

By the Committee on Ethics and Elections; and Senator Baxley

582-02172-21

202190c1

1 A bill to be entitled
2 An act relating to vote-by-mail ballots; amending s.
3 101.62, F.S.; limiting the duration of requests for
4 vote-by-mail ballots to all elections through the end
5 of the calendar year of the next regularly scheduled
6 general election; amending s. 101.68, F.S.;
7 authorizing the canvassing of vote-by-mail ballots
8 upon the completion of the public preelection testing
9 of automatic tabulating equipment; providing for
10 construction and applicability; providing an effective
11 date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Paragraph (a) of subsection (1) of section
16 101.62, Florida Statutes, is amended to read:

17 101.62 Request for vote-by-mail ballots.—

18 (1)(a) The supervisor shall accept a request for a vote-by-
19 mail ballot from an elector in person or in writing. One request
20 is ~~shall be~~ deemed sufficient to receive a vote-by-mail ballot
21 for all elections through the end of the calendar year of the
22 next ~~second ensuing~~ regularly scheduled general election, unless
23 the elector or the elector's designee indicates at the time the
24 request is made the elections for which the elector desires to
25 receive a vote-by-mail ballot. Such request may be considered
26 canceled when any first-class mail sent by the supervisor to the
27 elector is returned as undeliverable.

28 Section 2. Paragraph (a) of subsection (2) of section
29 101.68, Florida Statutes, is amended to read:

582-02172-21

202190c1

30 101.68 Canvassing of vote-by-mail ballot.-

31 (2) (a) The county canvassing board may begin the canvassing
32 of vote-by-mail ballots upon the completion of the public
33 testing of automatic tabulating equipment pursuant to s.
34 101.5612(2) at 7 a.m. on the 22nd day before the election, but
35 must begin such canvassing by no ~~not~~ later than noon on the day
36 following the election. ~~In addition, for any county using~~
37 ~~electronic tabulating equipment, the processing of vote-by-mail~~
38 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
39 ~~the 22nd day before the election.~~ However, notwithstanding any
40 such authorization to begin canvassing or otherwise processing
41 vote-by-mail ballots early, no result shall be released until
42 after the closing of the polls in that county on election day.
43 Any supervisor, deputy supervisor, canvassing board member,
44 election board member, or election employee who releases the
45 results of a canvassing or processing of vote-by-mail ballots
46 prior to the closing of the polls in that county on election day
47 commits a felony of the third degree, punishable as provided in
48 s. 775.082, s. 775.083, or s. 775.084.

49 Section 3. Notwithstanding that an elector has submitted a
50 vote-by-mail ballot request before the effective date of this
51 act initially applicable through the end of the calendar year of
52 the second ensuing regularly scheduled general election, any
53 such elector must affirmatively resubmit a vote-by-mail ballot
54 request following the effective date of this act in order to
55 receive vote-by-mail ballots for the 2022 primary and general
56 elections.

57 Section 4. This act shall take effect July 1, 2021.