelope, and instructions sufficient to describe the voting
587 process to each elector entitled to vote in the election not
588 sooner than the 20th day before the election and not later than
589 the 10th day before the date of the election. All such ballots
590 shall be mailed by first-class mail. Ballots shall be addressed
591 to each elector at the address appearing in the registration
592 records and placed in an envelope which is prominently marked
593 "Do Not Forward."

594 (2) Upon receipt of the ballot the elector shall mark the
595 ballot, place it in the secrecy envelope, place the secrecy
596 envelope into the certificate envelope and sign the voter's
597 certificate, and then place the certificate envelope into the
598 return mailing envelope supplied with the ballot, and comply
599 with the instructions provided with the ballot. The elector
600 shall mail, deliver, or have delivered the marked ballot so that
601 it reaches the supervisor of elections no later than 7 p.m. on
602 the day of the election. The ballot must be returned in the
603 certificate envelope and then enclosed in the return mailing
604 envelope.

605 (3) The certificate ~~return mailing~~ envelope must bear a
606 certificate in substantially the form prescribed by s.
607 101.64(1)(a) ~~shall contain a statement in substantially the~~
608 ~~following form:~~

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~~VOTER'S CERTIFICATE~~

~~I, ... (Print Name) ..., do solemnly swear (or affirm) that I am a qualified voter in this election and that I have not and will not vote more than one ballot in this election.~~

~~I understand that failure to sign this certificate and give my residence address will invalidate my ballot.~~

~~... (Signature) ...~~

~~... (Residence Address) ...~~

(5) A ballot shall be counted only if:

(a) It is returned in the certificate envelope and return mailing envelope;

(b) The elector's signature has been verified as provided in this subsection; and

(c) It is received by the supervisor of elections not later than 7 p.m. on the day of the election.

The supervisor of elections shall open the return mailing envelope and verify the signature and the provided identifying number of each elector on the certificate ~~return mailing envelope~~ with the signature and the number in ~~on~~ the elector's registration records. Such verification may commence at any time before ~~prior to~~ the canvass of votes. The supervisor of elections shall safely keep the ballot unopened in his or her office until the county canvassing board canvasses the vote. If the supervisor of elections determines that an elector to whom a replacement ballot has been issued under subsection (4) has

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639 voted more than once, the canvassing board shall determine which
640 ballot, if any, is to be counted.

641 (7) With respect to absent electors overseas entitled to
642 vote in the election, the supervisor of elections shall mail an
643 official ballot with a secrecy envelope, a certificate envelope,
644 a return mailing envelope, and instructions sufficient to
645 describe the voting process to each such elector on a date
646 sufficient to allow such elector time to vote in the election
647 and to have his or her marked ballot reach the supervisor by 7
648 p.m. on the day of the election.

649 Section 13. Effective January 1, 2024, section 101.6104,
650 Florida Statutes, is amended to read:

651 101.6104 Challenge of votes.—If any elector present for the
652 canvass of votes believes that any ballot is illegal due to any
653 defect apparent on the voter's certificate, the elector may, at
654 any time before the ballot is removed from the certificate
655 envelope, file with the canvassing board a protest against the
656 canvass of such ballot, specifying the reason he or she believes
657 the ballot to be illegal. No challenge based upon any defect on
658 the voter's certificate shall be accepted after the ballot has
659 been removed from the certificate ~~return mailing~~ envelope.

660 Section 14. Effective January 1, 2024, paragraphs (a) and
661 (c) of subsection (1) and subsection (2) of section 101.64,
662 Florida Statutes, are amended to read:

663 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

664 (1) (a) The supervisor shall enclose with each vote-by-mail
665 ballot three ~~two~~ envelopes: a secrecy envelope, into which the
666 absent elector shall enclose his or her marked ballot; a
667 certificate envelope, into which the absent elector shall place

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697 the secrecy envelope may not bear any indication of the
698 political affiliation of an absent elector.

699 (2) The voter's certificate shall be arranged on the ~~back~~
700 ~~of the mailing~~ envelope so that the line for the signature of
701 the absent elector is across the seal of the envelope; however,
702 no statement shall appear on the envelope which indicates that a
703 signature of the voter must cross the seal of the envelope. The
704 absent elector shall execute the certificate on the envelope.

705 Section 15. Effective January 1, 2024, section 101.65,
706 Florida Statutes, is amended to read:

707 101.65 Instructions to absent electors.—The supervisor
708 shall enclose with each vote-by-mail ballot separate printed
709 instructions in substantially the following form; however, where
710 the instructions appear in capitalized text, the text of the
711 printed instructions must be in bold font:

712

713 READ THESE INSTRUCTIONS CAREFULLY
714 BEFORE MARKING BALLOT.

715

716 1. VERY IMPORTANT. In order to ensure that your vote-by-
717 mail ballot will be counted, it should be completed and returned
718 as soon as possible so that it can reach the supervisor of
719 elections of the county in which your precinct is located no
720 later than 7 p.m. on the day of the election. However, if you
721 are an overseas voter casting a ballot in a presidential
722 preference primary or general election, your vote-by-mail ballot
723 must be postmarked or dated no later than the date of the
724 election and received by the supervisor of elections of the
725 county in which you are registered to vote no later than 10 days

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726 after the date of the election. Note that the later you return
727 your ballot, the less time you will have to cure any signature
728 deficiencies, which is authorized until 5 p.m. on the 2nd day
729 after the election.

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

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

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

739 5. Insert the secrecy envelope into the enclosed
740 certificate envelope. Seal the envelope and completely fill out
741 the Voter's Certificate on the envelope ~~mailing envelope which~~
742 ~~is addressed to the supervisor.~~

743 ~~6. Seal the mailing envelope and completely fill out the~~
744 ~~Voter's Certificate on the back of the mailing envelope.~~

745 ~~7.~~ VERY IMPORTANT. In order for your vote-by-mail ballot to
746 be counted, you must sign your name on the line above (Voter's
747 Signature) on the certificate envelope. A vote-by-mail ballot
748 will be considered illegal and not be counted if the signature
749 on the voter's certificate does not match the signature on
750 record. The signature on file at the time the supervisor of
751 elections in the county in which your precinct is located
752 receives your vote-by-mail ballot is the signature that will be
753 used to verify your signature on the voter's certificate. If you
754 need to update your signature for this election, send your

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755 signature update on a voter registration application to your
756 supervisor of elections so that it is received before your vote-
757 by-mail ballot is received.

758 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
759 be counted, you must also enter in the space provided on the
760 Voter's Certificate the last four digits of your Florida driver
761 license number or the last four digits of your Florida
762 identification card number, or, if you have neither a Florida
763 driver license or a Florida identification card, the last four
764 digits of your social security number. A vote-by-mail ballot
765 will be considered illegal and not be counted if the number
766 provided does not match a number in the supervisor's records.

767 8. VERY IMPORTANT. If you are an overseas voter, you must
768 include the date you signed the Voter's Certificate on the line
769 above (Date) or your ballot may not be counted.

770 9. Place the certificate envelope into the enclosed mailing
771 envelope addressed to the supervisor and seal the mailing
772 envelope.

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

779 11.~~10.~~ FELONY NOTICE. It is a felony under Florida law to
780 accept any gift, payment, or gratuity in exchange for your vote
781 for a candidate. It is also a felony under Florida law to vote
782 in an election using a false identity or false address, or under
783 any other circumstances making your ballot false or fraudulent.

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784 Section 16. Effective January 1, 2024, subsection (1),
785 paragraph (c) of subsection (2), and paragraph (a) of subsection
786 (4) of section 101.68, Florida Statutes, are amended to read:

787 101.68 Canvassing of vote-by-mail ballot.—

788 (1) The supervisor of the county where the absent elector
789 resides shall receive the voted ballot. Upon receipt, ~~at which~~
790 ~~time~~ the supervisor shall open the mailing envelope and then
791 compare the signature and the provided partial driver license
792 number, identification card number, or social security number of
793 the elector on the voter's certificate with the signature and
794 the partial identification number of the elector in the
795 registration books or the precinct register to determine whether
796 the elector is duly registered in the county and must record on
797 the elector's registration record that the elector has voted.
798 During the verification ~~signature-comparison~~ process, the
799 supervisor may not use any knowledge of the political
800 affiliation of the voter whose signature and partial
801 identification number are ~~is~~ subject to verification. An elector
802 who dies after casting a vote-by-mail ballot but on or before
803 election day shall remain listed in the registration books until
804 the results have been certified for the election in which the
805 ballot was cast. The supervisor shall safely keep the ballot
806 unopened in his or her office until the county canvassing board
807 canvasses the vote. Except as provided in subsection (4), after
808 a vote-by-mail ballot is received by the supervisor, the ballot
809 is deemed to have been cast, and changes or additions may not be
810 made to the voter's certificate.

811 (2)

812 (c)1. The canvassing board must, if the supervisor has not

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813 already done so, compare the signature of the elector on the
814 voter's certificate or on the vote-by-mail ballot cure affidavit
815 as provided in subsection (4) with the signature of the elector
816 in the registration books or the precinct register to see that
817 the elector is duly registered in the county and to determine
818 the legality of that vote-by-mail ballot. In addition, if the
819 supervisor has not already done so, the canvassing board must
820 also determine if the elector provided the last four digits of
821 his or her Florida driver license number, the last four digits
822 of his or her Florida identification card number, or the last
823 four digits of his or her social security number in the
824 appropriate space on the voter's certificate and that the number
825 provided matches the supervisor's records.

826 2. A vote-by-mail ballot may only be counted if the
827 criteria under both sub-subparagraphs a. and b. are met:

828 a. (I) The signature on the voter's certificate or the cure
829 affidavit matches the elector's signature in the registration
830 books or precinct register; however, in the case of a cure
831 affidavit, the supporting identification listed in subsection
832 (4) must also confirm the identity of the elector; or

833 (II)~~b.~~ The cure affidavit contains a signature that does
834 not match the elector's signature in the registration books or
835 precinct register, but the elector has submitted a current and
836 valid Tier 1 identification pursuant to subsection (4) which
837 confirms the identity of the elector.

838 b. (I) The elector provided the last four digits of his or
839 her Florida driver license number, Florida identification card
840 number, or social security number on the voter's certificate
841 which matches the supervisor's records; however, in the case of

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842 a cure affidavit, the supporting identification listed in
843 subsection (4) must also confirm the identity of the elector; or
844 (II) The cure affidavit does not contain the last four
845 digits of a Florida driver license number, Florida
846 identification card number, or social security number which
847 matches a number in the supervisor's records, but the elector
848 has submitted a current and valid Tier 1 identification pursuant
849 to subsection (4) which confirms the identity of the elector.

850

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

854 ~~3.2.~~ The ballot of an elector who casts a vote-by-mail
855 ballot shall be counted even if the elector dies on or before
856 election day, as long as, before the death of the voter, the
857 ballot was postmarked by the United States Postal Service, date-
858 stamped with a verifiable tracking number by a common carrier,
859 or already in the possession of the supervisor.

860 ~~4.3.~~ A vote-by-mail ballot is not considered illegal if the
861 signature of the elector does not cross the seal of the
862 certificate mailing envelope.

863 ~~5.4.~~ If any elector or candidate present believes that a
864 vote-by-mail ballot is illegal due to a defect apparent on the
865 voter's certificate or the cure affidavit, he or she may, at any
866 time before the ballot is removed from the certificate envelope,
867 file with the canvassing board a protest against the canvass of
868 that ballot, specifying the precinct, the voter's certificate or
869 the cure affidavit, and the reason he or she believes the ballot
870 to be illegal. A challenge based upon a defect in the voter's

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871 certificate or cure affidavit may not be accepted after the
872 ballot has been removed from the certificate ~~mailing~~ envelope.

873 ~~6.5.~~ If the canvassing board determines that a ballot is
874 illegal, a member of the board must, without opening the
875 certificate envelope, mark across the face of the envelope:
876 "rejected as illegal." The cure affidavit, if applicable, the
877 envelope, and the ballot therein shall be preserved in the
878 manner that official ballots are preserved.

879 (4) (a) As soon as practicable, the supervisor shall, on
880 behalf of the county canvassing board, attempt to notify an
881 elector who has returned a vote-by-mail ballot that does not
882 include the elector's signature or contains a signature that
883 does not match the elector's signature in the registration books
884 or precinct register, that does not include the last four digits
885 of the elector's Florida driver license number, Florida
886 identification card number, or social security number, or on
887 which the number provided does not match the supervisor's
888 records, by:

889 1. Notifying the elector of the ~~signature~~ deficiency by e-
890 mail and directing the elector to the cure affidavit and
891 instructions on the supervisor's website;

892 2. Notifying the elector of the ~~signature~~ deficiency by
893 text message and directing the elector to the cure affidavit and
894 instructions on the supervisor's website; or

895 3. Notifying the elector of the ~~signature~~ deficiency by
896 telephone and directing the elector to the cure affidavit and
897 instructions on the supervisor's website.

898
899 In addition to the notification required under subparagraph 1.,

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900 subparagraph 2., or subparagraph 3., the supervisor must notify
901 the elector of the ~~signature~~ deficiency by first-class mail and
902 direct the elector to the cure affidavit and instructions on the
903 supervisor's website. Beginning the day before the election, the
904 supervisor is not required to provide notice of the ~~signature~~
905 deficiency by first-class mail, but shall continue to provide
906 notice as required under subparagraph 1., subparagraph 2., or
907 subparagraph 3.

908 Section 17. Effective January 1, 2024, subsections (2) and
909 (4) of section 101.6921, Florida Statutes, are amended to read:

910 101.6921 Delivery of special vote-by-mail ballot to certain
911 first-time voters.—

912 (2) The supervisor shall enclose with each vote-by-mail
913 ballot three envelopes: a secrecy envelope, into which the
914 absent elector will enclose his or her marked ballot; the
915 certificate ~~an~~ envelope containing the Voter's Certificate, into
916 which the absent elector shall place the secrecy envelope; and a
917 mailing envelope, which shall be addressed to the supervisor and
918 into which the absent elector will place the certificate
919 envelope ~~containing the Voter's Certificate~~ and a copy of the
920 required identification.

921 (4) The certificate shall be arranged on the back of the
922 certificate envelope so that the line for the signature of the
923 absent elector is across the seal of the envelope.

924 Section 18. Effective January 1, 2024, section 101.6923,
925 Florida Statutes, is amended to read:

926 101.6923 Special vote-by-mail ballot instructions for
927 certain first-time voters.—

928 (1) The provisions of this section apply to voters who are

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929 subject to the provisions of s. 97.0535 and who have not
930 provided the identification or information required by s.
931 97.0535 by the time the vote-by-mail ballot is mailed.

932 (2) A voter covered by this section shall be provided with
933 printed instructions with his or her vote-by-mail ballot in
934 substantially the following form:

935

936 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
937 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
938 YOUR BALLOT NOT TO COUNT.

939

940 1. In order to ensure that your vote-by-mail ballot will be
941 counted, it should be completed and returned as soon as possible
942 so that it can reach the supervisor of elections of the county
943 in which your precinct is located no later than 7 p.m. on the
944 date of the election. However, if you are an overseas voter
945 casting a ballot in a presidential preference primary or general
946 election, your vote-by-mail ballot must be postmarked or dated
947 no later than the date of the election and received by the
948 supervisor of elections of the county in which you are
949 registered to vote no later than 10 days after the date of the
950 election.

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

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

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958 4. Place your marked ballot in the enclosed secrecy
959 envelope and seal the envelope.

960 5. Insert the secrecy envelope into the enclosed envelope
961 bearing the Voter's Certificate. Seal the certificate envelope
962 and completely fill out the Voter's Certificate on the back of
963 the envelope.

964 a. You must sign your name on the line above (Voter's
965 Signature).

966 b. If you are an overseas voter, you must include the date
967 you signed the Voter's Certificate on the line above (Date) or
968 your ballot may not be counted.

969 c. A vote-by-mail ballot will be considered illegal and
970 will not be counted if the signature on the Voter's Certificate
971 does not match the signature on record. The signature on file at
972 the start of the canvass of the vote-by-mail ballots is the
973 signature that will be used to verify your signature on the
974 Voter's Certificate. If you need to update your signature for
975 this election, send your signature update on a voter
976 registration application to your supervisor of elections so that
977 it is received before your vote-by-mail ballot is received.

978 6. Unless you meet one of the exemptions in Item 7., you
979 must make a copy of one of the following forms of
980 identification:

981 a. Identification which must include your name and
982 photograph: United States passport; debit or credit card;
983 military identification; student identification; retirement
984 center identification; neighborhood association identification;
985 public assistance identification; veteran health identification
986 card issued by the United States Department of Veterans Affairs;

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987 a Florida license to carry a concealed weapon or firearm; or an
988 employee identification card issued by any branch, department,
989 agency, or entity of the Federal Government, the state, a
990 county, or a municipality; or

991 b. Identification which shows your name and current
992 residence address: current utility bill, bank statement,
993 government check, paycheck, or government document (excluding
994 voter information card).

995 7. The identification requirements of Item 6. do not apply
996 if you meet one of the following requirements:

997 a. You are 65 years of age or older.

998 b. You have a temporary or permanent physical disability.

999 c. You are a member of a uniformed service on active duty
1000 who, by reason of such active duty, will be absent from the
1001 county on election day.

1002 d. You are a member of the Merchant Marine who, by reason
1003 of service in the Merchant Marine, will be absent from the
1004 county on election day.

1005 e. You are the spouse or dependent of a member referred to
1006 in paragraph c. or paragraph d. who, by reason of the active
1007 duty or service of the member, will be absent from the county on
1008 election day.

1009 f. You are currently residing outside the United States.

1010 8. Place the certificate envelope ~~bearing the Voter's~~
1011 ~~Certificate~~ into the mailing envelope addressed to the
1012 supervisor. Insert a copy of your identification in the mailing
1013 envelope. DO NOT PUT YOUR IDENTIFICATION INSIDE THE SECRECY
1014 ENVELOPE WITH THE BALLOT OR INSIDE THE CERTIFICATE ENVELOPE
1015 ~~WHICH BEARS THE VOTER'S CERTIFICATE~~ OR YOUR BALLOT WILL NOT

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1016 COUNT.

1017 9. Mail, deliver, or have delivered the completed mailing
1018 envelope. Be sure there is sufficient postage if mailed.

1019 10. FELONY NOTICE. It is a felony under Florida law to
1020 accept any gift, payment, or gratuity in exchange for your vote
1021 for a candidate. It is also a felony under Florida law to vote
1022 in an election using a false identity or false address, or under
1023 any other circumstances making your ballot false or fraudulent.

1024 Section 19. Effective January 1, 2024, subsection (3) of
1025 section 101.6925, Florida Statutes, is amended to read:

1026 101.6925 Canvassing special vote-by-mail ballots.—

1027 (3) If the identification is not enclosed in the mailing
1028 envelope and the voter has not indicated that he or she is
1029 exempt from the identification requirements, the supervisor
1030 shall check the voter registration records to determine if the
1031 voter's identification was previously received or the voter had
1032 previously notified the supervisor that he or she was exempt.
1033 The certificate envelope ~~with the Voter's Certificate~~ shall not
1034 be opened unless the identification has been received or the
1035 voter has indicated that he or she is exempt. The ballot shall
1036 be treated as a provisional ballot until 7 p.m. on election day
1037 and shall not be canvassed unless the supervisor has received
1038 the required identification or written indication of exemption
1039 by 7 p.m. on election day.

1040 Section 20. Section 102.091, Florida Statutes, is amended
1041 to read:

1042 102.091 Duty of sheriff to watch for violations;
1043 appointment of special officers.—

1044 (1) The sheriff shall exercise strict vigilance in the

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1045 detection of any violations of the election laws and in
1046 apprehending the violators.

1047 (2) The Governor, in consultation with the executive
1048 director of the Department of Law Enforcement, shall ~~may~~ appoint
1049 special officers to investigate alleged violations of the
1050 election laws, ~~when it is deemed necessary~~ to see that violators
1051 of the election laws are apprehended and punished. A special
1052 officer must be a sworn special agent employed by the Department
1053 of Law Enforcement. At least one special officer must be
1054 designated in each operational region of the Department of Law
1055 Enforcement to serve as a dedicated investigator of alleged
1056 violations of the election laws. Appointment as a special
1057 officer does not preclude a sworn special agent from conducting
1058 other investigations of alleged violations of law, provided that
1059 such other investigations do not hinder or interfere with the
1060 individual's ability to investigate alleged violations of the
1061 election laws.

1062 Section 21. Section 102.101, Florida Statutes, is amended
1063 to read:

1064 102.101 Sheriff and other officers not allowed in polling
1065 place. ~~A~~ No sheriff, a deputy sheriff, a police officer, a
1066 special officer appointed pursuant to s. 102.091, or any other
1067 officer of the law is not ~~shall be~~ allowed within a ~~the~~ polling
1068 place without permission from the clerk or a majority of the
1069 inspectors, except to cast his or her ballot. Upon the failure
1070 of any such officer ~~of said officers~~ to comply with this section
1071 provision, the clerk or the inspectors must ~~or any one of them~~
1072 ~~shall~~ make an affidavit against the ~~such~~ officer for his or her
1073 arrest.

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1074 Section 22. Subsection (2) of section 104.0616, Florida
1075 Statutes, is amended to read:

1076 104.0616 Vote-by-mail ballots and voting; violations.—

1077 (2) Any person who distributes, orders, requests, collects,
1078 delivers, or otherwise physically possesses more than two vote-
1079 by-mail ballots per election in addition to his or her own
1080 ballot or a ballot belonging to an immediate family member,
1081 except as provided in ss. 101.6105-101.694, including supervised
1082 voting at assisted living facilities and nursing home facilities
1083 as authorized under s. 101.655, commits a felony ~~misdemeanor~~ of
1084 the third ~~first~~ degree, punishable as provided in s. 775.082, ~~or~~
1085 s. 775.083, or s. 775.084.

1086 Section 23. Subsection (2) of section 104.185, Florida
1087 Statutes, is amended to read:

1088 104.185 Petitions; knowingly signing more than once;
1089 signing another person's name or a fictitious name.—

1090 (2) A person who signs another person's name or a
1091 fictitious name to any petition to secure ballot position for a
1092 candidate, a minor political party, or an issue commits a felony
1093 ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in
1094 s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

1095 Section 24. Section 104.186, Florida Statutes, is amended
1096 to read:

1097 104.186 Initiative petitions; violations.—A person who
1098 compensates a petition circulator as defined in s. 97.021 based
1099 on the number of petition forms gathered commits a felony
1100 ~~misdemeanor~~ of the third ~~first~~ degree, punishable as provided in
1101 s. 775.082, ~~or~~ s. 775.083, or s. 775.084. This section does not
1102 prohibit employment relationships that do not base payment on

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1103 the number of signatures collected.

1104 Section 25. Paragraph (a) of subsection (3) of section
 1105 921.0022, Florida Statutes, is amended to read:

1106 921.0022 Criminal Punishment Code; offense severity ranking
 1107 chart.—

1108 (3) OFFENSE SEVERITY RANKING CHART

1109 (a) LEVEL 1

1110

Florida Statute	Felony Degree	Description
24.118 (3) (a)	3rd	Counterfeit or altered state lottery ticket.
<u>104.0616 (2)</u>	<u>3rd</u>	<u>Unlawfully distributing, ordering, requesting, collecting, delivering, or possessing vote-by-mail ballots.</u>
212.054 (2) (b)	3rd	Discretionary sales surtax; limitations, administration, and collection.
212.15 (2) (b)	3rd	Failure to remit sales taxes, amount \$1,000 or more but less than \$20,000.
316.1935 (1)	3rd	Fleeing or attempting to

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319.30 (5)

3rd

elude law enforcement officer.

Sell, exchange, give away certificate of title or identification number plate.

319.35 (1) (a)

3rd

Tamper, adjust, change, etc., an odometer.

320.26 (1) (a)

3rd

Counterfeit, manufacture, or sell registration license plates or validation stickers.

322.212
(1) (a) - (c)

3rd

Possession of forged, stolen, counterfeit, or unlawfully issued driver license; possession of simulated identification.

322.212 (4)

3rd

Supply or aid in supplying unauthorized driver license or identification card.

322.212 (5) (a)

3rd

False application for driver license or identification card.

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1123	414.39 (3) (a)	3rd	Fraudulent misappropriation of public assistance funds by employee/official, value more than \$200.
1124	443.071 (1)	3rd	False statement or representation to obtain or increase reemployment assistance benefits.
1125	509.151 (1)	3rd	Defraud an innkeeper, food or lodging value \$1,000 or more.
1126	517.302 (1)	3rd	Violation of the Florida Securities and Investor Protection Act.
1127	713.69	3rd	Tenant removes property upon which lien has accrued, value \$1,000 or more.
1128	812.014 (3) (c)	3rd	Petit theft (3rd conviction); theft of any property not specified in subsection (2).
	815.04 (5) (a)	3rd	Offense against intellectual property (i.e., computer

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			programs, data).
1129	817.52 (2)	3rd	Hiring with intent to defraud, motor vehicle services.
1130	817.569 (2)	3rd	Use of public record or public records information or providing false information to facilitate commission of a felony.
1131	826.01	3rd	Bigamy.
1132	828.122 (3)	3rd	Fighting or baiting animals.
1133	831.04 (1)	3rd	Any erasure, alteration, etc., of any replacement deed, map, plat, or other document listed in s. 92.28.
1134	831.31 (1) (a)	3rd	Sell, deliver, or possess counterfeit controlled substances, all but s. 893.03(5) drugs.
1135	832.041 (1)	3rd	Stopping payment with intent to defraud \$150 or more.
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1137	832.05 (2) (b) & (4) (c)	3rd	Knowing, making, issuing worthless checks \$150 or more or obtaining property in return for worthless check \$150 or more.
1138	838.15 (2)	3rd	Commercial bribe receiving.
1139	838.16	3rd	Commercial bribery.
1140	843.18	3rd	Fleeing by boat to elude a law enforcement officer.
1141	847.011 (1) (a)	3rd	Sell, distribute, etc., obscene, lewd, etc., material (2nd conviction).
1142	849.09 (1) (a) - (d)	3rd	Lottery; set up, promote, etc., or assist therein, conduct or advertise drawing for prizes, or dispose of property or money by means of lottery.
1143	849.23	3rd	Gambling-related machines; "common offender" as to property rights.
1143	849.25 (2)	3rd	Engaging in bookmaking.

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860.08 3rd Interfere with a railroad signal.

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860.13(1)(a) 3rd Operate aircraft while under the influence.

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893.13(2)(a)2. 3rd Purchase of cannabis.

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893.13(6)(a) 3rd Possession of cannabis (more than 20 grams).

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934.03(1)(a) 3rd Intercepts, or procures any other person to intercept, any wire or oral communication.

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Section 26. By January 1, 2023, the Department of State shall submit to the President of the Senate and the Speaker of the House of Representatives a report detailing a plan to obtain a Florida driver license number or Florida identification card number and the last four digits of a social security number from each registered voter who does not have any such number on file in the Florida Voter Registration System. The plan must include, if needed, details on any funding that may be required for its implementation. The plan must provide for its completion by

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1162 December 31, 2023.

1163 Section 27. Except as otherwise expressly provided in this

1164 act, this act shall take effect upon becoming a law.