

1                                   A bill to be entitled  
 2           An act relating to elections; amending s. 97.052,  
 3           F.S.; revising the information that the uniform  
 4           statewide voter registration application must be  
 5           designed to elicit from applicants; amending s.  
 6           97.053, F.S.; revising the criteria for determining if  
 7           a voter registration application is complete; amending  
 8           s. 97.057, F.S.; requiring the Department of Highway  
 9           Safety and Motor Vehicle to transfer specified  
 10          information of registered voters to a supervisor of  
 11          elections under certain circumstances; requiring the  
 12          supervisor of elections to act on such information;  
 13          amending s. 97.0575, F.S.; revising the requirements  
 14          for third-party voter registration organizations;  
 15          providing applicability; revising the circumstances  
 16          under which fines may be imposed for voter  
 17          registration applications; revising the requirements  
 18          for rules that the Division of Elections must adopt;  
 19          amending s. 97.1031, F.S.; revising information that  
 20          an elector must provide to a supervisor of elections  
 21          when the elector changes his or her residence address,  
 22          party affiliation, or name; creating s. 97.106, F.S.;  
 23          prohibiting certain agencies and state and local  
 24          officials from engaging in certain acts relating to  
 25          elections; amending s. 100.041, F.S.; providing

26 exceptions to elections and terms of county  
27 commissioners; amending s. 100.111, F.S.; revising the  
28 method of filling a vacancy in nomination for a  
29 political party; amending s. 101.048, F.S.; revising  
30 the requirements of provisional ballots under  
31 specified circumstances; requiring the supervisor of  
32 elections to notify the registered political party of  
33 specified electors under certain circumstances;  
34 amending s. 101.051, F.S.; revising the distance  
35 certain persons must maintain at a polling place or  
36 early voting site; amending s. 101.545, F.S.;  
37 requiring ballots, forms, and election materials to be  
38 retained for a specified minimum time; amending s.  
39 101.5605, F.S.; revising the timeframe within which  
40 the department shall approve or disapprove a voting  
41 system that is submitted for approval; amending s.  
42 101.5614, F.S.; revising requirements for making true  
43 duplicate copies of vote-by-mail ballots under certain  
44 circumstances; requiring the duplicate copies and the  
45 original ballots to be made available to specified  
46 persons; requiring a canvassing board to make certain  
47 determinations; amending s. 101.591, F.S.; revising  
48 the timeframe and requirements for the report of the  
49 results of the audit submitted to the department;  
50 amending s. 101.595, F.S.; providing additional

51 requirements for a specified report; revising the date  
 52 by which the report must be submitted; amending s.  
 53 101.62, F.S.; providing the effective length of time  
 54 for requests for vote-by-mail ballots from electors;  
 55 providing requirements for specified requests for  
 56 vote-by-mail ballots; revising information that  
 57 electors requesting such ballots must disclose;  
 58 providing information that the supervisor of elections  
 59 must record for each request for a vote-by-mail  
 60 ballot; revising the means by which the supervisor of  
 61 elections must provide vote-by-mail ballots; revising  
 62 the list of people to whom the supervisor of elections  
 63 may not deliver vote-by-mail ballots; prohibiting  
 64 counties, municipalities, and state agencies from  
 65 sending vote-by-mail ballots unless specified  
 66 requirements are met; amending s. 101.64, F.S.;  
 67 revising the requirements for delivery of vote-by-mail  
 68 ballots; amending s. 101.68, F.S.; revising the duties  
 69 of the supervisor of elections upon receipt of vote-  
 70 by-mail ballots; requiring the supervisor of elections  
 71 to record and allow certain persons to view certain  
 72 digital images; revising the timeframe for the  
 73 beginning of the canvassing of vote-by-mail ballots by  
 74 the county canvassing board; revising the duties of  
 75 the canvassing board under specified circumstances;

76 requiring the supervisor of elections to notify the  
 77 registered political party of specified electors under  
 78 certain circumstances; amending s. 101.69, F.S.;  
 79 revising the requirements for the return of vote-by-  
 80 mail ballots; providing requirements for secure drop  
 81 boxes; providing that a supervisor of elections is  
 82 subject to a civil penalty in certain circumstances;  
 83 amending s. 102.031, F.S.; revising the definition of  
 84 the terms "solicit" and "solicitation"; creating s.  
 85 102.07, F.S.; requiring the supervisor of elections to  
 86 post and update on his or her website certain  
 87 information at specified intervals; amending s.  
 88 102.141, F.S.; requiring that certain information be  
 89 published on the supervisor of election's website;  
 90 requiring additional information to be made available  
 91 for public notices of county canvassing board  
 92 meetings; amending s. 104.0616, F.S.; revising the  
 93 acts that result in a misdemeanor relating to vote-by-  
 94 mail ballots; creating s. 104.47, F.S.; providing  
 95 penalties for misuse of voters' signatures; amending  
 96 s. 124.011, F.S.; providing exceptions to elections  
 97 and terms of county commissioners after decennial  
 98 redistricting; providing an effective date.

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

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Section 1. Paragraph (t) of subsection (2) of section 97.052, Florida Statutes, is amended to read:

97.052 Uniform statewide voter registration application.-

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

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

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

~~3. Whether the applicant has been convicted of a felony and, if convicted, has had his or her voting rights restored pursuant s. 4, Art. VI of the State Constitution, by including the statement "If I have been convicted of a felony, I affirm my voting rights have been restored pursuant to s. 4, Art. VI of the State Constitution upon the completion of all terms of my~~

126 ~~sentence, including parole or probation." and providing a box~~  
 127 ~~for the applicant to check to affirm the statement.~~

128 Section 2. Paragraph (a) of subsection (5) of section  
 129 97.053, Florida Statutes, is amended to read:

130 97.053 Acceptance of voter registration applications.—

131 (5) (a) A voter registration application is complete if it  
 132 contains the following information necessary to establish the  
 133 applicant's eligibility pursuant to s. 97.041, including:

134 1. The applicant's name.

135 2. The applicant's address of legal residence, including a  
 136 distinguishing apartment, suite, lot, room, or dormitory room  
 137 number or other identifier, if appropriate. Failure to include a  
 138 distinguishing apartment, suite, lot, room, or dormitory room or  
 139 other identifier on a voter registration application does not  
 140 impact a voter's eligibility to register to vote or cast a  
 141 ballot, and such an omission may not serve as the basis for a  
 142 challenge to a voter's eligibility or reason to not count a  
 143 ballot.

144 3. The applicant's date of birth.

145 4. A mark in the checkbox affirming that the applicant is  
 146 a citizen of the United States.

147 5.a. The applicant's current and valid Florida driver  
 148 license number or the identification number from a Florida  
 149 identification card issued under s. 322.051, or

150 b. If the applicant has not been issued a current and

151 valid Florida driver license or a Florida identification card,  
 152 the last four digits of the applicant's social security number.  
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154 In case an applicant has not been issued a current and valid  
 155 Florida driver license, Florida identification card, or social  
 156 security number, the applicant shall affirm this fact in the  
 157 manner prescribed in the uniform statewide voter registration  
 158 application.

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

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

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

175 Section 3. Subsection (13) is added to section 97.057,

176 Florida Statutes, to read:

177 97.057 Voter registration by the Department of Highway  
178 Safety and Motor Vehicles.—

179 (13) Any time a registered voter changes the voter's name  
180 or address information on the voter's driver license or  
181 identification card, the Department of Highway Safety and Motor  
182 Vehicle must as soon as possible transfer that information to  
183 the supervisor of elections of the county in which the voter is  
184 registered. The supervisor must act on the change in the same  
185 manner as a change of address notification from the United  
186 States Postal Service.

187 Section 4. Paragraphs (c) and (d) of subsection (1),  
188 paragraph (a) of subsection (3), and subsection (5) of section  
189 97.0575, Florida Statutes, are amended to read:

190 97.0575 Third-party voter registrations.—

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

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



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

207 (3) (a) A third-party voter registration organization that  
 208 collects voter registration applications serves as a fiduciary  
 209 to the applicant, ensuring that any voter registration  
 210 application entrusted to the organization, irrespective of party  
 211 affiliation, race, ethnicity, or gender, must ~~shall~~ be promptly  
 212 delivered to the division or the supervisor of elections within  
 213 14 days after the applicant completes it, but not after  
 214 registration closes for the next ensuing election. A third-party  
 215 voter registration organization must notify the applicant at the  
 216 time the application is collected that the organization might  
 217 not deliver the application to the division or the supervisor of  
 218 elections in less than 14 days or before registration closes for  
 219 the next ensuing election and must advise the applicant that he  
 220 or she may deliver the application in person or by mail. The  
 221 third-party voter registration organization must also inform the  
 222 applicant how to register online with the division and how to  
 223 determine whether the application has been delivered ~~48 hours~~  
 224 ~~after the applicant completes it or the next business day if the~~  
 225 ~~appropriate office is closed for that 48-hour period. If a voter~~

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

230 1. A fine in the amount of \$50 for each application  
 231 received by the division or the supervisor of elections more  
 232 than 14 days ~~48 hours~~ after the applicant delivered the  
 233 completed voter registration application to the third-party  
 234 voter registration organization or any person, entity, or agent  
 235 acting on its behalf ~~or the next business day, if the office is~~  
 236 ~~closed~~. A fine in the amount of \$250 for each application  
 237 received if the third-party voter registration organization or  
 238 person, entity, or agency acting on its behalf acted willfully.

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

248 3. A fine in the amount of \$500 for each application  
 249 collected by a third-party voter registration organization or  
 250 any person, entity, or agent acting on its behalf, which is not

251 submitted to the division or supervisor of elections. A fine in  
 252 the amount of \$1,000 for any application not submitted if the  
 253 third-party voter registration organization or person, entity,  
 254 or agency acting on its behalf acted willfully.

255  
 256 The aggregate fine pursuant to this paragraph which may be  
 257 assessed against a third-party voter registration organization,  
 258 including affiliate organizations, for violations committed in a  
 259 calendar year is \$1,000.

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

275 Section 5. Section 97.1031, Florida Statutes, is amended

276 to read:

277 97.1031 Notice of change of residence, change of name, or  
 278 change of party affiliation.—

279 (1) (a) When an elector changes his or her residence  
 280 address, the elector must notify the supervisor of elections.  
 281 Except as provided in paragraph (b), an address change must be  
 282 submitted using a voter registration application.

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

286 1. Contacting the supervisor of elections via telephone or  
 287 electronic means, in which case the elector must provide his or  
 288 her date of birth and the last four digits of his or her social  
 289 security number, his or her Florida driver license number, or  
 290 his or her Florida identification card number; or

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

293 (2) When an elector seeks to change party affiliation, the  
 294 elector shall notify his or her supervisor of elections or other  
 295 voter registration official by using a signed written notice  
 296 that contains the elector's date of birth or voter registration  
 297 number and the last four digits of the elector's social security  
 298 number, the elector's Florida driver license number, or the  
 299 elector's Florida identification card number. When an elector  
 300 changes his or her name by marriage or other legal process, the

301 elector shall notify his or her supervisor of elections or other  
 302 voter registration official by using a signed written notice  
 303 that contains the elector's date of birth or voter's  
 304 registration number and the last four digits of the elector's  
 305 social security number, the elector's Florida driver license  
 306 number, or the elector's Florida identification card number.

307 (3) The voter registration official shall make the  
 308 necessary changes in the elector's records as soon as practical  
 309 upon receipt of such notice of a change of address of legal  
 310 residence, name, or party affiliation. The supervisor of  
 311 elections shall issue the new voter information card.

312 Section 6. Section 97.106, Florida Statutes, is created to  
 313 read:

314 97.106 Prohibition on use of private funds for election  
 315 related expenses.—No agency or state or local official  
 316 responsible for conducting elections, including, but not limited  
 317 to, a supervisor of elections, may solicit, accept, use, or  
 318 dispose of any donation in the form of money, grants, property,  
 319 or personal services from an individual or a nongovernmental  
 320 entity for the purpose of funding election-related expenses or  
 321 voter education or registration programs.

322 Section 7. Paragraph (a) of subsection (2) of section  
 323 100.041, Florida Statutes, is amended to read:

324 100.041 Officers chosen at general election.—

325 (2) (a) Except as provided in s. 124.011 relating to single

326 member districts after decennial redistricting, each~~Each~~ county  
 327 commissioner from an odd-numbered district shall be elected at  
 328 the general election in each year the number of which is a  
 329 multiple of 4, for a 4-year term commencing on the second  
 330 Tuesday following such election, and each county commissioner  
 331 from an even-numbered district shall be elected at the general  
 332 election in each even-numbered year the number of which is not a  
 333 multiple of 4, for a 4-year term commencing on the second  
 334 Tuesday following such election. A county commissioner is  
 335 "elected" for purposes of this paragraph on the date that the  
 336 county canvassing board certifies the results of the election  
 337 pursuant to s. 102.151.

338 Section 8. Paragraph (a) of subsection (3) of section  
 339 100.111, Florida Statutes, is amended to read:

340 100.111 Filling vacancy.—

341 (3) (a) In the event that death, resignation, withdrawal,  
 342 or removal should cause a party to have a vacancy in nomination  
 343 which leaves no candidate for an office from such party, the  
 344 filing officer before whom the candidate qualified shall notify  
 345 the chair of the state and county political party executive  
 346 committee of such party and:

347 1. If the vacancy in nomination is for a statewide office,  
 348 the state party chair shall, within 5 days, call a meeting of  
 349 his or her executive board to consider designation of a nominee  
 350 to fill the vacancy.

351           2. If the vacancy in nomination is for the office of  
 352 United States Representative, state senator, state  
 353 representative, state attorney, or public defender, the state  
 354 party chair shall ~~notify the appropriate county chair or chairs~~  
 355 ~~and, within 5 days, the appropriate county chair or chairs shall~~  
 356 call a meeting of the state executive committee members residing  
 357 in the affected district or circuit ~~members of the executive~~  
 358 ~~committee in the affected county or counties~~ to consider  
 359 designation of a nominee to fill the vacancy.

360           3. If the vacancy in nomination is for a county office,  
 361 the state party chair shall notify the appropriate county chair  
 362 and, within 5 days, the appropriate county chair shall call a  
 363 meeting of his or her executive committee to consider  
 364 designation of a nominee to fill the vacancy.

365  
 366 The name of any person so designated shall be submitted to the  
 367 filing officer before whom the candidate qualified within 7 days  
 368 after notice to the chair in order that the person designated  
 369 may have his or her name on the ballot of the ensuing general  
 370 election. If the name of the new nominee is submitted after the  
 371 certification of results of the preceding primary election,  
 372 however, the ballots shall not be changed and the former party  
 373 nominee's name will appear on the ballot. Any ballots cast for  
 374 the former party nominee will be counted for the person  
 375 designated by the political party to replace the former party

376 | nominee. If there is no opposition to the party nominee, the  
 377 | person designated by the political party to replace the former  
 378 | party nominee will be elected to office at the general election.

379 |       Section 9. Paragraph (b) of subsection (2), paragraph (a)  
 380 | of subsection (6), and paragraph (b) of subsection (7) of  
 381 | section 101.048, Florida Statutes, are amended to read:

382 |       101.048 Provisional ballots.—

383 |       (2)

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

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

397 |       2. The cure affidavit contains a signature that does not  
 398 | match the most recent elector's signature in the registration  
 399 | books or the precinct register, but the elector has submitted a  
 400 | current and valid Tier 1 form of identification confirming his



401 or her identity pursuant to subsection (6).

402

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

406 (6) (a) As soon as practicable, the supervisor shall, on  
 407 behalf of the county canvassing board, attempt to notify an  
 408 elector who has submitted a provisional ballot that does not  
 409 include the elector's signature or contains a signature that  
 410 does not match the elector's most recent signature in the  
 411 registration books or precinct register by:

412 1. Notifying the elector of the signature deficiency by e-  
 413 mail and directing the elector to the cure affidavit and  
 414 instructions on the supervisor's website;

415 2. Notifying the elector of the signature deficiency by  
 416 text message and directing the elector to the cure affidavit and  
 417 instructions on the supervisor's website; or

418 3. Notifying the elector of the signature deficiency by  
 419 telephone and directing the elector to the cure affidavit and  
 420 instructions on the supervisor's website.

421

422 In addition to the notification required under subparagraph 1.,  
 423 subparagraph 2., or subparagraph 3., the supervisor must notify  
 424 the elector of the signature deficiency by first-class mail and  
 425 direct the elector to the cure affidavit and instructions on the

426 supervisor's website. Beginning the day before the election, the  
 427 supervisor is not required to provide notice of the signature  
 428 deficiency by first-class mail, but shall continue to provide  
 429 notice as required in subparagraph 1., subparagraph 2., or  
 430 subparagraph 3. In addition, a supervisor must notify the  
 431 registered political party, if any, of an elector who has a  
 432 signature deficiency. The political parties must provide the  
 433 supervisor of each county one email address that the supervisor  
 434 may use to notify the political party of the signature  
 435 deficiency. The supervisor must contact the political party  
 436 promptly after contacting the elector.

437 (7)

438 (b) Unless processed as a signature update pursuant to  
 439 subsection (2), the supervisor shall mail a voter registration  
 440 application to the elector to be completed indicating the  
 441 elector's current signature if the signature on the voter's  
 442 certificate or cure affidavit did not match the elector's most  
 443 recent signature in the registration books or precinct register.

444 Section 10. Subsection (2) of section 101.051, Florida  
 445 Statutes, is amended to read:

446 101.051 Electors seeking assistance in casting ballots;  
 447 oath to be executed; forms to be furnished.—

448 (2) It is unlawful for any person to be in the voting  
 449 booth with any elector except as provided in subsection (1). A  
 450 person at a polling place or early voting site, or within 150

451 | ~~100~~ feet of the entrance of a polling place or early voting  
 452 | site, may not solicit any elector in an effort to provide  
 453 | assistance to vote pursuant to subsection (1). Any person who  
 454 | violates this subsection commits a misdemeanor of the first  
 455 | degree, punishable as provided in s. 775.082 or s. 775.083.

456 | Section 11. Section 101.545, Florida Statutes, is amended  
 457 | to read:

458 | 101.545 Retention and destruction of certain election  
 459 | materials.—All ballots, forms, and other election materials  
 460 | shall be retained in the custody of the supervisor of elections  
 461 | for a minimum of 22 months after an election and in accordance  
 462 | with the schedule approved by the Division of Library and  
 463 | Information Services of the Department of State. All unused  
 464 | ballots, forms, and other election materials may, with the  
 465 | approval of the Department of State, be destroyed by the  
 466 | supervisor after the election for which such ballots, forms, or  
 467 | other election materials were to be used.

468 | Section 12. Paragraph (d) of subsection (2) of section  
 469 | 101.5605, Florida Statutes, is amended to read:

470 | 101.5605 Examination and approval of equipment.—

471 | (2)

472 | (d) The Department of State shall approve or disapprove  
 473 | any voting system submitted to it within 120 ~~90~~ days after the  
 474 | date of its initial submission.

475 | Section 13. Paragraph (a) of subsection (4) of section

476 | 101.5614, Florida Statutes, is amended to read:

477 |       101.5614 Canvass of returns.—

478 |       (4) (a) If any vote-by-mail ballot is physically damaged so  
479 | that it cannot properly be counted by the voting system's  
480 | automatic tabulating equipment, a true duplicate copy shall be  
481 | made of the damaged ballot in an open and accessible room in the  
482 | presence of witnesses and substituted for the damaged ballot.  
483 | Likewise, a duplicate ballot shall be made of a vote-by-mail  
484 | ballot containing an overvoted race or a marked vote-by-mail  
485 | ballot in which every race is undervoted. A duplicate ~~which~~  
486 | shall include all valid votes as determined by the canvassing  
487 | board based on rules adopted by the division pursuant to s.  
488 | 102.166(4), if there is a clear indication on the ballot that  
489 | the voter has made a definite choice in a race or on a ballot  
490 | measure. A duplicate may not include a vote if the voter's  
491 | intent in such race or on such measure is not clear. Upon  
492 | request, a physically present candidate, a political party  
493 | official, a political committee official, or an authorized  
494 | designee thereof, must be allowed to observe the duplication of  
495 | ballots. All duplicate ballots must be on paper that is a  
496 | different color than the original ballot, ~~shall~~ be clearly  
497 | labeled "duplicate," bear a serial number which shall be  
498 | recorded on the defective ballot, and be counted in lieu of the  
499 | defective ballot. After a ballot has been duplicated, the  
500 | defective ballot shall be placed in an envelope provided for

501 that purpose, and the duplicate ballot shall be tallied with the  
502 other ballots for that precinct. Adjacent images of each  
503 duplicate and original defective ballot must be made available  
504 for inspection to each registered political party and each  
505 candidate or the candidate's designee. Upon objection to a  
506 duplicate of a ballot, the ballot must be presented to the  
507 canvassing board for a determination of the validity of the  
508 duplicate. The canvassing board must document the serial number  
509 of the ballot in the canvassing board's minutes. The canvassing  
510 board must decide by a majority vote and beyond a reasonable  
511 doubt whether the duplication is valid. If the duplicate ballot  
512 is determined to be valid, the duplicate ballot must be counted.  
513 If the duplicate ballot is determined to be invalid, the  
514 duplicate ballot must be rejected and a proper duplicate ballot  
515 must be made and counted in lieu of the original.

516 Section 14. Subsection (5) of section 101.591, Florida  
517 Statutes, is amended to read:

518 101.591 Voting system audit.—

519 (5) By December 15 of each general election year ~~Within 15~~  
520 ~~days after completion of the audit,~~ the county canvassing board  
521 or the board responsible for certifying the election shall  
522 provide a report with the results of the audit to the Department  
523 of State in a standard format as prescribed by the department.  
524 The report must be consolidated into one report with the  
525 overvote and undervote report required under s. 101.595(1). The

526 | report shall contain, but is not limited to, the following  
 527 | items:

528 |       (a) The overall accuracy of audit.

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

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

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

534 |       Section 15. Subsections (1) and (3) of section 101.595,  
 535 | Florida Statutes, are amended to read:

536 |       101.595 Analysis and reports of voting problems.—

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

550 |       (3) The Department of State shall submit the report to the

551 Governor, the President of the Senate, and the Speaker of the  
 552 House of Representatives by February 15 ~~January 31~~ of each year  
 553 following a general election.

554 Section 16. Paragraphs (a) and (b) of subsection (1),  
 555 subsection (3), and paragraph (c) of subsection (4) of section  
 556 101.62, Florida Statutes, are amended, paragraph (d) is added to  
 557 subsection (1), and subsection (7) is added to that section, to  
 558 read:

559 101.62 Request for vote-by-mail ballots.—

560 (1)(a) The supervisor shall accept a request for a vote-  
 561 by-mail ballot from an elector in person or in writing. One  
 562 request is ~~shall be~~ deemed sufficient to receive a vote-by-mail  
 563 ballot for all elections through the end of the calendar year of  
 564 the next ~~second ensuing~~ regularly scheduled general election  
 565 provided that a request received after November 3, 2020, and  
 566 before July 1, 2021, is deemed sufficient through December 31,  
 567 2024, unless the elector or the elector's designee indicates at  
 568 the time the request is made the elections within such period  
 569 for which the elector desires to receive a vote-by-mail ballot.  
 570 Such request may be considered canceled when any first-class  
 571 mail sent by the supervisor to the elector is returned as  
 572 undeliverable.

573 (b) The supervisor may accept a written or telephonic  
 574 request for a vote-by-mail ballot to be mailed to an elector's  
 575 address on file in the Florida Voter Registration System from

576 | the elector, or, if directly instructed by the elector, a member  
 577 | of the elector's immediate family, or the elector's legal  
 578 | guardian. If a telephone request is made the elector must  
 579 | provide the elector's Florida driver license number, the  
 580 | elector's Florida identification card number, or the last four  
 581 | digits of the elector's social security number. ~~‡~~ If the ballot  
 582 | is requested to be mailed to an address other than the elector's  
 583 | address on file in the Florida Voter Registration System, the  
 584 | request must be made in writing, ~~and~~ signed by the elector, and  
 585 | include the elector's Florida driver license number, the  
 586 | elector's Florida identification card number, or the last four  
 587 | digits of the elector's social security number. However, an  
 588 | absent uniformed service voter or an overseas voter seeking a  
 589 | vote-by-mail ballot is not required to submit a signed, written  
 590 | request for a vote-by-mail ballot that is being mailed to an  
 591 | address other than the elector's address on file in the Florida  
 592 | Voter Registration System. For purposes of this section, the  
 593 | term "immediate family" has the same meaning as specified in  
 594 | paragraph (4) (c). The person making the request must disclose:  
 595 |       1. The name of the elector for whom the ballot is  
 596 | requested.  
 597 |       2. The elector's address.  
 598 |       3. The elector's date of birth.  
 599 |       4. The elector's Florida driver license number, the  
 600 | elector's Florida identification card number, or the last four



601 digits of the elector's social security number.

602 5. The requester's name.

603 ~~6.5.~~ The requester's address.

604 ~~7.6.~~ The requester's driver license number, if available.

605 ~~8.7.~~ The requester's relationship to the elector.

606 ~~9.8.~~ The requester's signature (written requests only).

607 (d) A supervisor may not mail or otherwise deliver or  
 608 provide a vote-by-mail ballot to an elector or an elector's  
 609 designee unless a request for such ballot has been made that  
 610 meets the requirements of this section.

611 (3) For each request for a vote-by-mail ballot received,  
 612 the supervisor shall record the date the request was made, the  
 613 date the vote-by-mail ballot was delivered to the voter or the  
 614 voter's designee or the date the vote-by-mail ballot was  
 615 delivered to the post office or other carrier, the identity of  
 616 the voter's designee or the address to which the ballot was  
 617 mailed, the date the ballot was received by the supervisor, the  
 618 absence of the voter's signature on the voter's certificate, if  
 619 applicable, whether there is a mismatching voter signature on  
 620 the voter's certificate, and such other information he or she  
 621 may deem necessary. This information shall be provided in  
 622 electronic format as provided by rule adopted by the division.  
 623 The information shall be updated and made available no later  
 624 than 8 a.m. of each day, including weekends, beginning 60 days  
 625 before the primary until 15 days after the general election and

626 shall be contemporaneously provided to the division. This  
627 information shall be confidential and exempt from s. 119.07(1)  
628 and shall be made available to or reproduced only for the voter  
629 requesting the ballot, a canvassing board, an election official,  
630 a political party or official thereof, a candidate who has filed  
631 qualification papers and is opposed in an upcoming election, and  
632 registered political committees for political purposes only.

633 (4)

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

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

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

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

649 4. By delivery to a designee on election day or up to 9  
650 days before ~~prior to~~ the day of an election. Any elector may

651 designate in writing an immediate family member or person who  
 652 resides at the elector's residence ~~a person~~ to pick up the  
 653 ballot for the elector; ~~however, the person designated may not~~  
 654 ~~pick up more than two vote-by-mail ballots per election, other~~  
 655 ~~than the designee's own ballot, except that additional ballots~~  
 656 ~~may be picked up for members of the designee's immediate family.~~  
 657 For purposes of this section, "immediate family" means the  
 658 elector's designee's spouse or the parent, child, grandparent,  
 659 or sibling of the elector ~~designee~~ or of the elector's  
 660 ~~designee's~~ spouse. The designee shall provide to the supervisor  
 661 the written authorization by the elector and a picture  
 662 identification of the designee and must complete an affidavit.  
 663 The designee shall state in the affidavit that the designee is  
 664 authorized by the elector to pick up that ballot and that shall  
 665 ~~indicate if~~ the elector is a member of the designee's immediate  
 666 family and indicate, if so, the relationship or that the  
 667 designee resides at the elector's residence. The department  
 668 shall prescribe the form of the affidavit. If the supervisor is  
 669 satisfied that the designee is authorized to pick up the ballot  
 670 and that the signature of the elector on the written  
 671 authorization matches the signature of the elector on file, the  
 672 supervisor shall give the ballot to that designee for delivery  
 673 to the elector.

674 5. ~~Except as provided in s. 101.655,~~ The supervisor may  
 675 not deliver a vote-by-mail ballot to an elector or an elector's

676 immediate family member or person residing at the elector's  
 677 residence on the day of the election unless there is an  
 678 emergency, to the extent that the elector will be unable to go  
 679 to his or her assigned polling place. If a vote-by-mail ballot  
 680 is delivered, the elector or his or her designee shall execute  
 681 an affidavit affirming to the facts which allow for delivery of  
 682 the vote-by-mail ballot. The department shall adopt a rule  
 683 providing for the form of the affidavit.

684 (7) A county, municipality, or state agency may not send a  
 685 vote-by-mail ballot to a voter unless the voter has requested a  
 686 vote-by-mail ballot in the manner authorized under this section.

687 Section 17. Subsection (1) of section 101.64, Florida  
 688 Statutes, is amended to read:

689 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

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

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

699 VOTER'S CERTIFICATE

700 I, ....., do solemnly swear or affirm that I am a qualified

701 and registered voter of .... County, Florida, and that I have  
 702 not and will not vote more than one ballot in this election. I  
 703 understand that if I commit or attempt to commit any fraud in  
 704 connection with voting, vote a fraudulent ballot, or vote more  
 705 than once in an election, I can be convicted of a felony of the  
 706 third degree and fined up to \$5,000 and/or imprisoned for up to  
 707 5 years. I also understand that failure to sign this certificate  
 708 will invalidate my ballot.

709 ... (Date) ... (Voter's Signature) ...

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

711 ... (Mobile Telephone Number) ...

712 (b) Each return mailing envelope must bear the voter's  
 713 name, the voter's residence address, and an encoded mark  
 714 allowing the supervisor's office to identify and sort by  
 715 precinct the envelope or an image of the envelope.

716 (c) A mailing envelope or secrecy envelope may not bear  
 717 any indication of the political affiliation of a voter.

718 Section 18. Subsections (1) and (2) and paragraphs (a) and  
 719 (h) of subsection (4) of section 101.68, Florida Statutes, are  
 720 amended to read:

721 101.68 Canvassing of vote-by-mail ballot.-

722 (1) (a) The supervisor of the county where the absent  
 723 elector resides shall receive the voted ballot, at which time  
 724 the supervisor shall compare the signature of the elector on the  
 725 voter's certificate with the most recent signature of the

726 | elector in the registration books or the precinct register to  
727 | determine whether the elector is duly registered in the county  
728 | and must ~~may~~ record on the elector's registration record  
729 | ~~certificate~~ that the elector has voted. An elector who dies  
730 | after casting a vote-by-mail ballot but on or before election  
731 | day shall remain listed in the registration books until the  
732 | results have been certified for the election in which the ballot  
733 | was cast. The supervisor shall safely keep the ballot unopened  
734 | in his or her office until the county canvassing board canvasses  
735 | the vote. Except as provided in subsection (4), after a vote-by-  
736 | mail ballot is received by the supervisor, the ballot is deemed  
737 | to have been cast, and changes or additions may not be made to  
738 | the voter's certificate.

739 |       (b) The supervisor must record a digital image of the  
740 | signature on the voter's certificate or cure affidavit and of  
741 | the information required by s. 101.64(1)(b). Political parties,  
742 | candidates, and candidates' designees must be allowed to view  
743 | such image or images with the signature on the voter's  
744 | certificate adjacent to an image of the most recent signature in  
745 | the precinct register or registration books. The viewable images  
746 | must be sorted or sortable by precinct of voter residence.  
747 | Before the 5 days preceding election day, such access must be  
748 | available for at least 48 hours before opening the corresponding  
749 | mailing envelope and separating the mailing envelope from the  
750 | secrecy envelope. During the 5 days preceding election day, such

751 access must be available for at least 24 hours before separating  
752 the mailing envelope from the secrecy envelope. Beginning  
753 election day, such access must be available for at least 2 hours  
754 before separating the mailing envelope from the secrecy  
755 envelope. The political parties, candidates, and candidates'  
756 designees must be able to access these images through a secure  
757 password protected website. An elector in the county desiring to  
758 review signature matches and mismatches must be provided access  
759 during the same time periods at the supervisor's office or  
760 branch office via a secure computer workstation.

761 (c) Upon objection by a candidate or an elector to a  
762 signature match or mismatch, the mailing envelope must be  
763 presented to the canvassing board for a determination of the  
764 validity of the signature. The canvassing board must decide by a  
765 majority vote and beyond a reasonable doubt whether the  
766 signature is valid. If the signature is determined to be valid,  
767 it must be counted. If the signature is not determined to be  
768 valid, the ballot must be marked as rejected.

769 (2) (a) The county canvassing board may begin the  
770 canvassing of vote-by-mail ballots upon the completion of the  
771 public testing of automatic tabulating equipment pursuant to s.  
772 101.5612(2) at 7 a.m. on the 22nd day before the election, but  
773 must begin such canvassing by ~~not later than~~ noon on the day  
774 following the election. ~~In addition, for any county using~~  
775 electronic tabulating equipment, the processing of ~~vote-by-mail~~

776 | ~~ballots through such tabulating equipment may begin at 7 a.m. on~~  
777 | ~~the 22nd day before the election.~~ However, notwithstanding any  
778 | such authorization to begin canvassing or otherwise processing  
779 | vote-by-mail ballots early, no result shall be released until  
780 | after the closing of the polls in that county on election day.  
781 | Any supervisor, deputy supervisor, canvassing board member,  
782 | election board member, or election employee who releases the  
783 | results of a canvassing or processing of vote-by-mail ballots  
784 | prior to the closing of the polls in that county on election day  
785 | commits a felony of the third degree, punishable as provided in  
786 | s. 775.082, s. 775.083, or s. 775.084.

787 |       (b) To ensure that all vote-by-mail ballots to be counted  
788 | by the canvassing board are accounted for, the canvassing board  
789 | shall compare the number of ballots in its possession with the  
790 | number of requests for ballots received to be counted according  
791 | to the supervisor's file or list.

792 |       (c)1. The canvassing board must, if the supervisor has not  
793 | already done so, compare the signature of the elector on the  
794 | voter's certificate or on the vote-by-mail ballot cure affidavit  
795 | as provided in subsection (4) with the most recent signature of  
796 | the elector in the registration books or the precinct register  
797 | to see that the elector is duly registered in the county and to  
798 | determine the legality of that vote-by-mail ballot. A vote-by-  
799 | mail ballot may only be counted if:

800 |       a. The signature on the voter's certificate or the cure



801 affidavit matches the elector's most recent signature in the  
 802 registration books or precinct register; however, in the case of  
 803 a cure affidavit, the supporting identification listed in  
 804 subsection (4) must also confirm the identity of the elector; or

805       b. The cure affidavit contains a signature that does not  
 806 match the elector's most recent signature in the registration  
 807 books or precinct register, but the elector has submitted a  
 808 current and valid Tier 1 identification pursuant to subsection  
 809 (4) which confirms the identity of the elector.

810

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

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

820       3. A vote-by-mail ballot is not considered illegal if the  
 821 signature of the elector does not cross the seal of the mailing  
 822 envelope.

823       4. If any elector or candidate has reason to believe  
 824 ~~present believes~~ that a vote-by-mail ballot is illegal due to a  
 825 defect apparent on the voter's certificate or the cure

826 affidavit, he or she may, at any time before the ballot is  
827 removed from the envelope, file with the canvassing board a  
828 protest against the canvass of that ballot, specifying the  
829 precinct, the voter's certificate or the cure affidavit ~~the~~  
830 ~~ballot~~, and the reason he or she believes the ballot to be  
831 illegal. A challenge based upon a defect in the voter's  
832 certificate or cure affidavit may not be accepted after the  
833 ballot has been removed from the mailing envelope.

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

840 (d) The canvassing board shall record the ballot upon the  
841 proper record, unless the ballot has been previously recorded by  
842 the supervisor. The mailing envelopes shall be opened and the  
843 secrecy envelopes shall be mixed so as to make it impossible to  
844 determine which secrecy envelope came out of which signed  
845 mailing envelope; however, in any county in which an electronic  
846 or electromechanical voting system is used, the ballots may be  
847 sorted by ballot styles and the mailing envelopes may be opened  
848 and the secrecy envelopes mixed separately for each ballot  
849 style. The votes on vote-by-mail ballots shall be included in  
850 the total vote of the county.

851 (4) (a) As soon as practicable, the supervisor shall, on  
 852 behalf of the county canvassing board, attempt to notify an  
 853 elector who has returned a vote-by-mail ballot that does not  
 854 include the elector's signature or contains a signature that  
 855 does not match the elector's most recent signature in the  
 856 registration books or precinct register by:

857 1. Notifying the elector of the signature deficiency by e-  
 858 mail and directing the elector to the cure affidavit and  
 859 instructions on the supervisor's website;

860 2. Notifying the elector of the signature deficiency by  
 861 text message and directing the elector to the cure affidavit and  
 862 instructions on the supervisor's website; or

863 3. Notifying the elector of the signature deficiency by  
 864 telephone and directing the elector to the cure affidavit and  
 865 instructions on the supervisor's website.

866  
 867 In addition to the notification required under subparagraph 1.,  
 868 subparagraph 2., or subparagraph 3., the supervisor must notify  
 869 the elector of the signature deficiency by first-class mail and  
 870 direct the elector to the cure affidavit and instructions on the  
 871 supervisor's website. Beginning the day before the election, the  
 872 supervisor is not required to provide notice of the signature  
 873 deficiency by first-class mail, but shall continue to provide  
 874 notice as required under subparagraph 1., subparagraph 2., or  
 875 subparagraph 3. In addition, a supervisor must notify the

876 registered political party, if any, of any elector who has a  
 877 signature deficiency. The political parties must provide the  
 878 supervisor of each county one email address that the supervisor  
 879 may use to notify the political party of the signature  
 880 deficiency. The supervisor must contact the political party  
 881 promptly after contacting the elector.

882 (h) After all election results on the ballot have been  
 883 certified, the supervisor shall, on behalf of the county  
 884 canvassing board, notify each elector whose ballot has been  
 885 rejected as illegal and provide the specific reason the ballot  
 886 was rejected. In addition, unless processed as a signature  
 887 update pursuant to paragraph (g), the supervisor shall mail a  
 888 voter registration application to the elector to be completed  
 889 indicating the elector's current signature if the signature on  
 890 the voter's certificate or cure affidavit did not match the  
 891 elector's most recent signature in the registration books or  
 892 precinct register.

893 Section 19. Subsection (2) of section 101.69, Florida  
 894 Statutes, is amended and subsection (3) is added to that section  
 895 to read:

896 101.69 Voting in person; return of vote-by-mail ballot.-

897 (2) (a) The supervisor shall allow an elector who has  
 898 received a vote-by-mail ballot to physically return a voted  
 899 vote-by-mail ballot to the supervisor by placing the return mail  
 900 envelope containing his or her marked ballot in a secure drop

901 | box. Secure drop boxes shall be placed at the main office of the  
 902 | supervisor, at each branch office of the supervisor, and at each  
 903 | early voting site. Secure drop boxes may also be placed at any  
 904 | other site that would otherwise qualify as an early voting site  
 905 | under s. 101.657(1). Except for secure drop boxes at an office  
 906 | of the supervisor, a secure drop box may only be used during~~+~~  
 907 | the county's early voting hours of operation and provided,  
 908 | ~~however, that any such site must be~~ staffed monitored in person  
 909 | ~~during the county's early voting hours of operation~~ by an  
 910 | employee of the supervisor's office or a sworn law enforcement  
 911 | officer. A secure drop box at an office of the supervisor must  
 912 | be monitored in person by an employee of the supervisor's office  
 913 | or a sworn law enforcement officer during regular office hours.  
 914 | During other hours, a secure drop box at an office of the  
 915 | supervisor may only be accessible if it is secured from  
 916 | tampering and monitored by video surveillance. The supervisor  
 917 | must keep recordings of video surveillance of such secure drop  
 918 | boxes and provide a copy to any candidate or political party  
 919 | submitting a written request for the recordings within 24 hours  
 920 | after receipt of such request.

921 |       (b) An elector's immediate family member or a legal  
 922 | resident of the elector's residence may also return the  
 923 | elector's ballot to a drop box. A person returning a ballot by  
 924 | use of a drop box monitored by an elections employee or a law  
 925 | enforcement officer must present his or her Florida driver

926 license or Florida identification card to the employee or law  
 927 enforcement officer monitoring the drop box. The employee or law  
 928 enforcement officer must ensure that the address on the  
 929 identification provided matches the printed residence address on  
 930 the mailing envelope. If the address on the identification  
 931 provided does not match the address printed on the mailing  
 932 envelope, the ballot may only be deposited if the person signs a  
 933 declaration under penalty of perjury that he or she is the voter  
 934 named on the return envelope or is an immediate family member of  
 935 the voter and also includes such immediate family member's  
 936 Florida driver license or Florida identification card number or  
 937 the last four digits of such family member's social security  
 938 number. The declaration must be affixed to the return mailing  
 939 envelope and the ballot shall be deposited into the drop box. A  
 940 record of the substance of the declaration must be made when the  
 941 voter's certificate is reviewed.

942 (3) If any drop box at an early voting site is left  
 943 accessible for ballot receipt when early voting is not underway,  
 944 the supervisor is subject to a civil penalty of \$25,000. The  
 945 Division of Elections is authorized to enforce this provision.

946 Section 20. Paragraph (b) of subsection (4) of section  
 947 102.031, Florida Statutes, is amended to read:

948 102.031 Maintenance of good order at polls; authorities;  
 949 persons allowed in polling rooms and early voting areas;  
 950 unlawful solicitation of voters.-

951 (4)

952 (b) For the purpose of this subsection, the terms

953 "solicit" or "solicitation" shall include, but not be limited

954 to, seeking or attempting to seek any vote, fact, opinion, or

955 contribution; distributing or attempting to distribute any

956 political or campaign material, leaflet, or handout; conducting

957 a poll except as specified in this paragraph; seeking or

958 attempting to seek a signature on any petition; ~~and~~ selling or

959 attempting to sell any item; giving or attempting to give any

960 item; and interacting or attempting to interact with any voter.

961 The terms "solicit" or "solicitation" may not be construed to

962 prohibit exit polling.

963 Section 21. Section 102.07, Florida Statutes, is created

964 to read:

965 102.07 Vote-by-mail count reporting.—Beginning at 7:00

966 p.m. the day before election day and every 24 hours thereafter

967 until all ballots are tabulated, the supervisor must post on his

968 or her website the number of vote-by-mail ballots have been

969 received and the number of vote-by-mail ballots that remain

970 uncounted.

971 Section 22. Subsection (1) and paragraph (b) of subsection

972 (2) of section 102.141, Florida Statutes, are amended to read:

973 102.141 County canvassing board; duties.—

974 (1) The county canvassing board shall be composed of the

975 supervisor of elections; a county court judge, who shall act as

976 chair; and the chair of the board of county commissioners. The  
977 names of the canvassing board members must be published on the  
978 supervisor's website before any vote-by-mail ballot is  
979 distributed. Alternate canvassing board members must be  
980 appointed pursuant to paragraph (e). In the event any member of  
981 the county canvassing board is unable to serve, is a candidate  
982 who has opposition in the election being canvassed, or is an  
983 active participant in the campaign or candidacy of any candidate  
984 who has opposition in the election being canvassed, such member  
985 shall be replaced as follows:

986 (a) If no county court judge is able to serve or if all  
987 are disqualified, the chief judge of the judicial circuit in  
988 which the county is located shall appoint as a substitute member  
989 a qualified elector of the county who is not a candidate with  
990 opposition in the election being canvassed and who is not an  
991 active participant in the campaign or candidacy of any candidate  
992 with opposition in the election being canvassed. In such event,  
993 the members of the county canvassing board shall meet and elect  
994 a chair.

995 (b) If the supervisor of elections is unable to serve or  
996 is disqualified, the chair of the board of county commissioners  
997 shall appoint as a substitute member a member of the board of  
998 county commissioners who is not a candidate with opposition in  
999 the election being canvassed and who is not an active  
1000 participant in the campaign or candidacy of any candidate with



1001 opposition in the election being canvassed. The supervisor,  
 1002 however, shall act in an advisory capacity to the canvassing  
 1003 board.

1004 (c) If the chair of the board of county commissioners is  
 1005 unable to serve or is disqualified, the board of county  
 1006 commissioners shall appoint as a substitute member one of its  
 1007 members who is not a candidate with opposition in the election  
 1008 being canvassed and who is not an active participant in the  
 1009 campaign or candidacy of any candidate with opposition in the  
 1010 election being canvassed.

1011 (d) If a substitute member or alternate member cannot be  
 1012 appointed as provided elsewhere in this subsection, or in the  
 1013 event of a vacancy in such office, the chief judge of the  
 1014 judicial circuit in which the county is located shall appoint as  
 1015 a substitute member or alternate member a qualified elector of  
 1016 the county who is not a candidate with opposition in the  
 1017 election being canvassed and who is not an active participant in  
 1018 the campaign or candidacy of any candidate with opposition in  
 1019 the election being canvassed.

1020 (e)1. The chief judge of the judicial circuit in which the  
 1021 county is located shall appoint a county court judge as an  
 1022 alternate member of the county canvassing board or, if each  
 1023 county court judge is unable to serve or is disqualified, shall  
 1024 appoint an alternate member who is qualified to serve as a  
 1025 substitute member under paragraph (a).

1026           2. The chair of the board of county commissioners shall  
 1027 appoint a member of the board of county commissioners as an  
 1028 alternate member of the county canvassing board or, if each  
 1029 member of the board of county commissioners is unable to serve  
 1030 or is disqualified, shall appoint an alternate member who is  
 1031 qualified to serve as a substitute member under paragraph (d).

1032           3. If a member of the county canvassing board is unable to  
 1033 participate in a meeting of the board, the chair of the county  
 1034 canvassing board or his or her designee shall designate which  
 1035 alternate member will serve as a member of the board in the  
 1036 place of the member who is unable to participate at that  
 1037 meeting.

1038           4. If not serving as one of the three members of the  
 1039 county canvassing board, an alternate member may be present,  
 1040 observe, and communicate with the three members constituting the  
 1041 county canvassing board, but may not vote in the board's  
 1042 decisions or determinations.

1043           (2)

1044           (b) Public notice of the canvassing board members,  
 1045 alternates, time, and place at which the county canvassing board  
 1046 shall meet to canvass the absent electors' ballots and  
 1047 provisional ballots must be given at least 48 hours prior  
 1048 thereto by publication on the supervisor's website and published  
 1049 in one or more newspapers of general circulation in the county  
 1050 or, if there is no newspaper of general circulation in the

1051 county, by posting such notice in at least four conspicuous  
 1052 places in the county. The time given in the notice as to the  
 1053 convening of the meeting of the county canvassing board must be  
 1054 specific and may not be a time period during which the board may  
 1055 meet.

1056 Section 23. Section 104.0616, Florida Statutes, is amended  
 1057 to read:

1058 104.0616 Vote-by-mail ballots and voting; violations.—

1059 (1) For purposes of this section, the term "immediate  
 1060 family" means a person's spouse or the parent, child,  
 1061 grandparent, or sibling of the person or the person's spouse.

1062 (2) Any person who distributes, orders, requests,  
 1063 collects, delivers, ~~provides or offers to provide,~~ and any  
 1064 ~~person who accepts, a pecuniary or other benefit in exchange for~~  
 1065 ~~distributing, ordering, requesting, collecting, delivering, or~~  
 1066 otherwise physically possesses a vote-by-mail ballot of another  
 1067 person, not including possessing more than two vote-by-mail  
 1068 ~~ballots per election in addition to his or her own ballot or a~~  
 1069 ballot belonging to an immediate family member or an individual  
 1070 who resides at the same residence, except as authorized ~~provided~~  
 1071 in s. 101.655 ~~ss. 101.6105-101.694,~~ commits a misdemeanor of the  
 1072 first degree, punishable as provided in s. 775.082, s. 775.083,  
 1073 or s. 775.084.

1074 Section 24. Section 104.47, Florida Statutes, is created  
 1075 to read:

1076           104.47 Penalty for misuse of voter's signature.—Any person  
 1077 who copies or uses a voter signature obtained from election  
 1078 records commits a second degree felony, punishable as provided  
 1079 in s. 775.082 or s. 775.083. This section does not apply to a  
 1080 person who copies or uses a voter signature obtained from  
 1081 elections records for the purpose of challenging or defending an  
 1082 election determination of a voter signature match or mismatch.

1083           Section 25. Subsection (2) of section 124.011, Florida  
 1084 Statutes, is amended to read:

1085           124.011 Alternate procedure for the election of county  
 1086 commissioners to provide for single-member representation.—

1087           (2) All commissioners shall be elected for 4-year terms  
 1088 which shall be staggered so that, alternately, one more or one  
 1089 less than half of the commissioners elected from residence areas  
 1090 and, if applicable, one of the commissioners elected at large  
 1091 from the entire county are elected every 2 years, except that  
 1092 any commissioner may be elected to an initial term of less than  
 1093 4 years if necessary to achieve or maintain such system of  
 1094 staggered terms. Notwithstanding the terms provided elsewhere in  
 1095 law, at the election immediately following redistricting  
 1096 directed by s. 1(e), Art. VIII of the State Constitution, each  
 1097 commissioner elected only by electors who reside in the district  
 1098 must be elected and terms thereafter shall be staggered as  
 1099 provided in s. 100.041.

1100           Section 26. This act shall take effect July 1, 2021.