

26 | made; requiring specified applications to include a
27 | voter registration component, subject to approval by
28 | the Department of State; providing requirements for
29 | the voter registration component; requiring the
30 | Department of Highway Safety and Motor Vehicles to
31 | electronically transmit voter registration information
32 | to the Department of State within a specified
33 | timeframe; requiring the Department of State to
34 | provide such information to supervisors of elections,
35 | as applicable; deleting obsolete language; making
36 | technical changes; amending s. 97.0575, F.S.; revising
37 | certain penalties for third-party voter registration
38 | organizations; deleting the aggregate limit of such
39 | penalties; amending s. 98.045, F.S.; conforming a
40 | cross-reference; amending s. 98.065, F.S.; revising
41 | requirements for registration list maintenance
42 | programs; requiring supervisors to designate voters as
43 | inactive if certain conditions are met; prohibiting
44 | the number of voters on the inactive list from being
45 | used to calculate the number of signatures necessary
46 | for a petition; providing conditions under which a
47 | voter on the inactive list may be restored to the
48 | active list; requiring an inactive voter's name to be
49 | removed from the statewide voter registration system
50 | if certain conditions are met; providing requirements

51 for such inactive voter to have his or her name
52 restored to the system; amending s. 99.061, F.S.;
53 authorizing a candidate to pay his or her
54 qualification fee with a cashier's check; amending
55 100.111, F.S.; requiring the Governor to consult with
56 affected supervisors of elections in fixing the dates
57 for special elections; requiring the Governor, in the
58 event of a vacancy in a state legislative office, to
59 limit the period of such vacancy during a regular
60 legislative session to the greatest extent possible in
61 fixing a special election date; requiring the Governor
62 to fix the date for a special election to be held
63 within a certain timeframe; revising the minimum time
64 between a special primary election and a special
65 election; amending s. 100.141, F.S.; requiring the
66 Governor to issue an order calling for a special
67 election within a certain timeframe; conforming a
68 provision to changes made by the act; amending s.
69 100.371, F.S.; providing a requirement for the
70 delivery of certain petition forms; creating s.
71 100.51, F.S.; establishing General Election Day as a
72 paid holiday; providing that an elector may absent
73 himself or herself from service or employment at a
74 specific time on a General Election Day and may not be
75 penalized or have salary or wages reduced for such

76 absence; creating s. 101.016, F.S.; requiring the
77 Division of Elections to maintain a strategic
78 elections equipment reserve of voting systems and
79 other equipment for specified purposes; requiring such
80 reserve to include specified equipment; authorizing
81 the division to contract with specified entities
82 rather than physically maintain such reserve; amending
83 s. 101.048, F.S.; providing that a voter may cast a
84 provisional vote at any precinct in the county in
85 which the voter claims to be registered; amending s.
86 101.151, F.S.; revising the order in which office
87 titles and names of candidates are placed on the
88 ballot; conforming provisions to changes made by the
89 act; amending s. 101.5612, F.S.; requiring supervisors
90 of elections to annually file a plan for operations
91 under certain conditions; amending s. 101.62, F.S.;
92 providing that a request for a vote-by-mail ballot is
93 valid until such request is canceled; revising the
94 deadline by which requests for vote-by-mail ballots
95 must be received by a supervisor of elections;
96 revising the period during which a supervisor of
97 elections may deliver certain ballots; deleting
98 requirements for a person designated by an elector to
99 pick up the elector's vote-by-mail ballot; providing
100 for extension of deadlines under certain conditions;

101 amending s. 101.64, F.S.; requiring supervisors of
102 elections to enclose a postage prepaid mailing
103 envelope with each vote-by-mail ballot; providing that
104 vote-by-mail ballot voter certificates may be signed
105 with the last four digits of the voter's social
106 security number; amending s. 101.65, F.S.; revising
107 instructions that must be provided with a vote-by-mail
108 ballot; amending s. 101.68, F.S.; requiring
109 supervisors of elections to compare the signature or
110 last four digits of the social security number on a
111 voter's certificate with the signature or last four
112 digits of the social security number in the
113 registration books or precinct register when
114 canvassing a vote-by-mail ballot; requiring a
115 canvassing board to compare the signature or last four
116 digits of the social security number on a voter's
117 certificate or cure affidavit with the signature or
118 last four digits of the social security number in the
119 registration books or precinct register when
120 canvassing a vote-by-mail ballot; deleting the
121 authorization for certain persons to file a protest
122 against the canvass of a ballot; amending s. 101.6952,
123 F.S.; authorizing an absent voter to submit a federal
124 write-in absentee ballot or vote-by-mail ballot;
125 revising requirements for the canvassing of specified

126 ballots; providing that a certain presumption applies
127 to vote-by-mail ballots received from absent voters;
128 requiring a vote-by-mail ballot from an absent voter
129 which is postmarked or dated by a certain date to be
130 counted; amending s. 101.71, F.S.; prohibiting a
131 polling place from being located within a gated
132 community unless certain conditions are met; amending
133 s. 102.031, F.S.; authorizing a person to provide
134 food, water, or other items to certain voters;
135 prohibiting the use of devices that amplify sound in
136 certain locations during certain hours; amending s.
137 102.111, F.S.; revising the dates by which the
138 Elections Canvassing Commission must certify certain
139 election returns; amending s. 102.112, F.S.; revising
140 the deadlines for submission of county returns to the
141 Department of State; creating s. 102.181, F.S.;
142 authorizing certain persons to file actions against a
143 supervisor of elections for noncompliance with the
144 election code; providing that such persons are
145 entitled to an immediate hearing; providing for the
146 waiver of fees and costs and the awarding of attorney
147 fees; providing an effective date.

148
149 Be It Enacted by the Legislature of the State of Florida:
150

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

153 20.10 Department of State.—There is created a Department
 154 of State.

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

166 Section 2. Paragraph (b) of subsection (5) of section
 167 97.053, Florida Statutes, is amended to read:

168 97.053 Acceptance of voter registration applications.—

169 (5)

170 (b) An applicant who fails to designate party affiliation
 171 or affirmatively select "no party affiliation" may not ~~must~~ be
 172 registered ~~without party affiliation.~~ The supervisor must notify
 173 the voter by mail that the voter has not been registered ~~without~~
 174 ~~party affiliation~~ and that the voter must complete a new
 175 registration application and designate a party affiliation or

176 affirmatively select "no party affiliation." The voter
 177 registration application must clearly denote this requirement
 178 ~~may change party affiliation as provided in s. 97.1031.~~

179 Section 3. Section 97.0556, Florida Statutes, is created
 180 to read:

181 97.0556 Same-day voter registration.—A person who meets
 182 the qualifications to register to vote in s. 97.041 and who
 183 provides the information required for the statewide voter
 184 registration application in s. 97.052 may register at an early
 185 voting site or at his or her polling place and immediately
 186 thereafter cast a ballot.

187 Section 4. Section 97.057, Florida Statutes, is amended to
 188 read:

189 97.057 Voter registration by the Department of Highway
 190 Safety and Motor Vehicles.—

191 (1) Each of the following serves as an application ~~The~~
 192 ~~Department of Highway Safety and Motor Vehicles shall provide~~
 193 ~~the opportunity to preregister to vote, register to vote, or to~~
 194 ~~update a voter registration record~~ when submitted to the
 195 Department of Highway Safety and Motor Vehicles ~~to each~~
 196 ~~individual who comes to an office of that department to:~~

197 (a) An application for or a renewal of ~~Apply for or renew~~
 198 a driver license;

199 (b) An application for or a renewal of ~~Apply for or renew~~
 200 an identification card pursuant to chapter 322; or

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201 (c) An application for a change of ~~an~~ address on an
202 existing driver license or identification card.

203
204 Unless the applicant declines to register or preregister to
205 vote, he or she is deemed to have consented to the use of the
206 signature from his or her driver license or identification card
207 application for voter registration purposes.

208 (2) An application for a driver license or an
209 identification card must include a voter registration component.
210 The voter registration component must be approved by the
211 Department of State and must contain all of the following:

212 (a) The minimum amount of information necessary to prevent
213 duplicate voter registrations and to preserve the ability of the
214 department and supervisors of elections to assess the
215 eligibility of the applicant and administer voter registration
216 and other provisions of this code.

217 (b) A statement setting forth voting eligibility
218 requirements.

219 (c) An explanation that the applicant is consenting to the
220 use of his or her signature from the applicant's driver license
221 or identification card application for voter registration
222 purposes. By consenting to the use of his or her signature, the
223 applicant is deemed to have subscribed to the oath required by
224 s. 3, Art. VI of the State Constitution and s. 97.051 and to
225 have sworn and affirmed that the voter registration information

226 contained in the application is true under penalty for false
227 swearing pursuant to s. 104.011.

228 (d) An option that allows the applicant to choose or
229 update a party affiliation; otherwise, an applicant who is
230 initially registering to vote and does not exercise such option
231 shall be sent a notice by the supervisor of elections in
232 accordance with s. 97.053(5)(b).

233 (e) An option that allows the applicant to decline to
234 register to vote or preregister to vote. The Department of
235 Highway Safety and Motor Vehicles shall note any such
236 declination in its records and forward the declination to the
237 Department of State. Any declination may be used only for voter
238 registration purposes and is confidential and exempt from public
239 records requirements as provided in s. 97.0585.

240 (3) The Department of Highway Safety and Motor Vehicles
241 shall:

242 (a) Develop a voter registration component for
243 applications which meets the requirements set forth in
244 subsection (2).

245 (b) Electronically transmit the voter registration
246 component of an applicant's driver license or identification
247 card application to the Department of State within 24 hours
248 after receipt. Upon receipt of the voter registration component,
249 the Department of State shall provide the information to the
250 supervisor of the county in which the applicant is registering

251 or preregistering to vote or updating his or her voter
252 registration record.

253 ~~(2) The Department of Highway Safety and Motor Vehicles~~
254 ~~shall:~~

255 ~~(a) Notify each individual, orally or in writing, that:~~

256 ~~1. Information gathered for the completion of a driver~~
257 ~~license or identification card application, renewal, or change~~
258 ~~of address can be automatically transferred to a voter~~
259 ~~registration application;~~

260 ~~2. If additional information and a signature are provided,~~
261 ~~the voter registration application will be completed and sent to~~
262 ~~the proper election authority;~~

263 ~~3. Information provided can also be used to update a voter~~
264 ~~registration record;~~

265 ~~4. All declinations will remain confidential and may be~~
266 ~~used only for voter registration purposes; and~~

267 ~~5. The particular driver license office in which the~~
268 ~~person applies to register to vote or updates a voter~~
269 ~~registration record will remain confidential and may be used~~
270 ~~only for voter registration purposes.~~

271 ~~(b) Require a driver license examiner to inquire orally~~
272 ~~or, if the applicant is hearing impaired, inquire in writing~~
273 ~~whether the applicant wishes to register to vote or update a~~
274 ~~voter registration record during the completion of a driver~~
275 ~~license or identification card application, renewal, or change~~

276 ~~of address.~~

277 ~~1. If the applicant chooses to register to vote or to~~
278 ~~update a voter registration record:~~

279 ~~a. All applicable information received by the Department~~
280 ~~of Highway Safety and Motor Vehicles in the course of filling~~
281 ~~out the forms necessary under subsection (1) must be transferred~~
282 ~~to a voter registration application.~~

283 ~~b. The additional necessary information must be obtained~~
284 ~~by the driver license examiner and must not duplicate any~~
285 ~~information already obtained while completing the forms required~~
286 ~~under subsection (1).~~

287 ~~e. A voter registration application with all of the~~
288 ~~applicant's voter registration information required to establish~~
289 ~~the applicant's eligibility pursuant to s. 97.041 must be~~
290 ~~presented to the applicant to review and verify the voter~~
291 ~~registration information received and provide an electronic~~
292 ~~signature affirming the accuracy of the information provided.~~

293 ~~2. If the applicant declines to register to vote, update~~
294 ~~the applicant's voter registration record, or change the~~
295 ~~applicant's address by either orally declining or by failing to~~
296 ~~sign the voter registration application, the Department of~~
297 ~~Highway Safety and Motor Vehicles must note such declination on~~
298 ~~its records and shall forward the declination to the statewide~~
299 ~~voter registration system.~~

300 ~~(3) For the purpose of this section, the Department of~~

301 ~~Highway Safety and Motor Vehicles, with the approval of the~~
 302 ~~Department of State, shall prescribe:~~

303 ~~(a) A voter registration application that is the same in~~
 304 ~~content, format, and size as the uniform statewide voter~~
 305 ~~registration application prescribed under s. 97.052; and~~

306 ~~(b) A form that will inform applicants under subsection~~
 307 ~~(1) of the information contained in paragraph (2) (a).~~

308 ~~(4) The Department of Highway Safety and Motor Vehicles~~
 309 ~~must electronically transmit completed voter registration~~
 310 ~~applications within 24 hours after receipt to the statewide~~
 311 ~~voter registration system. Completed paper voter registration~~
 312 ~~applications received by the Department of Highway Safety and~~
 313 ~~Motor Vehicles shall be forwarded within 5 days after receipt to~~
 314 ~~the supervisor of the county where the office that processed or~~
 315 ~~received that application is located.~~

316 ~~(5) The Department of Highway Safety and Motor Vehicles~~
 317 ~~must send, with each driver license renewal extension~~
 318 ~~application authorized pursuant to s. 322.18(8), a uniform~~
 319 ~~statewide voter registration application, the voter registration~~
 320 ~~application prescribed under paragraph (3) (a), or a voter~~
 321 ~~registration application developed especially for the purposes~~
 322 ~~of this subsection by the Department of Highway Safety and Motor~~
 323 ~~Vehicles, with the approval of the Department of State, which~~
 324 ~~must meet the requirements of s. 97.052.~~

325 (4)-(6) A person providing voter registration services for

326 a driver license office may not:

327 (a) Seek to influence an applicant's political preference
328 or party registration;

329 (b) Display any political preference or party allegiance;

330 (c) Make any statement to an applicant or take any action
331 the purpose or effect of which is to discourage the applicant
332 from registering to vote; or

333 (d) Disclose any applicant's voter registration
334 information except as needed for the administration of voter
335 registration.

336 (5)~~(7)~~ The Department of Highway Safety and Motor Vehicles
337 shall collect data determined necessary by the Department of
338 State for program evaluation and reporting to the Election
339 Assistance Commission pursuant to federal law.

340 (6)~~(8)~~ The Department of Highway Safety and Motor Vehicles
341 shall ~~must~~ ensure that all voter registration services provided
342 by driver license offices are in compliance with the Voting
343 Rights Act of 1965.

344 (7)~~(9)~~ The Department of Highway Safety and Motor Vehicles
345 shall retain complete records of voter registration information
346 received, processed, and submitted to the Department of State
347 ~~statewide voter registration system~~ by the Department of Highway
348 Safety and Motor Vehicles. The retention of such ~~These~~ records
349 is ~~shall be~~ for the explicit purpose of supporting audit and
350 accounting controls established to ensure accurate and complete

351 | electronic transmission of records between the Department of
 352 | State ~~statewide voter registration system~~ and the Department of
 353 | Highway Safety and Motor Vehicles.

354 | ~~(8)-(10)~~ The Department of State shall provide the
 355 | Department of Highway Safety and Motor Vehicles with an
 356 | electronic database of street addresses valid for use as the
 357 | address of legal residence as required in s. 97.053(5). The
 358 | Department of Highway Safety and Motor Vehicles shall compare
 359 | the address provided by the applicant against the database of
 360 | valid street addresses. If the address provided by the applicant
 361 | does not match a valid street address in the database, the
 362 | applicant will be asked to verify the address provided. The
 363 | Department of Highway Safety and Motor Vehicles may ~~shall~~ not
 364 | reject any application for voter registration for which a valid
 365 | match cannot be made.

366 | ~~(9)-(11)~~ The Department of Highway Safety and Motor
 367 | Vehicles shall enter into an agreement with the Department of
 368 | State to match information in the statewide voter registration
 369 | system with information in the database of the Department of
 370 | Highway Safety and Motor Vehicles to the extent required to
 371 | verify the accuracy of the driver license number, Florida
 372 | identification number, or last four digits of the social
 373 | security number provided on applications for voter registration
 374 | as required in s. 97.053.

375 | ~~(10)-(12)~~ The Department of Highway Safety and Motor

376 Vehicles shall enter into an agreement with the Commissioner of
 377 Social Security as required by the Help America Vote Act of 2002
 378 to verify the last four digits of the social security number
 379 provided in applications for voter registration as required in
 380 s. 97.053.

381 ~~(11)(13)~~ The Department of Highway Safety and Motor
 382 Vehicles shall ~~must~~ assist the Department of State in regularly
 383 identifying changes in residence address on the driver license
 384 or identification card of a voter. The Department of State shall
 385 ~~must~~ report each such change to the appropriate supervisor of
 386 elections who must change the voter's registration records in
 387 accordance with s. 98.065(5).

388 Section 5. Paragraph (a) of subsection (3) of section
 389 97.0575, Florida Statutes, is amended to read:

390 97.0575 Third-party voter registrations.—

391 (3)(a) A third-party voter registration organization that
 392 collects voter registration applications serves as a fiduciary
 393 to the applicant, ensuring that any voter registration
 394 application entrusted to the organization, irrespective of party
 395 affiliation, race, ethnicity, or gender, must be promptly
 396 delivered to the division or the supervisor of elections in the
 397 county in which the applicant resides within 14 days after the
 398 application was completed by the applicant, but not after
 399 registration closes for the next ensuing election. If a voter
 400 registration application collected by any third-party voter

401 registration organization is not promptly delivered to the
402 division or supervisor of elections in the county in which the
403 applicant resides, the third-party voter registration
404 organization is liable for the following fines:

405 1. A fine in the amount of \$50 for each application
406 received by the division or the supervisor of elections in the
407 county in which the applicant resides more than 14 days after
408 the applicant delivered the completed voter registration
409 application to the third-party voter registration organization
410 or any person, entity, or agent acting on its behalf. A fine in
411 the amount of \$250 for each application received if the third-
412 party voter registration organization or person, entity, or
413 agency acting on its behalf acted willfully.

414 2. A fine in the amount of \$100 for each application
415 collected by a third-party voter registration organization or
416 any person, entity, or agent acting on its behalf, before book
417 closing for any given election for federal or state office and
418 received by the division or the supervisor of elections in the
419 county in which the applicant resides after the book-closing
420 deadline for such election. A fine in the amount of \$500 for
421 each application received if the third-party registration
422 organization or person, entity, or agency acting on its behalf
423 acted willfully.

424 ~~3. A fine in the amount of \$500 for each application~~
425 ~~collected by a third-party voter registration organization or~~

426 ~~any person, entity, or agent acting on its behalf, which is not~~
427 ~~submitted to the division or supervisor of elections in the~~
428 ~~county in which the applicant resides. A fine in the amount of~~
429 ~~\$1,000 for any application not submitted if the third-party~~
430 ~~voter registration organization or person, entity, or agency~~
431 ~~acting on its behalf acted willfully.~~

432
433 ~~The aggregate fine pursuant to this paragraph which may be~~
434 ~~assessed against a third-party voter registration organization,~~
435 ~~including affiliate organizations, for violations committed in a~~
436 ~~calendar year is \$50,000.~~

437 Section 6. Paragraph (b) of subsection (4) of section
438 98.045, Florida Statutes, is amended to read:

439 98.045 Administration of voter registration.—

440 (4) STATEWIDE ELECTRONIC DATABASE OF VALID RESIDENTIAL
441 STREET ADDRESSES.—

442 (b) The department shall make the statewide database of
443 valid street addresses available to the Department of Highway
444 Safety and Motor Vehicles as provided in s. 97.057(8) ~~s.~~
445 ~~97.057(10)~~. The Department of Highway Safety and Motor Vehicles
446 shall use the database for purposes of validating the legal
447 residential addresses provided in voter registration
448 applications received by the Department of Highway Safety and
449 Motor Vehicles.

450 Section 7. Subsection (4) of section 98.065, Florida

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451 Statutes, is amended to read:

452 98.065 Registration list maintenance programs.—

453 (4) The supervisor shall designate as inactive all voters
454 who have not voted in at least one of the last two general
455 elections and who have been sent an address confirmation final
456 notice and have not returned the postage prepaid, preaddressed
457 return form within 30 days or for whom the final notice has been
458 returned as undeliverable. Names on the inactive list may not be
459 used to calculate the number of signatures needed on any
460 petition. A voter on the inactive list may be restored to the
461 active list of voters upon the voter updating his or her
462 registration, requesting a vote-by-mail ballot, or voting in an
463 election. However, if the voter does not update his or her voter
464 registration information, request a vote-by-mail ballot, or vote
465 by the second general election after being placed on the
466 inactive list, the voter's name must be removed from the
467 statewide voter registration system, and the voter must
468 reregister to have his or her name restored to ~~A registration~~
469 ~~list maintenance program must be conducted by each supervisor,~~
470 ~~at a minimum, once each year and must be completed not later~~
471 ~~than 90 days before the date of any federal election. All list~~
472 ~~maintenance actions associated with each voter must be entered,~~
473 ~~tracked, and maintained in the statewide voter registration~~
474 system.

475 Section 8. Paragraph (a) of subsection (7) of section

476 99.061, Florida Statutes, is amended to read:

477 99.061 Method of qualifying for nomination or election to
 478 federal, state, county, or district office.—

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

482 1. A cashier's check purchased with campaign account funds
 483 or a properly executed check drawn upon the candidate's campaign
 484 account payable to the person or entity as prescribed by the
 485 filing officer in an amount not less than the fee required by s.
 486 99.092, unless the candidate obtained the required number of
 487 signatures on petitions pursuant to s. 99.095. The filing fee
 488 for a special district candidate is not required to be drawn
 489 upon the candidate's campaign account. If a candidate's check is
 490 returned by the bank for any reason, the filing officer must
 491 ~~shall~~ immediately notify the candidate, and the candidate has
 492 ~~shall have~~ until the end of qualifying to pay the fee with a
 493 cashier's check purchased from funds of the campaign account.
 494 Failure to pay the fee as provided in this subparagraph
 495 ~~disqualifies shall disqualify~~ the candidate.

496 2. The candidate's oath required by s. 99.021, which must
 497 contain the name of the candidate as it is to appear on the
 498 ballot; the office sought, including the district or group
 499 number if applicable; and the signature of the candidate, which
 500 must be verified under oath or affirmation pursuant to s.

501 92.525(1) (a) .

502 3. If the office sought is partisan, the written statement
 503 of political party affiliation required by s. 99.021(1) (b); or
 504 if the candidate is running without party affiliation for a
 505 partisan office, the written statement required by s.
 506 99.021(1) (c) .

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

510 5. The full and public disclosure or statement of
 511 financial interests required by subsection (5). A public officer
 512 who has filed the full and public disclosure or statement of
 513 financial interests with the Commission on Ethics or the
 514 supervisor before ~~of elections prior to~~ qualifying for office
 515 may file a copy of that disclosure at the time of qualifying.

516 Section 9. Subsection (2) of section 100.111, Florida
 517 Statutes, is amended to read:

518 100.111 Filling vacancy.—

519 (2) Whenever there is a vacancy for which a special
 520 election is required pursuant to s. 100.101, the Governor, after
 521 consultation with the Secretary of State and the supervisor of
 522 elections of any affected county, shall fix the dates of a
 523 special primary election and a special election. Nominees of
 524 political parties shall be chosen under the primary laws of this
 525 state in the special primary election to become candidates in

526 the special election. Before ~~Prior to~~ setting the special
527 election dates, the Governor shall consider any upcoming
528 elections in the jurisdiction where the special election will be
529 held and, in the event of a vacancy in a state legislative
530 office, shall limit the period of any such vacancy during a
531 regular legislative session to the greatest extent possible in
532 fixing such dates. Notwithstanding the foregoing, a special
533 election may not be held later than 180 days after a vacancy has
534 occurred. The dates fixed by the Governor must ~~shall~~ be specific
535 days certain and may ~~shall~~ not be established by the happening
536 of a condition or stated in the alternative. The dates fixed
537 must ~~shall~~ provide a minimum of 10 ~~2~~ weeks between each
538 election. In the event a vacancy occurs in the office of state
539 senator or member of the House of Representatives when the
540 Legislature is in regular legislative session, the minimum times
541 prescribed by this subsection may be waived upon concurrence of
542 the Governor, the Speaker of the House of Representatives, and
543 the President of the Senate. If a vacancy occurs in the office
544 of state senator and no session of the Legislature is scheduled
545 to be held before ~~prior to~~ the next general election, the
546 Governor may fix the dates for the special primary election and
547 for the special election to coincide with the dates of the
548 primary election and general election. If a vacancy in office
549 occurs in any district in the state Senate or House of
550 Representatives or in any congressional district, and no session

551 of the Legislature, or session of Congress if the vacancy is in
 552 a congressional district, is scheduled to be held during the
 553 unexpired portion of the term, the Governor is not required to
 554 call a special election to fill such vacancy.

555 (a) The dates for candidates to qualify in such special
 556 election or special primary election must ~~shall~~ be fixed by the
 557 Department of State, and candidates must ~~shall~~ qualify no ~~not~~
 558 later than noon of the last day so fixed. The dates fixed for
 559 qualifying must ~~shall~~ allow a minimum of 14 days between the
 560 last day of qualifying and the special primary election.

561 (b) The filing of campaign expense statements by
 562 candidates in such special elections or special primaries and by
 563 committees making contributions or expenditures to influence the
 564 results of such special primaries or special elections must
 565 ~~shall~~ be no ~~not~~ later than such dates as ~~shall be~~ fixed by the
 566 Department of State, and in fixing such dates the Department of
 567 State shall take into consideration and be governed by the
 568 practical time limitations.

569 (c) The dates for a candidate to qualify by the petition
 570 process pursuant to s. 99.095 in such special primary or special
 571 election must ~~shall~~ be fixed by the Department of State. In
 572 fixing such dates the Department of State shall take into
 573 consideration and be governed by the practical time limitations.
 574 Any candidate seeking to qualify by the petition process in a
 575 special primary election must ~~shall~~ obtain 25 percent of the

576 signatures required by s. 99.095.

577 (d) The qualifying fees and party assessments of such
578 candidates as may qualify must ~~shall~~ be the same as collected
579 for the same office at the last previous primary for that
580 office. The party assessment must ~~shall~~ be paid to the
581 appropriate executive committee of the political party to which
582 the candidate belongs.

583 (e) Each county canvassing board shall make as speedy a
584 return of the result of such special primary elections and
585 special elections as time will permit, and the Elections
586 Canvassing Commission likewise shall make as speedy a canvass
587 and declaration of the nominees as time will permit.

588 Section 10. Subsection (1) of section 100.141, Florida
589 Statutes, is amended to read:

590 100.141 Notice of special election to fill any vacancy in
591 office.—

592 (1) Whenever a special election is required to fill any
593 vacancy in office, the Governor, after consultation with the
594 Secretary of State and the supervisor of elections of any
595 affected county, shall issue an order declaring on what day the
596 election shall be held and deliver the order to the Department
597 of State. The Governor shall issue the order within 14 calendar
598 days after the occurrence of the vacancy or, for vacancies
599 arising due to a resignation under s. 99.012, within 14 calendar
600 days after submittal of the written resignation to the Governor,

601 whichever is sooner.

602 Section 11. Paragraph (a) of subsection (7) of section
603 100.371, Florida Statutes, is amended, and paragraph (c) is
604 added to that subsection, to read:

605 100.371 Initiatives; procedure for placement on ballot.—

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

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

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

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

626 (c) A sponsor shall deliver petition forms to the
 627 supervisor grouped in batches by the petition circulator who
 628 collected them.

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

631 100.51 General Election Day paid holiday.—In order to
 632 encourage civic participation, enable more individuals to serve
 633 as poll workers, and provide additional time for the resolution
 634 of any issues that arise while an elector is casting his or her
 635 vote, General Election Day shall be a paid holiday. An elector
 636 is entitled to absent himself or herself from any service or
 637 employment in which he or she is engaged or employed during the
 638 time the polls are open on General Election Day. An elector who
 639 absents himself or herself under this section may not be
 640 penalized in any way, and a deduction may not be made from his
 641 or her usual salary or wages on account of his or her absence.

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

644 101.016 Strategic elections equipment reserve.—The
 645 Division of Elections shall maintain a strategic elections
 646 equipment reserve of voting systems that may be deployed in the
 647 event of an emergency as defined in s. 101.732 or upon the
 648 occurrence of equipment capacity issues due to unexpected voter
 649 turnout. The reserve must include tabulation equipment and any
 650 other necessary equipment, including, but not limited to,

651 printers, which are in use by each supervisor of elections. In
652 lieu of maintaining a physical reserve of such equipment, the
653 division may contract with a vendor of voting equipment to
654 provide such equipment on an as-needed basis.

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

657 101.048 Provisional ballots.—

658 (1) At all elections, a voter claiming to be properly
659 registered in this ~~the~~ state and eligible to vote ~~at the~~
660 ~~precinct~~ in the election but whose eligibility cannot be
661 determined, a person whom an election official asserts is not
662 eligible, and other persons specified in the code shall be
663 entitled to vote a provisional ballot at any precinct in the
664 county in which the voter claims to be registered. Once voted,
665 the provisional ballot must ~~shall~~ be placed in a secrecy
666 envelope and thereafter sealed in a provisional ballot envelope.
667 The provisional ballot must ~~shall~~ be deposited in a ballot box.
668 All provisional ballots must ~~shall~~ remain sealed in their
669 envelopes for return to the supervisor of elections. The
670 department shall prescribe the form of the provisional ballot
671 envelope. A person casting a provisional ballot shall have the
672 right to present written evidence supporting his or her
673 eligibility to vote to the supervisor of elections by not later
674 than 5 p.m. on the second day following the election.

675 (2) (a) The county canvassing board shall examine each

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676 Provisional Ballot Voter's Certificate and Affirmation to
677 determine if the person voting that ballot was entitled to vote
678 in the county in which ~~at the precinct where~~ the person cast a
679 vote in the election and that the person had not already cast a
680 ballot in the election. In determining whether a person casting
681 a provisional ballot is entitled to vote, the county canvassing
682 board shall review the information provided in the Voter's
683 Certificate and Affirmation, written evidence provided by the
684 person pursuant to subsection (1), information provided in any
685 cure affidavit and accompanying supporting documentation
686 pursuant to subsection (6), any other evidence presented by the
687 supervisor, and, in the case of a challenge, any evidence
688 presented by the challenger. A ballot of a person casting a
689 provisional ballot must ~~shall~~ be canvassed pursuant to paragraph
690 (b) unless the canvassing board determines by a preponderance of
691 the evidence that the person was not entitled to vote.

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

699 1. The signature on the voter's certificate or the cure
700 affidavit matches the elector's signature in the registration

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701 books or the precinct register; however, in the case of a cure
702 affidavit, the supporting identification listed in subsection
703 (6) must also confirm the identity of the elector; or

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

709

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

713 (c) Any provisional ballot not counted must remain in the
714 envelope containing the Provisional Ballot Voter's Certificate
715 and Affirmation, and the envelope must ~~shall~~ be marked "Rejected
716 as Illegal."

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

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

725 101.151 Specifications for ballots.—

726 (2) (a) The ballot must include the following office titles
 727 above the names of the candidates for the respective offices in
 728 the following order:

729 1. The office titles of President and Vice President above
 730 the randomly ordered names of the candidates for President and
 731 Vice President of the United States ~~nominated by the political~~
 732 ~~party that received the highest vote for Governor in the last~~
 733 ~~general election of the Governor in this state, followed by the~~
 734 ~~names of other candidates for President and Vice President of~~
 735 ~~the United States~~ who have been properly nominated.

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

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

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

746 5. The office titles of Clerk of the Circuit Court or,
 747 when the Clerk of the Circuit Court also serves as the County
 748 Comptroller, Clerk of the Circuit Court and Comptroller, when
 749 authorized by law; Clerk of the County Court, when authorized by
 750 law; Sheriff; Property Appraiser; Tax Collector; District

751 Superintendent of Schools; and Supervisor of Elections.

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

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

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

770 101.5612 Testing of tabulating equipment.—

771 (6) The supervisor of elections shall annually file with
 772 the Secretary of State a detailed plan for operations in the
 773 event that maximum voter turnout occurs on election day and that
 774 a recount is required in each race on a ballot.

775 Section 17. Paragraph (a) of subsection (1), subsection

776 (2), and paragraph (c) of subsection (4) of section 101.62,
 777 Florida Statutes, are amended, and subsection (8) is added to
 778 that section, to read:

779 101.62 Request for vote-by-mail ballots.—

780 (1)(a) The supervisor shall accept a request for a vote-
 781 by-mail ballot from an elector in person or in writing. One
 782 request is deemed sufficient to receive a vote-by-mail ballot
 783 for all elections until the elector or the elector's designee
 784 notifies the supervisor that the elector cancels such request
 785 ~~through the end of the calendar year of the next regularly~~
 786 ~~scheduled general election~~, unless the elector or the elector's
 787 designee indicates at the time the request is made the elections
 788 ~~within such period~~ for which the elector desires to receive a
 789 vote-by-mail ballot. Such request may be considered canceled
 790 when any first-class mail sent by the supervisor to the elector
 791 is returned as undeliverable.

792 (2) A request for a vote-by-mail ballot to be mailed to a
 793 voter must be received no later than 5 p.m. on the 11th ~~10th~~ day
 794 before the election by the supervisor. The supervisor shall mail
 795 vote-by-mail ballots to voters requesting ballots by such
 796 deadline no later than 8 days before the election.

797 (4)

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

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

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

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

814 4. By delivery to a designee on election day or up to 11 ~~9~~
 815 days before the day of an election. Any elector may designate,
 816 in writing, a person to pick up the ballot for the elector;
 817 ~~however, the person designated may not pick up more than two~~
 818 ~~vote-by-mail ballots per election, other than the designee's own~~
 819 ~~ballot, except that additional ballots may be picked up for~~
 820 ~~members of the designee's immediate family. For purposes of this~~
 821 ~~section, "immediate family" means the designee's spouse or the~~
 822 ~~parent, child, grandparent, grandchild, or sibling of the~~
 823 ~~designee or of the designee's spouse. The designee shall provide~~
 824 ~~to the supervisor the written authorization by the elector and a~~
 825 ~~picture identification of the designee and must complete an~~

826 ~~affidavit. The designee shall state in the affidavit that the~~
827 ~~designee is authorized by the elector to pick up that ballot and~~
828 ~~shall indicate if the elector is a member of the designee's~~
829 ~~immediate family and, if so, the relationship. The department~~
830 ~~shall prescribe the form of the affidavit. If the supervisor is~~
831 ~~satisfied that the designee is authorized to pick up the ballot~~
832 ~~and that the signature of the elector on the written~~
833 ~~authorization matches the signature of the elector on file, the~~
834 ~~supervisor shall give the ballot to that designee for delivery~~
835 ~~to the elector.~~

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

845 (8) If a deadline under this section falls on a day when
846 the office of the supervisor is usually closed, the deadline
847 must be extended until the next business day.

848 Section 18. Paragraph (a) of subsection (1) and subsection
849 (2) of section 101.64, Florida Statutes, are amended to read:

850 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

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

858 Note: Please Read Instructions Carefully Before
 859 Marking Ballot and Completing Voter's Certificate.

860 VOTER'S CERTIFICATE

861 I, , do solemnly swear or affirm that I am a qualified
 862 and registered voter of County, Florida, and that I have
 863 not and will not vote more than one ballot in this election. I
 864 understand that if I commit or attempt to commit any fraud in
 865 connection with voting, vote a fraudulent ballot, or vote more
 866 than once in an election, I can be convicted of a felony of the
 867 third degree and fined up to \$5,000 and/or imprisoned for up to
 868 5 years. I also understand that failure to sign this certificate
 869 will invalidate my ballot.

870 . . . (Date) . . .

871 . . . (Voter's Signature or Last Four Digits of Social Security
 872 Number) . . .

873 . . . (E-Mail Address) (Home Telephone Number) . . .

874 . . . (Mobile Telephone Number) . . .

875 (2) The certificate must ~~shall~~ be arranged on the back of

876 | the mailing envelope so that the line for the signature or last
 877 | four digits of the social security number of the absent elector
 878 | is across the seal of the envelope; however, a ~~no~~ statement may
 879 | not shall appear on the envelope which indicates that a
 880 | signature or the last four digits of the social security number
 881 | of the voter must cross the seal of the envelope. The absent
 882 | elector must shall execute the certificate on the envelope.

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

885 | 101.65 Instructions to absent electors.—The supervisor
 886 | shall enclose with each vote-by-mail ballot separate printed
 887 | instructions in substantially the following form; however, where
 888 | the instructions appear in capitalized text, the text of the
 889 | printed instructions must be in bold font:

890 | READ THESE INSTRUCTIONS CAREFULLY
 891 | BEFORE MARKING BALLOT.

892 | 1. VERY IMPORTANT. In order to ensure that your vote-by-
 893 | mail ballot will be counted, it should be completed and returned
 894 | as soon as possible so that it can reach the supervisor of
 895 | elections of the county in which your precinct is located no
 896 | later than 7 p.m. on the day of the election. However, if you
 897 | are an overseas voter casting a ballot in a presidential
 898 | preference primary or general election, your vote-by-mail ballot
 899 | must be postmarked or dated no later than the date of the
 900 | election and received by the supervisor of elections of the

901 county in which you are registered to vote no later than 10 days
 902 after the date of the election. Note that the later you return
 903 your ballot, the less time you will have to cure any signature
 904 deficiencies, which may cause your ballot not to be counted ~~is~~
 905 ~~authorized until 5 p.m. on the 2nd day after the election.~~

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

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

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

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

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

919 7. VERY IMPORTANT. In order for your vote-by-mail ballot
 920 to be counted, you must sign your name or print the last four
 921 digits of your social security number on the line above (Voter's
 922 Signature or Last Four Digits of Social Security Number). A
 923 vote-by-mail ballot will be considered illegal and not be
 924 counted if the signature or the last four digits of the social
 925 security number on the voter's certificate do ~~does~~ not match the

926 signature or social security number on record. The signature on
 927 file at the time the supervisor of elections in the county in
 928 which your precinct is located receives your vote-by-mail ballot
 929 is the signature that will be used to verify your signature on
 930 the voter's certificate. If you need to update your signature
 931 for this election, send your signature update on a voter
 932 registration application to your supervisor of elections ~~so that~~
 933 ~~it is received before your vote-by-mail ballot is received.~~

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

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

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

949 Section 20. Subsection (1), paragraph (c) of subsection
 950 (2), and paragraphs (a), (c), and (d) of subsection (4) of

951 section 101.68, Florida Statutes, are amended to read:

952 101.68 Canvassing of vote-by-mail ballot.—

953 (1) The supervisor of the county where the absent elector
 954 resides shall receive the voted ballot, at which time the
 955 supervisor shall compare the signature or last four digits of
 956 the social security number of the elector on the voter's
 957 certificate with the signature or last four digits of the social
 958 security number of the elector in the registration books or the
 959 precinct register to determine whether the elector is duly
 960 registered in the county and must record on the elector's
 961 registration record that the elector has voted. During the
 962 signature comparison process, the supervisor may not use any
 963 knowledge of the political affiliation of the voter whose
 964 signature is subject to verification. An elector who dies after
 965 casting a vote-by-mail ballot but on or before election day must
 966 ~~shall~~ remain listed in the registration books until the results
 967 have been certified for the election in which the ballot was
 968 cast. The supervisor shall safely keep the ballot unopened in
 969 his or her office until the county canvassing board canvasses
 970 the vote. Except as provided in subsection (4), after a vote-by-
 971 mail ballot is received by the supervisor, the ballot is deemed
 972 to have been cast, and changes or additions may not be made to
 973 the voter's certificate.

974 (2)

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

976 | already done so, compare the signature or last four digits of
 977 | the social security number of the elector on the voter's
 978 | certificate or on the vote-by-mail ballot cure affidavit as
 979 | provided in subsection (4) with the signature or last four
 980 | digits of the social security number of the elector in the
 981 | registration books or the precinct register to see that the
 982 | elector is duly registered in the county and to determine the
 983 | legality of that vote-by-mail ballot. A vote-by-mail ballot may
 984 | only be counted if:

985 | a. The signature or last four digits of the social
 986 | security number on the voter's certificate or the cure affidavit
 987 | match ~~matches~~ the elector's signature or last four digits of the
 988 | social security number in the registration books or precinct
 989 | register; however, in the case of a cure affidavit, the
 990 | supporting identification listed in subsection (4) must also
 991 | confirm the identity of the elector; or

992 | b. The cure affidavit contains a signature or last four
 993 | digits of the social security number which do ~~that does~~ not
 994 | match the elector's signature or last four digits of the social
 995 | security number in the registration books or precinct register,
 996 | but the elector has submitted a current and valid Tier 1
 997 | identification pursuant to subsection (4) which confirms the
 998 | identity of the elector.

999 |
 1000 | For purposes of this subparagraph, any canvassing board finding

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1001 that an elector's signatures or last four digits of the social
1002 security numbers do not match must be by majority vote and
1003 beyond a reasonable doubt.

1004 2. The ballot of an elector who casts a vote-by-mail
1005 ballot shall be counted even if the elector dies on or before
1006 election day, as long as, before the death of the voter, the
1007 ballot was postmarked by the United States Postal Service, date-
1008 stamped with a verifiable tracking number by a common carrier,
1009 or already in the possession of the supervisor.

1010 3. A vote-by-mail ballot is not considered illegal if the
1011 signature or last four digits of the social security number of
1012 the elector do ~~does~~ not cross the seal of the mailing envelope.

1013 ~~4. If any elector or candidate present believes that a~~
1014 ~~vote-by-mail ballot is illegal due to a defect apparent on the~~
1015 ~~voter's certificate or the cure affidavit, he or she may, at any~~
1016 ~~time before the ballot is removed from the envelope, file with~~
1017 ~~the canvassing board a protest against the canvass of that~~
1018 ~~ballot, specifying the precinct, the voter's certificate or the~~
1019 ~~cure affidavit, and the reason he or she believes the ballot to~~
1020 ~~be illegal. A challenge based upon a defect in the voter's~~
1021 ~~certificate or cure affidavit may not be accepted after the~~
1022 ~~ballot has been removed from the mailing envelope.~~

1023 5. If the canvassing board determines that a ballot is
1024 illegal, a member of the board must, without opening the
1025 envelope, mark across the face of the envelope: "rejected as

1026 | illegal." The cure affidavit, if applicable, the envelope, and
 1027 | the ballot therein must ~~shall~~ be preserved in the manner that
 1028 | official ballots are preserved.

1029 | (4)(a) As soon as practicable, the supervisor shall, on
 1030 | behalf of the county canvassing board, attempt to notify an
 1031 | elector who has returned a vote-by-mail ballot that does not
 1032 | include the elector's signature or last four digits of the
 1033 | social security number or contains a signature or last four
 1034 | digits of the social security number that do ~~does~~ not match the
 1035 | elector's signature or last four digits of the social security
 1036 | number in the registration books or precinct register by:

1037 | 1. Notifying the elector of the signature or last four
 1038 | digits of the social security number deficiency by e-mail and
 1039 | directing the elector to the cure affidavit and instructions on
 1040 | the supervisor's website;

1041 | 2. Notifying the elector of the signature or last four
 1042 | digits of the social security number deficiency by text message
 1043 | and directing the elector to the cure affidavit and instructions
 1044 | on the supervisor's website; or

1045 | 3. Notifying the elector of the signature or last four
 1046 | digits of the social security number deficiency by telephone and
 1047 | directing the elector to the cure affidavit and instructions on
 1048 | the supervisor's website.

1049 |
 1050 | In addition to the notification required under subparagraph 1.,

1051 | subparagraph 2., or subparagraph 3., the supervisor must notify
 1052 | the elector of the signature or last four digits of the social
 1053 | security number deficiency by first-class mail and direct the
 1054 | elector to the cure affidavit and instructions on the
 1055 | supervisor's website. Beginning the day before the election, the
 1056 | supervisor is not required to provide notice of the signature
 1057 | deficiency by first-class mail, but shall continue to provide
 1058 | notice as required under subparagraph 1., subparagraph 2., or
 1059 | subparagraph 3.

1060 | (c) The elector must complete a cure affidavit in
 1061 | substantially the following form:

1062 | VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

1063 | I,, am a qualified voter in this election and
 1064 | registered voter of County, Florida. I do solemnly swear or
 1065 | affirm that I requested and returned the vote-by-mail ballot and
 1066 | that I have not and will not vote more than one ballot in this
 1067 | election. I understand that if I commit or attempt any fraud in
 1068 | connection with voting, vote a fraudulent ballot, or vote more
 1069 | than once in an election, I may be convicted of a felony of the
 1070 | third degree and fined up to \$5,000 and imprisoned for up to 5
 1071 | years. I understand that my failure to sign this affidavit means
 1072 | that my vote-by-mail ballot will be invalidated.

1073 | ...(Voter's Signature or Last Four Digits of Social Security
 1074 | Number) ...

1075 | ...(Address) ...

1076 (d) Instructions must accompany the cure affidavit in
 1077 substantially the following form:

1078 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
 1079 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
 1080 BALLOT NOT TO COUNT.

1081 1. In order to ensure that your vote-by-mail ballot will
 1082 be counted, your affidavit should be completed and returned as
 1083 soon as possible so that it can reach the supervisor of
 1084 elections of the county in which your precinct is located no
 1085 later than 5 p.m. on the 2nd day after the election.

1086 2. You must sign your name or print the last four digits
 1087 of your social security number on the line above (Voter's
 1088 Signature or Last Four Digits of Social Security Number).

1089 3. You must make a copy of one of the following forms of
 1090 identification:

1091 a. Tier 1 identification.—Current and valid identification
 1092 that includes your name and photograph: Florida driver license;
 1093 Florida identification card issued by the Department of Highway
 1094 Safety and Motor Vehicles; United States passport; debit or
 1095 credit card; military identification; student identification;
 1096 retirement center identification; neighborhood association
 1097 identification; public assistance identification; veteran health
 1098 identification card issued by the United States Department of
 1099 Veterans Affairs; a Florida license to carry a concealed weapon
 1100 or firearm; or an employee identification card issued by any

1101 branch, department, agency, or entity of the Federal Government,
 1102 the state, a county, or a municipality; or

1103 b. Tier 2 identification.—ONLY IF YOU DO NOT HAVE A TIER 1
 1104 FORM OF IDENTIFICATION, identification that shows your name and
 1105 current residence address: current utility bill, bank statement,
 1106 government check, paycheck, or government document (excluding
 1107 voter information card).

1108 4. Place the envelope bearing the affidavit into a mailing
 1109 envelope addressed to the supervisor. Insert a copy of your
 1110 identification in the mailing envelope. Mail (if time permits),
 1111 deliver, or have delivered the completed affidavit along with
 1112 the copy of your identification to your county supervisor of
 1113 elections. Be sure there is sufficient postage if mailed and
 1114 that the supervisor's address is correct. Remember, your
 1115 information MUST reach your county supervisor of elections no
 1116 later than 5 p.m. on the 2nd day after the election, or your
 1117 ballot will not count.

1118 5. Alternatively, you may fax or e-mail your completed
 1119 affidavit and a copy of your identification to the supervisor of
 1120 elections. If e-mailing, please provide these documents as
 1121 attachments.

1122 Section 21. Section 101.6952, Florida Statutes, is amended
 1123 to read:

1124 101.6952 Vote-by-mail ballots for absent ~~uniformed~~
 1125 ~~services and overseas~~ voters.—

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1126 (1) If an absent ~~uniformed services voter's or an overseas~~
1127 voter's request for an official vote-by-mail ballot pursuant to
1128 s. 101.62 includes an e-mail address, the supervisor of
1129 elections must ~~shall~~:

1130 (a) Record the voter's e-mail address in the vote-by-mail
1131 ballot record;

1132 (b) Confirm by e-mail that the vote-by-mail ballot request
1133 was received and include in that e-mail the estimated date the
1134 vote-by-mail ballot will be sent to the voter; and

1135 (c) Notify the voter by e-mail when the voted vote-by-mail
1136 ballot is received by the supervisor of elections.

1137 (2)(a) An absent ~~uniformed services voter or an overseas~~
1138 voter who makes timely application for but does not receive an
1139 official vote-by-mail ballot may use the federal write-in
1140 absentee ballot to vote in any federal, state, or local
1141 election.

1142 (b)1. In an election for federal office, an elector may
1143 designate a candidate by writing the name of a candidate on the
1144 ballot. Except for a primary or special primary election, the
1145 elector may alternatively designate a candidate by writing the
1146 name of a political party on the ballot. A written designation
1147 of the political party must ~~shall~~ be counted as a vote for the
1148 candidate of that party if there is such a party candidate in
1149 the race.

1150 2. In a state or local election, an elector may vote in

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1151 the section of the federal write-in absentee ballot designated
1152 for nonfederal races by writing on the ballot the title of each
1153 office and by writing on the ballot the name of the candidate
1154 for whom the elector is voting. Except for a primary, special
1155 primary, or nonpartisan election, the elector may alternatively
1156 designate a candidate by writing the name of a political party
1157 on the ballot. A written designation of the political party must
1158 ~~shall~~ be counted as a vote for the candidate of that party if
1159 there is such a party candidate in the race. In addition, the
1160 elector may vote on any ballot measure presented in such
1161 election by identifying the ballot measure on which he or she
1162 desires to vote and specifying his or her vote on the measure.
1163 For purposes of this section, a vote cast in a judicial merit
1164 retention election must ~~shall~~ be treated in the same manner as a
1165 ballot measure in which the only allowable responses are "Yes"
1166 or "No."

1167 (c) In the case of a joint candidacy, such as for the
1168 offices of President/Vice President or Governor/Lieutenant
1169 Governor, a valid vote for one or both qualified candidates on
1170 the same ticket constitutes ~~shall constitute~~ a vote for the
1171 joint candidacy.

1172 (d) For purposes of this subsection and except when the
1173 context clearly indicates otherwise, such as when a candidate in
1174 the election is affiliated with a political party whose name
1175 includes the word "Independent," "Independence," or a similar

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1176 term, a voter designation of "No Party Affiliation" or
1177 "Independent," or any minor variation, misspelling, or
1178 abbreviation thereof, shall be considered a designation for the
1179 candidate, other than a write-in candidate, who qualified to run
1180 in the race with no party affiliation. If more than one
1181 candidate qualifies to run as a candidate with no party
1182 affiliation, the designation may not count for any candidate
1183 unless there is a valid, additional designation of the
1184 candidate's name.

1185 (e) Any abbreviation, misspelling, or other minor
1186 variation in the form of the name of an office, the name of a
1187 candidate, the ballot measure, or the name of a political party
1188 must be disregarded in determining the validity of the ballot.

1189 (3) (a) An absent ~~uniformed services voter or an overseas~~
1190 voter who submits a federal write-in absentee ballot and later
1191 receives an official vote-by-mail ballot may submit the official
1192 vote-by-mail ballot. An elector who submits a federal write-in
1193 absentee ballot and later receives and submits an official vote-
1194 by-mail ballot should make every reasonable effort to inform the
1195 appropriate supervisor of elections that the elector has
1196 submitted more than one ballot.

1197 (b) ~~A federal write-in absentee ballot may not be~~
1198 ~~canvassed until 7 p.m. on the day of the election.~~ A federal
1199 write-in absentee ballot from an absent ~~overseas~~ voter in a
1200 presidential preference primary or general election may not be

1201 canvassed until the conclusion of the 10-day period specified in
 1202 subsection (5). Each federal write-in absentee ballot received
 1203 by 7 p.m. on the day of the election must ~~shall~~ be canvassed
 1204 pursuant to ss. 101.5614(4) and 101.68, unless the elector's
 1205 official vote-by-mail ballot is received by 7 p.m. on election
 1206 day. Each federal write-in absentee ballot from an absent
 1207 ~~overseas~~ voter in a presidential preference primary or general
 1208 election received by 10 days after the date of the election must
 1209 ~~shall~~ be canvassed pursuant to ss. 101.5614(4) and 101.68,
 1210 unless the absent ~~overseas~~ voter's official vote-by-mail ballot
 1211 is received by 10 days after the date of the election. If the
 1212 elector's official vote-by-mail ballot is received ~~by 7 p.m. on~~
 1213 ~~election day, or, for an overseas voter in a presidential~~
 1214 ~~preference primary or general election,~~ no later than 10 days
 1215 after the date of the election, the federal write-in absentee
 1216 ballot is invalid and the official vote-by-mail ballot must
 1217 ~~shall~~ be canvassed. The time shall be regulated by the customary
 1218 time in standard use in the county seat of the locality.

1219 (4) For vote-by-mail ballots received from absent
 1220 ~~uniformed services voters or overseas~~ voters, there is a
 1221 presumption that the envelope was mailed on the date stated on
 1222 the outside of the return envelope, regardless of the absence of
 1223 a postmark on the mailed envelope or the existence of a postmark
 1224 date ~~that is~~ later than the date of the election.

1225 (5) A vote-by-mail ballot from an absent ~~overseas~~ voter in

1226 any presidential preference primary or general election which is
 1227 postmarked or dated no later than the date of the election and
 1228 is received by the supervisor of elections of the county in
 1229 which the absent ~~overseas~~ voter is registered no later than 10
 1230 days after the date of the election must ~~shall~~ be counted as
 1231 long as the vote-by-mail ballot is otherwise proper.

1232 Section 22. Subsection (6) is added to section 101.71,
 1233 Florida Statutes, to read:

1234 101.71 Polling place.—

1235 (6) A polling place may not be located within a gated
 1236 community unless the legal residence of every elector in the
 1237 precinct is within such gated community.

1238 Section 23. Paragraph (f) is added to subsection (4) and
 1239 subsection (6) is added to section 102.031, Florida Statutes, to
 1240 read:

1241 102.031 Maintenance of good order at polls; authorities;
 1242 persons allowed in polling rooms and early voting areas;
 1243 unlawful solicitation of voters.—

1244 (4)

1245 (f) A person may provide food, water, or other items,
 1246 including, but not limited to, over-the-counter medication,
 1247 chairs, fans, and umbrellas or other rain gear, to voters
 1248 standing in line to vote outside the no-solicitation zone.

1249 (6) Bullhorns or other devices used to amplify sound are
 1250 prohibited in close proximity to:

1251 (a) A polling place during voting hours.

1252 (b) An office of the supervisor during a recount.

1253 Section 24. Subsection (2) of section 102.111, Florida
 1254 Statutes, is amended to read:

1255 102.111 Elections Canvassing Commission.—

1256 (2) The Elections Canvassing Commission shall meet at 9
 1257 a.m. on the 9th day after a primary election to certify the
 1258 returns for each federal, state, and multicounty office. The
 1259 commission shall meet ~~and~~ at 9 a.m. on the 14th day after a
 1260 general election to certify the returns of the election for each
 1261 ~~federal, state, and multicounty office. The commission shall~~
 1262 meet at 9 a.m. on the 21st day after a general election to
 1263 certify the returns for each federal and state office. If a
 1264 member of a county canvassing board that was constituted
 1265 pursuant to s. 102.141 determines, within 5 days after the
 1266 certification by the Elections Canvassing Commission, that a
 1267 typographical error occurred in the official returns of the
 1268 county, the correction of which could result in a change in the
 1269 outcome of an election, the county canvassing board must certify
 1270 corrected returns to the Department of State within 24 hours,
 1271 and the Elections Canvassing Commission must correct and
 1272 recertify the election returns as soon as practicable.

1273 Section 25. Subsection (2) of section 102.112, Florida
 1274 Statutes, is amended to read:

1275 102.112 Deadline for submission of county returns to the

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1276 Department of State.—

1277 (2) Returns must be filed by 5 p.m. on the 7th day
1278 following a primary election, ~~and~~ by noon on the 12th day
1279 following the general election for multicounty offices, and by
1280 noon on the 19th day following the general election for federal
1281 and statewide offices. However, the Department of State may
1282 correct typographical errors, including the transposition of
1283 numbers, in any returns submitted to the Department of State
1284 pursuant to s. 102.111(2).

1285 Section 26. Section 102.181, Florida Statutes, is created
1286 to read:

1287 102.181 Action against supervisor of elections.—

1288 (1) Any elector qualified to vote in or any candidate for
1289 office in an election may file an action against the supervisor
1290 of elections administering such election for noncompliance with
1291 any provision of this code.

1292 (2) Any elector or candidate who files such an action is
1293 entitled to an immediate hearing.

1294 (3) In any such action, any filing fees or costs must be
1295 waived, and attorney fees must be awarded to the prevailing
1296 party or parties.

1297 Section 27. This act shall take effect July 1, 2023.