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LEGISLATIVE ACTION

Senate

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House

Senator Thompson moved the following:

Senate Amendment to Amendment (333316) (with title amendment)

Delete lines 5 - 2435

and insert:

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

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

(1) The head of the Department of State is the Secretary of State. The Secretary of State shall be elected at the statewide



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12 general election at which the Governor, Lieutenant Governor, and
13 Cabinet officers are elected as provided in s. 5, Art. IV of the
14 State Constitution, for a term of 4 years beginning on the first
15 Tuesday after the first Monday in January of the year following
16 such election ~~appointed by the Governor, subject to confirmation~~
17 ~~by the Senate, and shall serve at the pleasure of the Governor.~~

18 The Secretary of State shall perform the functions conferred by
19 the State Constitution upon the custodian of state records.

20 Section 2. Paragraph (b) of subsection (5) of section
21 97.053, Florida Statutes, is amended to read:

22 97.053 Acceptance of voter registration applications.-

23 (5)

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

33 Section 3. Section 97.0556, Florida Statutes, is created to
34 read:

35 97.0556 Same-day voter registration.-A person who meets the
36 qualifications to register to vote in s. 97.041 and who provides
37 the information required for the statewide voter registration
38 application in s. 97.052 may register at an early voting site or
39 at his or her polling place and immediately thereafter cast a
40 ballot.



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

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

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

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

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

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

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

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

(a) The minimum amount of information necessary to prevent duplicate voter registrations and to preserve the ability of the department and supervisors of elections to assess the eligibility of the applicant and administer voter registration



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and other provisions of this code.

(b) A statement setting forth voting eligibility requirements.

(c) An explanation that the applicant is consenting to the use of his or her signature from the applicant's driver license or identification card application for voter registration purposes. By consenting to the use of his or her signature, the applicant is deemed to have subscribed to the oath required by s. 3, Art. VI of the State Constitution and s. 97.051 and to have sworn and affirmed that the voter registration information contained in the application is true under penalty for false swearing pursuant to s. 104.011.

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

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

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

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

(b) Electronically transmit the voter registration



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99 component of an applicant's driver license or identification
100 card application to the Department of State within 24 hours
101 after receipt. Upon receipt of the voter registration component,
102 the Department of State shall provide the information to the
103 supervisor of the county in which the applicant is registering
104 or preregistering to vote or updating his or her voter
105 registration record.

106 ~~(2) The Department of Highway Safety and Motor Vehicles~~
107 ~~shall:~~

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

109 ~~1. Information gathered for the completion of a driver~~
110 ~~license or identification card application, renewal, or change~~
111 ~~of address can be automatically transferred to a voter~~
112 ~~registration application;~~

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

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

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

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

124 ~~(b) Require a driver license examiner to inquire orally or,~~
125 ~~if the applicant is hearing impaired, inquire in writing whether~~
126 ~~the applicant wishes to register to vote or update a voter~~
127 ~~registration record during the completion of a driver license or~~



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~~identification card application, renewal, or change of address.~~

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

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

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

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

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

~~(3) For the purpose of this section, the Department of
Highway Safety and Motor Vehicles, with the approval of the
Department of State, shall prescribe:~~

~~(a) A voter registration application that is the same in
content, format, and size as the uniform statewide voter~~



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~~registration application prescribed under s. 97.052; and~~

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

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

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

~~(4)(6)~~ A person providing voter registration services for a driver license office may not:

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

(b) Display any political preference or party allegiance;

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

(d) Disclose any applicant's voter registration information



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except as needed for the administration of voter registration.

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

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

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

(8)~~(10)~~ The Department of State shall provide the Department of Highway Safety and Motor Vehicles with an electronic database of street addresses valid for use as the address of legal residence as required in s. 97.053(5). The Department of Highway Safety and Motor Vehicles shall compare the address provided by the applicant against the database of valid street addresses. If the address provided by the applicant does not match a valid street address in the database, the applicant will be asked to verify the address provided. The Department of Highway Safety and Motor Vehicles may ~~shall~~ not



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reject any application for voter registration for which a valid match cannot be made.

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

(10)~~(12)~~ The Department of Highway Safety and Motor Vehicles shall enter into an agreement with the Commissioner of Social Security as required by the Help America Vote Act of 2002 to verify the last four digits of the social security number provided in applications for voter registration as required in s. 97.053.

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

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

97.0575 Third-party voter registrations.—

(3)(a) A third-party voter registration organization that collects voter registration applications serves as a fiduciary



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to the applicant, ensuring that any voter registration application entrusted to the organization, irrespective of party affiliation, race, ethnicity, or gender, must be promptly delivered to the division or the supervisor of elections in the county in which the applicant resides within 14 days after the application was completed by the applicant, but not after registration closes for the next ensuing election. If a voter registration application collected by any third-party voter registration organization is not promptly delivered to the division or supervisor of elections in the county in which the applicant resides, the third-party voter registration organization is liable for the following fines:

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

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



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organization or person, entity, or agency acting on its behalf acted willfully.

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

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

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

98.045 Administration of voter registration.—

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

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

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



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Statutes, is amended to read:

98.065 Registration list maintenance programs.—

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

Section 8. Paragraph (a) of subsection (7) of section 99.061, Florida Statutes, is amended to read:

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

(7)(a) In order for a candidate to be qualified, the



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following items must be received by the filing officer by the end of the qualifying period:

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

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

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

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



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s. 106.021.

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

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

100.111 Filling vacancy.—

(2) Whenever there is a vacancy for which a special election is required pursuant to s. 100.101, the Governor, after consultation with the Secretary of State and the supervisor of elections of any affected county, shall fix the dates of a special primary election and a special election. Nominees of political parties shall be chosen under the primary laws of this state in the special primary election to become candidates in the special election. Before ~~Prior to~~ setting the special election dates, the Governor shall consider any upcoming elections in the jurisdiction where the special election will be held and, in the event of a vacancy in a state legislative office, shall limit the period of any such vacancy during a regular legislative session to the greatest extent possible in fixing such dates. Notwithstanding the foregoing, a special election may not be held later than 180 days after a vacancy has occurred. The dates fixed by the Governor must ~~shall~~ be specific days certain and may ~~shall~~ not be established by the happening of a condition or stated in the alternative. The dates fixed must ~~shall~~ provide a minimum of 10 2 weeks between each



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election. In the event a vacancy occurs in the office of state senator or member of the House of Representatives when the Legislature is in regular legislative session, the minimum times prescribed by this subsection may be waived upon concurrence of the Governor, the Speaker of the House of Representatives, and the President of the Senate. If a vacancy occurs in the office of state senator and no session of the Legislature is scheduled to be held before ~~prior to~~ the next general election, the Governor may fix the dates for the special primary election and for the special election to coincide with the dates of the primary election and general election. If a vacancy in office occurs in any district in the state Senate or House of Representatives or in any congressional district, and no session of the Legislature, or session of Congress if the vacancy is in a congressional district, is scheduled to be held during the unexpired portion of the term, the Governor is not required to call a special election to fill such vacancy.

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

(b) The filing of campaign expense statements by candidates in such special elections or special primaries and by committees making contributions or expenditures to influence the results of such special primaries or special elections must ~~shall~~ be no ~~not~~ later than such dates as ~~shall be~~ fixed by the Department of State, and in fixing such dates the Department of State shall



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take into consideration and be governed by the practical time limitations.

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

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

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

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

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

(1) Whenever a special election is required to fill any vacancy in office, the Governor, after consultation with the Secretary of State and the supervisor of elections of any affected county, shall issue an order declaring on what day the



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election shall be held and deliver the order to the Department of State. The Governor shall issue the order within 14 calendar days after the occurrence of the vacancy or, for vacancies arising due to a resignation under s. 99.012, within 14 calendar days after submittal of the written resignation to the Governor, whichever is sooner.

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

100.371 Initiatives; procedure for placement on ballot.—

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

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

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

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



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circulator acted willfully.

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

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

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

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

101.016 Strategic elections equipment reserve.—The Division of Elections shall maintain a strategic elections equipment reserve of voting systems that may be deployed in the event of an emergency as defined in s. 101.732 or upon the occurrence of equipment capacity issues due to unexpected voter turnout. The reserve must include tabulation equipment and any other necessary equipment, including, but not limited to, printers, which are in use by each supervisor of elections. In lieu of maintaining a physical reserve of such equipment, the division may contract with a vendor of voting equipment to provide such



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equipment on an as-needed basis.

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

101.048 Provisional ballots.—

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

(2) (a) The county canvassing board shall examine each Provisional Ballot Voter's Certificate and Affirmation to determine if the person voting that ballot was entitled to vote in the county in which ~~at the precinct where~~ the person cast a vote in the election and that the person had not already cast a ballot in the election. In determining whether a person casting a provisional ballot is entitled to vote, the county canvassing board shall review the information provided in the Voter's



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Certificate and Affirmation, written evidence provided by the person pursuant to subsection (1), information provided in any cure affidavit and accompanying supporting documentation pursuant to subsection (6), any other evidence presented by the supervisor, and, in the case of a challenge, any evidence presented by the challenger. A ballot of a person casting a provisional ballot must ~~shall~~ be canvassed pursuant to paragraph (b) unless the canvassing board determines by a preponderance of the evidence that the person was not entitled to vote.

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

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

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

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



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a reasonable doubt.

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

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

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

101.151 Specifications for ballots.—

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

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

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

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



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applicable judicial circuit; and Public Defender, with the applicable judicial circuit.

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

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

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

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

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



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101.5612 Testing of tabulating equipment.—

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

Section 17. Paragraph (a) of subsection (1), subsection (2), and paragraph (c) of subsection (4) of section 101.62, Florida Statutes, are amended, and subsection (8) is added to that section, to read:

101.62 Request for vote-by-mail ballots.—

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

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

(4)

(c) The supervisor shall provide a vote-by-mail ballot to



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each elector by whom a request for that ballot has been made by one of the following means:

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

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

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

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



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~~shall indicate if the elector is a member of the designee's immediate family and, if so, the relationship. The department shall prescribe the form of the affidavit. If the supervisor is satisfied that the designee is authorized to pick up the ballot and that the signature of the elector on the written authorization matches the signature of the elector on file, the supervisor shall give the ballot to that designee for delivery to the elector.~~

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

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

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

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

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



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certificate in substantially the following form:

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

VOTER'S CERTIFICATE

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

...(Date)...

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

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

...(Mobile Telephone Number)...

(2) The certificate must ~~shall~~ be arranged on the back of
the mailing envelope so that the line for the signature or last
four digits of the social security number of the absent elector
is across the seal of the envelope; however, a ~~no~~ statement may
not ~~shall~~ appear on the envelope which indicates that a
signature or the last four digits of the social security number
of the voter must cross the seal of the envelope. The absent
elector must ~~shall~~ execute the certificate on the envelope.

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

101.65 Instructions to absent electors.—The supervisor



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shall enclose with each vote-by-mail ballot separate printed instructions in substantially the following form; however, where the instructions appear in capitalized text, the text of the printed instructions must be in bold font:

READ THESE INSTRUCTIONS CAREFULLY
BEFORE MARKING BALLOT.

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

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

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

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



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

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

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

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

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



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

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

101.68 Canvassing of vote-by-mail ballot.—

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



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the voter's certificate.

(2)

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

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

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

For purposes of this subparagraph, any canvassing board finding that an elector's signatures or last four digits of the social



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security numbers do not match must be by majority vote and beyond a reasonable doubt.

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

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

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

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

(4)(a) As soon as practicable, the supervisor shall, on behalf of the county canvassing board, attempt to notify an



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elector who has returned a vote-by-mail ballot that does not include the elector's signature or last four digits of the social security number or contains a signature or last four digits of the social security number that do ~~does~~ not match the elector's signature or last four digits of the social security number in the registration books or precinct register by:

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

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

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

In addition to the notification required under subparagraph 1., subparagraph 2., or subparagraph 3., the supervisor must notify the elector of the signature or last four digits of the social security number deficiency by first-class mail and direct the elector to the cure affidavit and instructions on the supervisor's website. Beginning the day before the election, the supervisor is not required to provide notice of the signature deficiency by first-class mail, but shall continue to provide notice as required under subparagraph 1., subparagraph 2., or subparagraph 3.



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

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

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

...(Address)...

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

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

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

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



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

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

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

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



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

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

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

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

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

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

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

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

(b) 1. In an election for federal office, an elector may designate a candidate by writing the name of a candidate on the ballot. Except for a primary or special primary election, the elector may alternatively designate a candidate by writing the name of a political party on the ballot. A written designation



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of the political party must ~~shall~~ be counted as a vote for the candidate of that party if there is such a party candidate in the race.

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

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

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



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

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

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

(b) ~~A federal write-in absentee ballot may not be canvassed until 7 p.m. on the day of the election.~~ A federal write-in absentee ballot from an absent ~~overseas~~ voter in a presidential preference primary or general election may not be canvassed until the conclusion of the 10-day period specified in subsection (5). Each federal write-in absentee ballot received by 7 p.m. on the day of the election must ~~shall~~ be canvassed pursuant to ss. 101.5614(4) and 101.68, unless the elector's



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official vote-by-mail ballot is received by 7 p.m. on election day. Each federal write-in absentee ballot from an absent ~~overseas~~ voter in a presidential preference primary or general election received by 10 days after the date of the election must ~~shall~~ be canvassed pursuant to ss. 101.5614(4) and 101.68, unless the absent ~~overseas~~ voter's official vote-by-mail ballot is received by 10 days after the date of the election. If the elector's official vote-by-mail ballot is received ~~by 7 p.m. on election day, or, for an overseas voter in a presidential preference primary or general election,~~ no later than 10 days after the date of the election, the federal write-in absentee ballot is invalid and the official vote-by-mail ballot must ~~shall~~ be canvassed. The time shall be regulated by the customary time in standard use in the county seat of the locality.

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

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

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



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101.71 Polling place.—

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

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

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

(4)

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

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

(a) A polling place during voting hours.

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

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

102.111 Elections Canvassing Commission.—

(2) The Elections Canvassing Commission shall meet at 9 a.m. on the 9th day after a primary election to certify the returns for each federal, state, and multicounty office. The commission shall meet ~~and~~ at 9 a.m. on the 14th day after a general election to certify the returns of the election for each ~~federal, state, and multicounty office. The commission shall~~ meet at 9 a.m. on the 21st day after a general election to



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certify the returns for each federal and state office. If a member of a county canvassing board that was constituted pursuant to s. 102.141 determines, within 5 days after the certification by the Elections Canvassing Commission, that a typographical error occurred in the official returns of the county, the correction of which could result in a change in the outcome of an election, the county canvassing board must certify corrected returns to the Department of State within 24 hours, and the Elections Canvassing Commission must correct and recertify the election returns as soon as practicable.

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

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

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

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

102.181 Action against supervisor of elections.—

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



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

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

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

===== T I T L E A M E N D M E N T =====

And the title is amended as follows:

Delete lines 2442 - 2769

and insert:

An act relating to elections; amending s. 20.10, F.S.; requiring the Secretary of State to be elected rather than appointed; specifying when such election must occur; amending s. 97.053, F.S.; requiring an applicant to designate a party affiliation or select "no party affiliation" to be registered to vote; requiring a supervisor of elections to provide a certain notification; requiring the voter registration application to include certain information; creating s. 97.0556, F.S.; authorizing a person who meets certain requirements to register to vote at an early voting site or at his or her polling place and to immediately thereafter cast a ballot; amending s. 97.057, F.S.; authorizing the Department of Highway Safety and Motor Vehicles to preregister certain individuals to vote; providing that driver license or identification card applications, driver license or identification card renewal applications, and



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1172 applications for changes of address for existing
1173 driver licenses or identification cards submitted to
1174 the department serve as voter registration
1175 applications; providing that an applicant is deemed to
1176 have consented to the use of his or her signature for
1177 voter registration purposes unless a declination is
1178 made; requiring specified applications to include a
1179 voter registration component, subject to approval by
1180 the Department of State; providing requirements for
1181 the voter registration component; requiring the
1182 Department of Highway Safety and Motor Vehicles to
1183 electronically transmit voter registration information
1184 to the Department of State within a specified
1185 timeframe; requiring the Department of State to
1186 provide such information to supervisors of elections,
1187 as applicable; deleting obsolete language; making
1188 technical changes; amending s. 97.0575, F.S.; revising
1189 certain penalties for third-party voter registration
1190 organizations; deleting the aggregate limit of such
1191 penalties; amending s. 98.045, F.S.; conforming a
1192 cross-reference; amending s. 98.065, F.S.; revising
1193 requirements for registration list maintenance
1194 programs; requiring supervisors to designate voters as
1195 inactive if certain conditions are met; prohibiting
1196 the number of voters on the inactive list from being
1197 used to calculate the number of signatures necessary
1198 for a petition; providing conditions under which a
1199 voter on the inactive list may be restored to the
1200 active list; requiring an inactive voter's name to be



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1201 removed from the statewide voter registration system
1202 if certain conditions are met; providing requirements
1203 for such inactive voter to have his or her name
1204 restored to the system; amending s. 99.061, F.S.;
1205 authorizing a candidate to pay his or her
1206 qualification fee with a cashier's check; amending
1207 100.111, F.S.; requiring the Governor to consult with
1208 affected supervisors of elections in fixing the dates
1209 for special elections; requiring the Governor, in the
1210 event of a vacancy in a state legislative office, to
1211 limit the period of such vacancy during a regular
1212 legislative session to the greatest extent possible in
1213 fixing a special election date; requiring the Governor
1214 to fix the date for a special election to be held
1215 within a certain timeframe; revising the minimum time
1216 between a special primary election and a special
1217 election; amending s. 100.141, F.S.; requiring the
1218 Governor to issue an order calling for a special
1219 election within a certain timeframe; conforming a
1220 provision to changes made by the act; amending s.
1221 100.371, F.S.; providing a requirement for the
1222 delivery of certain petition forms; creating s.
1223 100.51, F.S.; establishing General Election Day as a
1224 paid holiday; providing that an elector may absent
1225 himself or herself from service or employment at a
1226 specific time on a General Election Day and may not be
1227 penalized or have salary or wages reduced for such
1228 absence; creating s. 101.016, F.S.; requiring the
1229 Division of Elections to maintain a strategic



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1230 elections equipment reserve of voting systems and
1231 other equipment for specified purposes; requiring such
1232 reserve to include specified equipment; authorizing
1233 the division to contract with specified entities
1234 rather than physically maintain such reserve; amending
1235 s. 101.048, F.S.; providing that a voter may cast a
1236 provisional vote at any precinct in the county in
1237 which the voter claims to be registered; amending s.
1238 101.151, F.S.; revising the order in which office
1239 titles and names of candidates are placed on the
1240 ballot; conforming provisions to changes made by the
1241 act; amending s. 101.5612, F.S.; requiring supervisors
1242 of elections to annually file a plan for operations
1243 under certain conditions; amending s. 101.62, F.S.;
1244 providing that a request for a vote-by-mail ballot is
1245 valid until such request is canceled; revising the
1246 deadline by which requests for vote-by-mail ballots
1247 must be received by a supervisor of elections;
1248 revising the period during which a supervisor of
1249 elections may deliver certain ballots; deleting
1250 requirements for a person designated by an elector to
1251 pick up the elector's vote-by-mail ballot; providing
1252 for extension of deadlines under certain conditions;
1253 amending s. 101.64, F.S.; requiring supervisors of
1254 elections to enclose a postage prepaid mailing
1255 envelope with each vote-by-mail ballot; providing that
1256 vote-by-mail ballot voter certificates may be signed
1257 with the last four digits of the voter's social
1258 security number; amending s. 101.65, F.S.; revising



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1259 instructions that must be provided with a vote-by-mail
1260 ballot; amending s. 101.68, F.S.; requiring
1261 supervisors of elections to compare the signature or
1262 last four digits of the social security number on a
1263 voter's certificate with the signature or last four
1264 digits of the social security number in the
1265 registration books or precinct register when
1266 canvassing a vote-by-mail ballot; requiring a
1267 canvassing board to compare the signature or last four
1268 digits of the social security number on a voter's
1269 certificate or cure affidavit with the signature or
1270 last four digits of the social security number in the
1271 registration books or precinct register when
1272 canvassing a vote-by-mail ballot; deleting the
1273 authorization for certain persons to file a protest
1274 against the canvass of a ballot; amending s. 101.6952,
1275 F.S.; authorizing an absent voter to submit a federal
1276 write-in absentee ballot or vote-by-mail ballot;
1277 revising requirements for the canvassing of specified
1278 ballots; providing that a certain presumption applies
1279 to vote-by-mail ballots received from absent voters;
1280 requiring a vote-by-mail ballot from an absent voter
1281 which is postmarked or dated by a certain date to be
1282 counted; amending s. 101.71, F.S.; prohibiting a
1283 polling place from being located within a gated
1284 community unless certain conditions are met; amending
1285 s. 102.031, F.S.; authorizing a person to provide
1286 food, water, or other items to certain voters;
1287 prohibiting the use of devices that amplify sound in



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1288 certain locations during certain hours; amending s.
1289 102.111, F.S.; revising the dates by which the
1290 Elections Canvassing Commission must certify certain
1291 election returns; amending s. 102.112, F.S.; revising
1292 the deadlines for submission of county returns to the
1293 Department of State; creating s. 102.181, F.S.;
1294 authorizing certain persons to file actions against a
1295 supervisor of elections for noncompliance with the
1296 election code; providing that such persons are
1297 entitled to an immediate hearing; providing for the
1298 waiver of fees and costs and the awarding of attorney
1299 fees; providing an effective date.