

Amendment No.

CHAMBER ACTION

Senate

House

.

1 Representative Thompson offered the following:

2

3 **Substitute Amendment for Amendment (692699) (with title**
4 **amendment)**

5 Remove everything after the enacting clause and insert:

6 Section 1. This act may be cited as the "Gwendolyn 'Gwen'
7 Sawyer Cherry and James 'Jim' Smith Voter Protection Act."

8 Section 2. Subsection (17) is added to section 97.012,
9 Florida Statutes, to read:

10 97.012 Secretary of State as chief election officer.—The
11 Secretary of State is the chief election officer of the state,
12 and it is his or her responsibility to:

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13 (17) Provide formal signature matching training to
14 supervisors of elections and county canvassing board members.

15 Section 3. Effective January 1, 2020, subsection (41) of
16 section 97.021, Florida Statutes, is amended to read:

17 97.021 Definitions.—For the purposes of this code, except
18 where the context clearly indicates otherwise, the term:

19 (41) "Voter interface device" means any device that
20 communicates voting instructions and ballot information to a
21 voter and allows the voter to select and vote for candidates and
22 issues. A voter interface device may not be used to tabulate
23 votes. Any vote tabulation must be based upon a subsequent scan
24 of the marked marksense ballot or the voter-verifiable paper
25 output after the voter interface device process has been
26 completed.

27 Section 4. Subsection (4) of section 98.077, Florida
28 Statutes, is amended to read:

29 98.077 Update of voter signature.—

30 (4) Except as authorized in ss. 101.048 and 101.68:

31 (a) All signature updates for use in verifying vote-by-
32 mail and provisional ballots must be received by the appropriate
33 supervisor before the elector's ballot is received by the
34 supervisor or, in the case of provisional ballots, before the
35 elector's ballot is cast ~~of elections no later than the start of~~
36 ~~the canvassing of vote-by-mail ballots by the canvassing board.~~

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37 **(b)** The signature on file at the time the vote-by-mail
38 ballot is received or at the time the provisional ballot is cast
39 ~~start of the canvass of the vote-by-mail ballots~~ is the
40 signature that shall be used in verifying the signature on the
41 vote-by-mail and provisional ballot certificates, respectively.

42 Section 5. Paragraph (a) of subsection (2) of section
43 98.0981, Florida Statutes, is amended to read:

44 98.0981 Reports; voting history; statewide voter
45 registration system information; precinct-level election
46 results; book closing statistics.-

47 **(2) PRECINCT-LEVEL ELECTION RESULTS.-**

48 **(a)** Within 30 days after certification by the Elections
49 Canvassing Commission of a presidential preference primary
50 election, special election, primary election, or general
51 election, the supervisors of elections shall collect and submit
52 to the department precinct-level election results for the
53 election in a uniform electronic format specified by paragraph
54 (c). The precinct-level election results shall be compiled
55 separately for the primary or special primary election that
56 preceded the general or special general election, respectively.
57 The results shall specifically include for each precinct the
58 total of all ballots cast for each candidate or nominee to fill
59 a national, state, county, or district office or proposed
60 constitutional amendment, with subtotals for each candidate and
61 ballot type, unless fewer than 30 ~~40~~ voters voted a ballot type.

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62 "All ballots cast" means ballots cast by voters who cast a
63 ballot whether at a precinct location, by vote-by-mail ballot
64 including overseas vote-by-mail ballots, during the early voting
65 period, or by provisional ballot.

66 Section 6. Subsection (4) of section 99.063, Florida
67 Statutes, is amended to read:

68 99.063 Candidates for Governor and Lieutenant Governor.—

69 (4) In order to have the name of the candidate for
70 Lieutenant Governor printed on the primary election ballot, a
71 candidate for Governor participating in the primary must
72 designate the candidate for Lieutenant Governor, and the
73 designated candidate must qualify no later than the end of the
74 qualifying period specified in s. 99.061. ~~If the candidate for~~
75 ~~Lieutenant Governor has not been designated and has not~~
76 ~~qualified by the end of the qualifying period specified in s.~~
77 ~~99.061, the phrase "Not Yet Designated" must be included in lieu~~
78 ~~of the candidate's name on the primary election ballot.~~

79 Section 7. Section 100.061, Florida Statutes, is amended
80 to read:

81 100.061 Primary election.—In each year in which a general
82 election is held, a primary election for nomination of
83 candidates of political parties shall be held on the Tuesday 11
84 ~~10~~ weeks prior to the general election. The candidate receiving
85 the highest number of votes cast in each contest in the primary
86 election shall be declared nominated for such office. If two or

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87 more candidates receive an equal and highest number of votes for
88 the same office, such candidates shall draw lots to determine
89 which candidate is nominated.

90 Section 8. Subsection (4) of section 101.015, Florida
91 Statutes, is amended to read:

92 101.015 Standards for voting systems.—

93 (4) (a) The Department of State shall adopt rules
94 establishing minimum security standards for voting systems. The
95 standards must, at a minimum, address the following:

96 1. Chain of custody of ballots, including a detailed
97 description of procedures to create a complete written record of
98 the chain of custody of ballots and paper outputs beginning with
99 their receipt from a printer or manufacturer until such time as
100 they are destroyed.

101 2. Transport of ballots, including a description of the
102 method and equipment used and a detailed list of the names of
103 all individuals involved in such transport.

104 3. Ballot security, including a requirement that all
105 ballots be kept in a locked room in the supervisor's office, a
106 facility controlled by the supervisor or county canvassing
107 board, or a public place in which the county canvassing board is
108 canvassing votes until needed for canvassing and returned
109 thereafter.

110 (b) 1. Each supervisor ~~of elections~~ shall establish written
111 procedures to assure accuracy and security in his or her county,

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112 including procedures related to early voting pursuant to s.
113 101.657. Such procedures shall be reviewed in each odd-numbered
114 year by the department ~~of State~~.

115 2.(e) Each supervisor ~~of elections~~ shall submit any
116 revisions to the security procedures to the department ~~of State~~
117 at least 45 days before early voting commences pursuant to s.
118 101.657 in an election in which they are to take effect.

119 Section 9. Subsection (6) of section 101.048, Florida
120 Statutes, is renumbered as subsection (7), subsections (2), (3),
121 and (5) and present subsection (6) are amended, and a new
122 subsection (6) is added to that section, to read:

123 101.048 Provisional ballots.—

124 (2) (a) The county canvassing board shall examine each
125 Provisional Ballot Voter's Certificate and Affirmation to
126 determine if the person voting that ballot was entitled to vote
127 at the precinct where the person cast a vote in the election and
128 that the person had not already cast a ballot in the election.
129 In determining whether a person casting a provisional ballot is
130 entitled to vote, the county canvassing board shall review the
131 information provided in the Voter's Certificate and Affirmation,
132 written evidence provided by the person pursuant to subsection
133 (1), information provided in any cure affidavit and accompanying
134 supporting documentation pursuant to subsection (6), any other
135 evidence presented by the supervisor ~~of elections~~, and, in the
136 case of a challenge, any evidence presented by the challenger. A

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137 ballot of a person casting a provisional ballot shall be
138 canvassed pursuant to paragraph (b) counted unless the
139 canvassing board determines by a preponderance of the evidence
140 that the person was not entitled to vote.

141 (b)1. If it is determined that the person was registered
142 and entitled to vote at the precinct where the person cast a
143 vote in the election, the canvassing board shall compare the
144 signature on the Provisional Ballot Voter's Certificate and
145 Affirmation or the provisional ballot cure affidavit with the
146 signature on the voter's registration or precinct register ~~and,~~
147 ~~if it matches, shall count the ballot.~~ A provisional ballot
148 shall be counted if:

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

154 b. The cure affidavit contains a signature that does not
155 match the elector's signature in the registration books or the
156 precinct register, but the elector has submitted a current and
157 valid Tier 1 form of identification confirming his or her
158 identity pursuant to subsection (6).
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160 For purposes of this paragraph, any canvassing board finding
161 that an elector's signatures do not match must be by majority
162 vote and beyond a reasonable doubt.

163 2. If it is determined that the person voting the
164 provisional ballot was not registered or entitled to vote at the
165 precinct where the person cast a vote in the election, the
166 provisional ballot shall not be counted and the ballot shall
167 remain in the envelope containing the Provisional Ballot Voter's
168 Certificate and Affirmation and the envelope shall be marked
169 "Rejected as Illegal."

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

175 (3) The Provisional Ballot Voter's Certificate and
176 Affirmation shall be in substantially the following form:

177 STATE OF FLORIDA

178 COUNTY OF

179 I do solemnly swear (or affirm) that my name is; that
180 my date of birth is; that I am registered and qualified to
181 vote in County, Florida; that I am registered in the
182 Party; that I am a qualified voter of the county; and that I
183 have not voted in this election. I understand that if I commit
184 any fraud in connection with voting, vote a fraudulent ballot,

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185 or vote more than once in an election, I can be convicted of a
186 felony of the third degree and fined up to \$5,000 and/or
187 imprisoned for up to 5 years. Further, by providing my
188 information below, I authorize the use of e-mail, text message,
189 and telephone call for the limited purpose of signature and
190 ballot validation.

- 191 ... (Printed Name of Voter)...
- 192 ... (Signature of Voter)...
- 193 ... (Current Residence Address)...
- 194 ... (Current Mailing Address)...
- 195 ... (City, State, Zip Code)...
- 196 ... (Driver License Number or Last Four Digits of Social Security
197 Number)...
- 198 ... (E-Mail Address)...
- 199 ... (Home Telephone Number)...
- 200 ... (Mobile Telephone Number)...

201 Sworn to and subscribed before me this day of,
202 ... (year)
203 ... (Election Official) ...

204 Precinct # Ballot Style/Party Issued:

205 (5) Each person casting a provisional ballot shall be
206 given written instructions regarding the person's right to
207 provide the supervisor ~~of elections~~ with written evidence of his
208 or her eligibility to vote and regarding the free access system
209 established pursuant to subsection (7) ~~(6)~~. The instructions must

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210 ~~shall~~ contain the supervisor's contact information along with
211 information on how to access the system and the information the
212 voter will need to provide to obtain information on his or her
213 particular ballot. The instructions shall also include the
214 following statement: "If this is a primary election, you should
215 contact the supervisor of elections' office immediately to
216 confirm that you are registered and can vote in the general
217 election."

218 (6) (a) As soon as practicable, the supervisor shall, on
219 behalf of the county canvassing board, attempt to notify an
220 elector who has submitted a provisional ballot that does not
221 include the elector's signature or contains a signature that
222 does not match the elector's signature in the registration books
223 or precinct register by:

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

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

230 3. Notifying the elector of the signature deficiency by
231 telephone and directing the elector to the cure affidavit and
232 instructions on the supervisor's website.
233

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234 In addition to the notification required in subparagraph 1.,
235 subparagraph 2., or subparagraph 3., the supervisor must notify
236 the elector of the signature deficiency by first-class mail and
237 direct the elector to the cure affidavit and instructions on the
238 supervisor's website. Beginning the day before the election, the
239 supervisor is not required to provide notice of the signature
240 deficiency by first-class mail, but shall continue to provide
241 notice as required in subparagraph 1., subparagraph 2., or
242 subparagraph 3.

243 (b) Until 5 p.m. on the 2nd day after an election, the
244 supervisor shall allow an elector who has submitted a
245 provisional ballot with a signature deficiency to complete and
246 submit a cure affidavit.

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

249
250 PROVISIONAL BALLOT CURE AFFIDAVIT

251 I,, am a qualified voter in this election and a
252 registered voter of County, Florida. I do solemnly swear or
253 affirm that I voted a provisional ballot and that I have not and
254 will not vote more than one ballot in this election. I
255 understand that if I commit or attempt any fraud in connection
256 with voting, vote a fraudulent ballot, or vote more than once in
257 an election, I may be convicted of a felony of the third degree,
258 fined up to \$5,000, and imprisoned for up to 5 years. I

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259 understand that my failure to sign this affidavit will
260 invalidate my ballot.

261
262 ...(Voter's Signature)...

263
264 ...(Address)...

265
266 (d) Instructions must accompany the cure affidavit in
267 substantially the following form:

268
269 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE
270 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR
271 BALLOT NOT TO COUNT.

272
273 1. In order to cure the missing signature or the signature
274 discrepancy on your Provisional Ballot Voter's Certificate and
275 Affirmation, your affidavit should be completed and returned as
276 soon as possible so that it can reach the supervisor of
277 elections of the county in which your precinct is located no
278 later than 5 p.m. on the 2nd day after the election.

279 2. You must sign your name on the line above (Voter's
280 Signature).

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

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

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

300 4. Place the envelope bearing the affidavit into a mailing
301 envelope addressed to the supervisor. Insert a copy of your
302 identification in the mailing envelope. Mail (if time permits),
303 deliver, or have delivered the completed affidavit along with
304 the copy of your identification to your county supervisor of
305 elections. Be sure there is sufficient postage if mailed and
306 that the supervisor's address is correct. Remember, your
307 information MUST reach your county supervisor of elections no

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308 later than 5 p.m. on the 2nd day following the election or your
309 ballot will not count.

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

314 6. Submitting a provisional ballot affidavit does not
315 establish your eligibility to vote in this election or guarantee
316 that your ballot will be counted. The county canvassing board
317 determines your eligibility to vote through information provided
318 on the Provisional Ballot Voter's Certificate and Affirmation,
319 written evidence provided by you, including information in your
320 cure affidavit along with any supporting identification, and any
321 other evidence presented by the supervisor of elections or a
322 challenger. You may still be required to present additional
323 written evidence to support your eligibility to vote.

324 (e) The department and each supervisor shall include the
325 affidavit and instructions on their respective websites. The
326 supervisor shall include his or her office mailing address, e-
327 mail address, and fax number on the page containing the
328 affidavit instructions, and the department's instruction page
329 shall include the office mailing addresses, e-mail addresses,
330 and fax numbers of all supervisors or provide a conspicuous link
331 to such addresses.

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332 (f) The supervisor shall attach each affidavit received to
333 the appropriate provisional ballot envelope containing the
334 Provisional Ballot Voter's Certificate and Affirmation.

335 (7) (a) ~~(6)~~ Each supervisor of elections shall establish a
336 free access system that allows each person who casts a
337 provisional ballot to determine whether his or her provisional
338 ballot was counted in the final canvass of votes and, if not,
339 the reasons why. Information regarding provisional ballots shall
340 be available no later than 30 days following the election. The
341 system established must restrict information regarding an
342 individual ballot to the person who cast the ballot.

343 (b) Unless processed as a signature update pursuant to
344 subsection (2), the supervisor shall mail a voter registration
345 application to the elector to be completed indicating the
346 elector's current signature if the signature on the voter's
347 certificate or cure affidavit did not match the elector's
348 signature in the registration books or precinct register.

349 Section 10. Paragraph (b) of subsection (1) and subsection
350 (9) of section 101.151, Florida Statutes, are amended to read:

351 101.151 Specifications for ballots.—

352 (1)

353 (b) Polling places and early voting sites may employ a
354 ballot-on-demand production system to print individual marksense
355 ballots, including provisional ballots, for eligible electors

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356 ~~pursuant to s. 101.657.~~ Ballot-on-demand technology may be used
357 to produce marksense vote-by-mail and election-day ballots.

358 (9) (a) The Department of State shall adopt rules
359 prescribing a uniform primary and general election ballot for
360 each certified voting system. The rules shall incorporate the
361 requirements set forth in this section and shall prescribe
362 additional matters and forms that include, without limitation:

363 1. The ballot title followed by clear and unambiguous
364 ballot instructions and directions limited to a single location
365 on the ballot, either:

366 a. Centered across the top of the ballot; or

367 b. In the leftmost column, with no individual races in
368 that column unless it is the only column on the ballot;

369 2. Individual race layout; ~~and~~

370 3. Overall ballot layout; ~~and.~~

371 4. Oval vote targets as the only permissible type of vote
372 target, except as provided in s. 101.56075.

373 (b) The ~~department~~ rules must ~~shall~~ graphically depict a
374 sample uniform primary and general election ballot form for each
375 certified voting system.

376 Section 11. Subsection (2) of section 101.20, Florida
377 Statutes, is amended to read:

378 101.20 Publication of ballot form; sample ballots.—

379 (2) (a) Upon completion of the list of qualified
380 candidates, a sample ballot shall be published by the supervisor

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381 ~~of elections~~ in a newspaper of general circulation in the
382 county, before the day of election.

383 (b) In lieu of the publication required under paragraph
384 (a), a supervisor may send a sample ballot to each registered
385 elector by e-mail at least 7 days before an election if an e-
386 mail address has been provided and the elector has opted to
387 receive a sample ballot by electronic delivery. If an e-mail
388 address has not been provided, or if the elector has not opted
389 for electronic delivery, a sample ballot may be mailed to each
390 registered elector or to each household in which there is a
391 registered elector at least 7 days before an election.

392 Section 12. Effective January 1, 2020, section 101.56075,
393 Florida Statutes, is amended to read:

394 101.56075 Voting methods.—For the purpose of designating
395 ballot selections

396 ~~(1) Except as provided in subsection (2), all voting must~~
397 ~~shall be by marksense ballot, using utilizing a marking device~~
398 ~~or a voter interface device that produces a voter-verifiable~~
399 ~~paper output and for the purpose of designating ballot~~
400 ~~selections.~~

401 ~~(2) Persons with disabilities may vote on a voter~~
402 ~~interface device that meets the voting system accessibility~~
403 ~~requirements for individuals with disabilities pursuant to s.~~
404 ~~301 of the federal Help America Vote Act of 2002 and s.~~
405 ~~101.56062.~~

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406 ~~(3) By 2020, persons with disabilities shall vote on a~~
407 ~~voter interface device that~~ meets the voter accessibility
408 requirements for individuals with disabilities under s. 301 of
409 the federal Help America Vote Act of 2002 and s. 101.56062 ~~which~~
410 ~~are consistent with subsection (1) of this section.~~

411 Section 13. Paragraph (a) of subsection (4) of section
412 101.5614, Florida Statutes, is amended to read:

413 101.5614 Canvass of returns.—

414 (4) (a) If any vote-by-mail ballot is physically damaged so
415 that it cannot properly be counted by the automatic tabulating
416 equipment, a true duplicate copy shall be made of the damaged
417 ballot in the presence of witnesses and substituted for the
418 damaged ballot. Likewise, a duplicate ballot shall be made of a
419 vote-by-mail ballot containing an overvoted race or a marked
420 vote-by-mail ballot in which every race is undervoted which
421 shall include all valid votes as determined by the canvassing
422 board based on rules adopted by the division pursuant to s.
423 102.166(4). Upon request, a physically present candidate,
424 political party official, political committee official, or
425 authorized designee thereof, must be allowed to observe the
426 duplication of ballots. All duplicate ballots shall be clearly
427 labeled "duplicate," bear a serial number which shall be
428 recorded on the defective ballot, and be counted in lieu of the
429 defective ballot. After a ballot has been duplicated, the
430 defective ballot shall be placed in an envelope provided for

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431 that purpose, and the duplicate ballot shall be tallied with the
432 other ballots for that precinct.

433 Section 14. Subsection (2) and paragraphs (b) and (c) of
434 subsection (4) of section 101.62, Florida Statutes, are amended
435 to read:

436 101.62 Request for vote-by-mail ballots.-

437 (2) A request for a vote-by-mail ballot to be mailed to a
438 voter must be received no later than 5 p.m. on the 10th ~~sixth~~
439 day before the election by the supervisor ~~of elections~~. The
440 supervisor ~~of elections~~ shall mail vote-by-mail ballots to
441 voters requesting ballots by such deadline no later than 8 ~~4~~
442 days before the election.

443 (4)

444 (b) The supervisor ~~of elections~~ shall mail a vote-by-mail
445 ballot to each absent qualified voter, other than those listed
446 in paragraph (a), who has requested such a ballot, between the
447 40th ~~35th~~ and 33rd ~~28th~~ days before the presidential preference
448 primary election, primary election, and general election. Except
449 as otherwise provided in subsection (2) and after the period
450 described in this paragraph, the supervisor shall mail vote-by-
451 mail ballots within 2 business days after receiving a request
452 for such a ballot.

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

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

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

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

468 4. By delivery to a designee on election day or up to 9 ~~5~~
469 days prior to the day of an election. Any elector may designate
470 in writing a person to pick up the ballot for the elector;
471 however, the person designated may not pick up more than two
472 vote-by-mail ballots per election, other than the designee's own
473 ballot, except that additional ballots may be picked up for
474 members of the designee's immediate family. For purposes of this
475 section, "immediate family" means the designee's spouse or the
476 parent, child, grandparent, or sibling of the designee or of the
477 designee's spouse. The designee shall provide to the supervisor
478 the written authorization by the elector and a picture
479 identification of the designee and must complete an affidavit.
480 The designee shall state in the affidavit that the designee is

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481 authorized by the elector to pick up that ballot and shall
482 indicate if the elector is a member of the designee's immediate
483 family and, if so, the relationship. The department shall
484 prescribe the form of the affidavit. If the supervisor is
485 satisfied that the designee is authorized to pick up the ballot
486 and that the signature of the elector on the written
487 authorization matches the signature of the elector on file, the
488 supervisor shall give the ballot to that designee for delivery
489 to the elector.

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

499 Section 15. Subsection (1) of section 101.64, Florida
500 Statutes, is amended, and subsection (5) is added to that
501 section, to read:

502 101.64 Delivery of vote-by-mail ballots; envelopes; form.—

503 (1) The supervisor shall enclose with each vote-by-mail
504 ballot two envelopes: a secrecy envelope, into which the absent
505 elector shall enclose his or her marked ballot; and a mailing

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506 envelope, into which the absent elector shall then place the
507 secrecy envelope, which shall be addressed to the supervisor and
508 also bear on the back side a certificate in substantially the
509 following form:

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

512 VOTER'S CERTIFICATE

513 I,, do solemnly swear or affirm that I am a qualified
514 and registered voter of County, Florida, and that I have
515 not and will not vote more than one ballot in this election. I
516 understand that if I commit or attempt to commit any fraud in
517 connection with voting, vote a fraudulent ballot, or vote more
518 than once in an election, I can be convicted of a felony of the
519 third degree and fined up to \$5,000 and/or imprisoned for up to
520 5 years. I also understand that failure to sign this certificate
521 will invalidate my ballot.

522 ... (Date) ... (Voter's Signature) ...
523 ... (E-Mail Address) (Home Telephone Number) ...
524 ... (Mobile Telephone Number) ...

525 (5) The secrecy envelope must include, in bold font,
526 substantially the following message:

527
528 IN ORDER FOR YOUR VOTE-BY-MAIL BALLOT TO COUNT, YOUR SUPERVISOR
529 OF ELECTIONS MUST RECEIVE YOUR BALLOT BY 7 P.M. ON ELECTION DAY.
530 IF YOU WAIT TO MAIL YOUR BALLOT YOUR VOTE MIGHT NOT COUNT. TO

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531 PREVENT THIS FROM OCCURRING, PLEASE MAIL OR TURN IN YOUR BALLOT
532 AS SOON AS POSSIBLE.

533 Section 16. Section 101.65, Florida Statutes, is amended
534 to read:

535 101.65 Instructions to absent electors.—The supervisor
536 shall enclose with each vote-by-mail ballot separate printed
537 instructions in substantially the following form; however, where
538 the instructions appear in capitalized text, the text of the
539 printed instructions must be in bold font:

540 READ THESE INSTRUCTIONS CAREFULLY
541 BEFORE MARKING BALLOT.

542 1. VERY IMPORTANT. In order to ensure that your vote-by-
543 mail ballot will be counted, it should be completed and returned
544 as soon as possible so that it can reach the supervisor of
545 elections of the county in which your precinct is located no
546 later than 7 p.m. on the day of the election. However, if you
547 are an overseas voter casting a ballot in a presidential
548 preference primary or general election, your vote-by-mail ballot
549 must be postmarked or dated no later than the date of the
550 election and received by the supervisor of elections of the
551 county in which you are registered to vote no later than 10 days
552 after the date of the election. Note that the later you return
553 your ballot, the less time you will have to cure any signature
554 deficiencies, which is authorized until 5 p.m. on the 2nd day
555 after the election.

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

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

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

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

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

569 7. VERY IMPORTANT. In order for your vote-by-mail ballot
570 to be counted, you must sign your name on the line above
571 (Voter's Signature). A vote-by-mail ballot will be considered
572 illegal and not be counted if the signature on the voter's
573 certificate does not match the signature on record. The
574 signature on file at the time the supervisor of elections in the
575 county in which your precinct is located receives your vote-by-
576 mail ballot ~~start of the canvass of the vote-by-mail ballots~~ is
577 the signature that will be used to verify your signature on the
578 voter's certificate. If you need to update your signature for
579 this election, send your signature update on a voter
580 registration application to your supervisor of elections so that

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581 it is received before your vote-by-mail ballot is received ~~no~~
582 ~~later than the start of the canvassing of vote by mail ballots,~~
583 ~~which occurs no earlier than the 15th day before election day.~~

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

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

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

598 Section 17. Paragraph (a) of subsection (1) and subsection
599 (2) of section 101.657, Florida Statutes, are amended to read:

600 101.657 Early voting.—

601 (1) (a) As a convenience to the voter, the supervisor of
602 elections shall allow an elector to vote early in the main or
603 branch office of the supervisor. The supervisor shall mark,
604 code, indicate on, or otherwise track the voter's precinct for
605 each early voted ballot. In order for a branch office to be used

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606 for early voting, it shall be a permanent facility of the
607 supervisor and shall have been designated and used as such for
608 at least 1 year prior to the election. The supervisor may also
609 designate any city hall, permanent public library facility,
610 fairground, civic center, courthouse, county commission
611 building, stadium, convention center, government-owned senior
612 center, or government-owned community center as early voting
613 sites; however, if so designated, the sites must be
614 geographically located so as to provide all voters in the county
615 an equal opportunity to cast a ballot, insofar as is
616 practicable, and must provide sufficient nonpermitted parking to
617 accommodate the anticipated amount of voters. In addition, a
618 supervisor may designate one early voting site per election in
619 an area of the county that does not have any of the eligible
620 early voting locations. Such additional early voting site must
621 be geographically located so as to provide all voters in that
622 area with an equal opportunity to cast a ballot, insofar as is
623 practicable, and must provide sufficient nonpermitted parking to
624 accommodate the anticipated amount of voters. Each county shall,
625 at a minimum, operate the same total number of early voting
626 sites for a general election which the county operated for the
627 2012 general election. The results or tabulation of votes cast
628 during early voting may not be made before the close of the
629 polls on election day. Results shall be reported by precinct.

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630 (2) During any early voting period, each supervisor ~~of~~
631 ~~elections~~ shall make available the total number of voters
632 casting a ballot at each early voting location and the total
633 number of vote-by-mail ballots received under s. 101.69(2)
634 during the previous day. Each supervisor shall prepare an
635 electronic data file listing the individual voters who cast a
636 ballot during the early voting period. This information shall be
637 provided in electronic format as provided by rule adopted by the
638 division. The information shall be updated and made available no
639 later than noon of each day and shall be contemporaneously
640 provided to the division.

641 Section 18. Paragraphs (a) and (c) of subsection (2) and
642 subsection (4) of section 101.68, Florida Statutes, are amended
643 to read:

644 101.68 Canvassing of vote-by-mail ballot.—

645 (2) (a) The county canvassing board may begin the
646 canvassing of vote-by-mail ballots at 7 a.m. on the 22nd ~~15th~~
647 day before the election, but not later than noon on the day
648 following the election. In addition, for any county using
649 electronic tabulating equipment, the processing of vote-by-mail
650 ballots through such tabulating equipment may begin at 7 a.m. on
651 the 22nd ~~15th~~ day before the election. However, notwithstanding
652 any such authorization to begin canvassing or otherwise
653 processing vote-by-mail ballots early, no result shall be
654 released until after the closing of the polls in that county on

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655 election day. Any supervisor ~~of elections~~, deputy supervisor ~~of~~
656 ~~elections~~, canvassing board member, election board member, or
657 election employee who releases the results of a canvassing or
658 processing of vote-by-mail ballots prior to the closing of the
659 polls in that county on election day commits a felony of the
660 third degree, punishable as provided in s. 775.082, s. 775.083,
661 or s. 775.084.

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

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

675 b. The cure affidavit contains a signature that does not
676 match the elector's signature in the registration books or
677 precinct register, but the elector has submitted a current and
678 valid Tier 1 identification pursuant to subsection (4) which
679 confirms the identity of the elector.

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680
681 For purposes of this subparagraph, any canvassing board finding
682 that an elector's signatures do not match must be by majority
683 vote and beyond a reasonable doubt.

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

690 3. A vote-by-mail ballot is not considered illegal if the
691 signature of the elector does not cross the seal of the mailing
692 envelope.

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

703 5. If the canvassing board determines that a ballot is
704 illegal, a member of the board must, without opening the

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705 envelope, mark across the face of the envelope: "rejected as
706 illegal." The cure affidavit, if applicable, the envelope, and
707 the ballot therein shall be preserved in the manner that
708 official ballots are preserved.

709 (4) (a) As soon as practicable, the supervisor shall, on
710 behalf of the county canvassing board, attempt to ~~immediately~~
711 notify an elector who has returned a vote-by-mail ballot that
712 does not include the elector's signature or contains a signature
713 that does not match the elector's signature in the registration
714 books or precinct register by:-

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

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

721 3. Notifying the elector of the signature deficiency by
722 telephone and directing the elector to the cure affidavit and
723 instructions on the supervisor's website.

724
725 In addition to the notification required in subparagraph 1.,
726 subparagraph 2., or subparagraph 3., the supervisor must notify
727 the elector of the signature deficiency by first-class mail and
728 direct the elector to the cure affidavit and instructions on the
729 supervisor's website. Beginning the day before the election, the

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730 supervisor is not required to provide notice of the signature
731 deficiency by first-class mail, but shall continue to provide
732 notice as required in subparagraph 1., subparagraph 2., or
733 subparagraph 3.

734 (b) The supervisor shall allow such an elector to complete
735 and submit an affidavit in order to cure the vote-by-mail ballot
736 until 5 p.m. on the 2nd day after ~~before~~ the election.

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

VOTE-BY-MAIL BALLOT CURE AFFIDAVIT

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

750 ... (Voter's Signature) ...

751 ... (Address) ...

752 (d) ~~(e)~~ Instructions must accompany the cure affidavit in
753 substantially the following form:

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

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

762 2. You must sign your name on the line above (Voter's
763 Signature).

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

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

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

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

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

797 (e) ~~(d)~~ The department and each supervisor shall include
798 the affidavit and instructions on their respective websites. The
799 supervisor must include his or her office's mailing address, e-
800 mail address, and fax number on the page containing the
801 affidavit instructions, and ~~the~~ department's instruction page
802 must include the office mailing addresses, e-mail addresses, and

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803 fax numbers of all supervisors of elections or provide a
804 conspicuous link to such addresses.

805 ~~(f)-(e)~~ The supervisor shall attach each affidavit received
806 to the appropriate vote-by-mail ballot mailing envelope.

807 (g)-(f) If a vote-by-mail ballot is validated following the
808 submission of a cure affidavit, the supervisor shall make a copy
809 of the affidavit, affix it to a voter registration application,
810 and immediately process it as a valid request for a signature
811 update pursuant to s. 98.077.

812 (h) After all election results on the ballot have been
813 certified, the supervisor shall, on behalf of the county
814 canvassing board, notify each elector whose ballot has been
815 rejected as illegal and provide the specific reason the ballot
816 was rejected. In addition, unless processed as a signature
817 update pursuant to paragraph (g), the supervisor shall mail a
818 voter registration application to the elector to be completed
819 indicating the elector's current signature if the signature on
820 the voter's certificate or cure affidavit did not match the
821 elector's signature in the registration books or precinct
822 register. This section does not prohibit the supervisor from
823 providing additional methods for updating an elector's
824 signature.

825 Section 19. Section 101.69, Florida Statutes, is amended
826 to read:

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827 | 101.69 Voting in person; return of vote-by-mail ballot.-

828 | (1) The provisions of this code shall not be construed to
829 | prohibit any elector from voting in person at the elector's
830 | precinct on the day of an election or at an early voting site,
831 | notwithstanding that the elector has requested a vote-by-mail
832 | ballot for that election. An elector who has returned a voted
833 | vote-by-mail ballot to the supervisor, however, is deemed to
834 | have cast his or her ballot and is not entitled to vote another
835 | ballot or to have a provisional ballot counted by the county
836 | canvassing board. An elector who has received a vote-by-mail
837 | ballot and has not returned the voted ballot to the supervisor,
838 | but desires to vote in person, shall return the ballot, whether
839 | voted or not, to the election board in the elector's precinct or
840 | to an early voting site. The returned ballot shall be marked
841 | "canceled" by the board and placed with other canceled ballots.
842 | However, if the elector does not return the ballot and the
843 | election official:

844 | (a)~~(1)~~ Confirms that the supervisor has received the
845 | elector's vote-by-mail ballot, the elector shall not be allowed
846 | to vote in person. If the elector maintains that he or she has
847 | not returned the vote-by-mail ballot or remains eligible to
848 | vote, the elector shall be provided a provisional ballot as
849 | provided in s. 101.048.

850 | (b)~~(2)~~ Confirms that the supervisor has not received the
851 | elector's vote-by-mail ballot, the elector shall be allowed to

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852 | vote in person as provided in this code. The elector's vote-by-
853 | mail ballot, if subsequently received, shall not be counted and
854 | shall remain in the mailing envelope, and the envelope shall be
855 | marked "Rejected as Illegal."

856 | ~~(c)(3)~~ Cannot determine whether the supervisor has
857 | received the elector's vote-by-mail ballot, the elector may vote
858 | a provisional ballot as provided in s. 101.048.

859 | (2) The supervisor shall allow an elector who has received
860 | a vote-by-mail ballot to physically return a voted vote-by-mail
861 | ballot to the supervisor by placing the envelope containing his
862 | or her marked ballot in a secure drop box. Secure drop boxes
863 | shall only be placed at the main office of the supervisor, at
864 | each branch office of the supervisor, and at each early voting
865 | site.

866 | Section 20. Subsection (2) of section 101.6923, Florida
867 | Statutes, is amended to read:

868 | 101.6923 Special vote-by-mail ballot instructions for
869 | certain first-time voters.-

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

873 | READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.

874 | FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT
875 | TO COUNT.

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876 1. In order to ensure that your vote-by-mail ballot will
877 be counted, it should be completed and returned as soon as
878 possible so that it can reach the supervisor of elections of the
879 county in which your precinct is located no later than 7 p.m. on
880 the date of the election. However, if you are an overseas voter
881 casting a ballot in a presidential preference primary or general
882 election, your vote-by-mail ballot must be postmarked or dated
883 no later than the date of the election and received by the
884 supervisor of elections of the county in which you are
885 registered to vote no later than 10 days after the date of the
886 election.

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

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

894 4. Place your marked ballot in the enclosed secrecy
895 envelope and seal the envelope.

896 5. Insert the secrecy envelope into the enclosed envelope
897 bearing the Voter's Certificate. Seal the envelope and
898 completely fill out the Voter's Certificate on the back of the
899 envelope.

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

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

905 c. A vote-by-mail ballot will be considered illegal and
906 will not be counted if the signature on the Voter's Certificate
907 does not match the signature on record. The signature on file at
908 the start of the canvass of the vote-by-mail ballots is the
909 signature that will be used to verify your signature on the
910 Voter's Certificate. If you need to update your signature for
911 this election, send your signature update on a voter
912 registration application to your supervisor of elections so that
913 it is received before your vote-by-mail ballot is received ~~no~~
914 ~~later than the start of canvassing of vote-by-mail ballots,~~
915 ~~which occurs no earlier than the 15th day before election day.~~

916 6. Unless you meet one of the exemptions in Item 7., you
917 must make a copy of one of the following forms of
918 identification:

919 a. Identification which must include your name and
920 photograph: United States passport; debit or credit card;
921 military identification; student identification; retirement
922 center identification; neighborhood association identification;
923 public assistance identification; veteran health identification
924 card issued by the United States Department of Veterans Affairs;

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925 a Florida license to carry a concealed weapon or firearm; or an
926 employee identification card issued by any branch, department,
927 agency, or entity of the Federal Government, the state, a
928 county, or a municipality; or

929 b. Identification which shows your name and current
930 residence address: current utility bill, bank statement,
931 government check, paycheck, or government document (excluding
932 voter information ~~identification~~ card).

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

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

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

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

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

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

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

948 8. Place the envelope bearing the Voter's Certificate into
949 the mailing envelope addressed to the supervisor. Insert a copy

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950 of your identification in the mailing envelope. DO NOT PUT YOUR
951 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR
952 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR
953 BALLOT WILL NOT COUNT.

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

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

961 Section 21. Paragraphs (a) and (c) of subsection (4) and
962 subsection (5) of section 102.031, Florida Statutes, are
963 amended, and paragraph (e) is added to subsection (4) of that
964 section to read:

965 102.031 Maintenance of good order at polls; authorities;
966 persons allowed in polling rooms and early voting areas;
967 unlawful solicitation of voters.—

968 (4) (a) No person, political committee, or other group or
969 organization may solicit voters inside the polling place or
970 within 150 ~~100~~ feet of the entrance to any polling place, a
971 polling room where the polling place is also a polling room, an
972 early voting site, or an office of the supervisor ~~of elections~~
973 where vote-by-mail ballots are requested and printed on demand
974 for the convenience of electors who appear in person to request

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975 them. Before the opening of the polling place or early voting
976 site, the clerk or supervisor shall designate the no-
977 solicitation zone and mark the boundaries.

978 (c) Each supervisor of elections shall inform the clerk of
979 the area within which soliciting is unlawful, based on the
980 particular characteristics of that polling place. The supervisor
981 or the clerk may take any reasonable action necessary to ensure
982 order at the polling places, including, but not limited to,
983 having disruptive and unruly persons removed by law enforcement
984 officers from the polling room or place or from the 150-foot
985 ~~100-foot~~ zone surrounding the polling place.

986 (e) The owner, operator, or lessee of the property on
987 which a polling place or early voting site is located, or an
988 agent or employee thereof, may not prohibit the solicitation of
989 voters outside of the no-solicitation zone during polling hours.

990 (5) No photography is permitted in the polling room or
991 early voting area, except an elector may photograph his or her
992 own ballot.

993 Section 22. Subsections (9) and (10) of section 102.141,
994 Florida Statutes, are renumbered as subsections (10) and (11),
995 respectively, subsection (2) is amended, and a new subsection
996 (9) is added to that section, to read:

997 102.141 County canvassing board; duties.—

998 (2) (a) The county canvassing board shall meet in a
999 building accessible to the public in the county where the

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1000 election occurred at a time and place to be designated by the
1001 supervisor ~~of elections~~ to publicly canvass the absent electors'
1002 ballots as provided for in s. 101.68 and provisional ballots as
1003 provided by ss. 101.048, 101.049, and 101.6925. Provisional
1004 ballots cast pursuant to s. 101.049 shall be canvassed in a
1005 manner that votes for candidates and issues on those ballots can
1006 be segregated from other votes. ~~Public notice of the time and~~
1007 ~~place at which the county canvassing board shall meet to canvass~~
1008 ~~the absent electors' ballots and provisional ballots shall be~~
1009 ~~given at least 48 hours prior thereto by publication on the~~
1010 ~~supervisor of elections' website and once in one or more~~
1011 ~~newspapers of general circulation in the county or, if there is~~
1012 ~~no newspaper of general circulation in the county, by posting~~
1013 ~~such notice in at least four conspicuous places in the county.~~
1014 As soon as the absent electors' ballots and the provisional
1015 ballots are canvassed, the board shall proceed to publicly
1016 canvass the vote given each candidate, nominee, constitutional
1017 amendment, or other measure submitted to the electorate of the
1018 county, as shown by the returns then on file in the office of
1019 the supervisor ~~of elections~~.

1020 (b) Public notice of the time and place at which the
1021 county canvassing board shall meet to canvass the absent
1022 electors' ballots and provisional ballots must be given at least
1023 48 hours prior thereto by publication on the supervisor's
1024 website and published in one or more newspapers of general

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1025 circulation in the county or, if there is no newspaper of
1026 general circulation in the county, by posting such notice in at
1027 least four conspicuous places in the county. The time given in
1028 the notice as to the convening of the meeting of the county
1029 canvassing board must be specific and may not be a time period
1030 during which the board may meet.

1031 (c) If the county canvassing board suspends or recesses a
1032 meeting publicly noticed pursuant to paragraph (b) for a period
1033 lasting in excess of 60 minutes, the board must post on the
1034 supervisor's website the anticipated time that the board expects
1035 to reconvene. If the county canvassing board does not reconvene
1036 at the specified time, the board must provide at least 2 hours'
1037 notice, which must be posted on the supervisor's website, before
1038 reconvening.

1039 (d) During any meeting of the county canvassing board, a
1040 physical notice must be placed in a conspicuous area near the
1041 public entrance to the building in which the meeting is taking
1042 place. The physical notice must include the names of the
1043 individuals officially serving as the county canvassing board,
1044 the names of any alternate members, the time of the meeting, and
1045 a brief statement as to the anticipated activities of the county
1046 canvassing board.

1047 (9) Each member, substitute member, and alternate member
1048 of the county canvassing board and all clerical help must wear
1049 identification badges during any period in which the county

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1050 canvassing board is canvassing votes or engaging in other
1051 official duties. The identification badges should be worn in a
1052 conspicuous, unobstructed area and include the name of the
1053 individual and his or her official position.

1054 Section 23. Subsection (2) and paragraph (b) of subsection
1055 (4) of section 102.166, Florida Statutes, are amended to read:

1056 102.166 Manual recounts of overvotes and undervotes.—

1057 (2)(a) Any hardware or software used to identify and sort
1058 overvotes and undervotes for a given race or ballot measure must
1059 be certified by the Department of State as part of the voting
1060 system pursuant to s. 101.015. Any such hardware or software
1061 must be capable of simultaneously identifying and sorting
1062 overvotes and undervotes in multiple races while simultaneously
1063 counting votes.

1064 ~~(b) Overvotes and undervotes shall be identified and~~
1065 ~~sorted while recounting ballots pursuant to s. 102.141, if the~~
1066 ~~hardware or software for this purpose has been certified or the~~
1067 ~~department's rules so provide.~~

1068 (4)

1069 (b) The Department of State shall adopt specific rules for
1070 the federal write-in absentee ballot and for each certified
1071 voting system prescribing what constitutes a "clear indication
1072 on the ballot that the voter has made a definite choice." The
1073 rules shall be consistent, to the extent practicable, and may
1074 not:

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1075 1. Authorize the use of any electronic or
1076 electromechanical reading device to review a hybrid voting
1077 system ballot that is produced using a voter interface device
1078 and that contains both machine-readable fields and machine-
1079 printed text of the contest titles and voter selections, unless
1080 the printed text is illegible;

1081 2. Exclusively provide that the voter must properly mark
1082 or designate his or her choice on the ballot; or

1083 ~~3.2.~~ Contain a catch-all provision that fails to identify
1084 specific standards, such as "any other mark or indication
1085 clearly indicating that the voter has made a definite choice."

1086 Section 24. Subsection (8) of section 102.168, Florida
1087 Statutes, is amended to read:

1088 102.168 Contest of election.—

1089 (8) In any contest that requires a review of the
1090 canvassing board's decision on the legality of a provisional or
1091 vote-by-mail ballot pursuant to s. 101.048 or s. 101.68 based
1092 upon a comparison of the signature of the elector in the
1093 registration records with the signature on the provisional or
1094 vote-by-mail ballot voter's certificate or the provisional or
1095 vote-by-mail ballot cure affidavit and the signature of the
1096 elector in the registration records, the circuit court may not
1097 review or consider any evidence other than the signature of the
1098 elector in the registration records, the signature on the
1099 respective voter's certificate or cure affidavit, and any

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1100 supporting identification that the elector submitted with the
1101 cure affidavit and the signature of the elector in the
1102 ~~registration records~~. The court's review of such issue shall be
1103 to determine only if the canvassing board abused its discretion
1104 in making its decision.

1105 Section 25. Subsection (5) is added to section 104.051,
1106 Florida Statutes, to read:

1107 104.051 Violations; neglect of duty; corrupt practices.-

1108 (5) Any supervisor who willfully violates any provision of
1109 the Florida Election Code is, upon a finding of such a violation
1110 by a court of competent jurisdiction, prohibited from receiving
1111 the special qualification salary pursuant to s. 145.09(3) for a
1112 period of 24 months, dating from the time of the violation.

1113 Section 26. Except as otherwise expressly provided in this
1114 act, this act shall take effect July 1, 2019.

1115
1116 -----

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

1117 Remove everything before the enacting clause and insert:

1118 A bill to be entitled
1119 An act relating to elections; providing a short title;
1120 amending s. 97.012, F.S.; requiring the Secretary of
1121 State to provide signature matching training to
1122 certain persons; amending s. 97.021, F.S.; revising
1123 the definition of the term "voter interface device";
1124

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1125 amending s. 98.077, F.S.; revising deadlines for voter
1126 signature updates for purposes of vote-by-mail and
1127 provisional ballots; providing an exception; amending
1128 s. 98.0981, F.S.; revising the voter threshold
1129 necessary to require the reporting of certain
1130 precinct-level results by ballot; amending s. 99.063,
1131 F.S.; removing a provision requiring certain language
1132 to follow the name of gubernatorial candidates in
1133 specified circumstances; amending s. 100.061, F.S.;
1134 revising the date of the primary election; amending s.
1135 101.015, F.S.; requiring the Department of State to
1136 establish minimum security standards to address chain
1137 of custody of ballots, transport of ballots, and
1138 ballot security; amending s. 101.048, F.S.; requiring
1139 a county canvassing board to review certain
1140 information; providing requirements for the canvassing
1141 and counting of provisional ballots; requiring the
1142 supervisor of elections to process a valid provisional
1143 ballot cure affidavit as a voter signature update;
1144 revising the form of the Provisional Ballot Voter's
1145 Certificate and Affirmation; providing a process to
1146 cure a provisional ballot with a signature deficiency;
1147 requiring a supervisor to mail a voter registration
1148 application to an elector in certain circumstances;
1149 amending s. 101.151, F.S.; revising requirements for

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1150 department rules governing ballot design; amending s.
1151 101.20, F.S.; authorizing the distribution of sample
1152 ballots by e-mail or mail in lieu of newspaper
1153 publication; amending s. 101.56075, F.S.; providing
1154 that voting must be conducted using a marking device
1155 or voter interface device that produces a voter-
1156 verifiable paper output; amending s. 101.5614, F.S.;
1157 authorizing certain individuals to serve as witnesses
1158 during the vote-by-mail duplicating process; amending
1159 s. 101.62, F.S.; revising the deadlines by which
1160 requests for vote-by-mail ballots must be received and
1161 by which vote-by-mail ballots shall be mailed by the
1162 supervisor; expanding the period during which a
1163 designee may physically collect a vote-by-mail ballot;
1164 amending s. 101.64, F.S.; requiring the secrecy
1165 envelope included with vote-by-mail ballots to include
1166 a specified statement; amending s. 101.65, F.S.;
1167 revising requirements for vote-by-mail ballot
1168 instructions; amending s. 101.657, F.S.; requiring
1169 sufficient nonpermitted parking for voters at certain
1170 early voting locations; requiring a supervisor to
1171 report the total amount of vote-by-mail ballots
1172 received at each early voting location; amending s.
1173 101.68, F.S.; revising the date that canvassing of
1174 vote-by-mail ballots may begin; revising requirements

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1175 related to the canvassing and counting of vote-by-mail
1176 ballots; revising the deadline by which vote-by-mail
1177 ballot cure affidavits must be submitted; requiring
1178 the supervisor to process a valid vote-by-mail ballot
1179 cure affidavit as a voter signature update; amending
1180 s. 101.69, F.S.; requiring a supervisor to provide
1181 secure drop boxes in specified locations for an
1182 elector to place his or her vote-by-mail ballot;
1183 amending s. 101.6923, F.S.; revising vote-by-mail
1184 ballot instructions for certain first-time voters;
1185 amending s. 102.031, F.S.; revising the size of
1186 certain areas in which voter solicitation is
1187 prohibited; prohibiting the owners or operators of a
1188 location on which a polling place or early voting site
1189 is located from restricting solicitation in certain
1190 areas; authorizing an elector to photograph his or her
1191 own ballot; amending s. 102.141, F.S.; providing
1192 notice requirements for meetings of a county
1193 canvassing board; requiring certain individuals to
1194 wear identification badges during certain periods;
1195 amending s. 102.166, F.S.; modifying certification
1196 requirements for voting systems to require the
1197 functionality to simultaneously sort and count ballot
1198 overvotes and undervotes; revising requirements for
1199 Department of State rules regarding manual recounts of

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1200 | certain ballots; amending s. 102.168, F.S.; modifying
1201 | provisions governing election contests to authorize
1202 | judicial review of additional information related to
1203 | determining validity of provisional and vote-by-mail
1204 | ballot signatures to conform to changes made by the
1205 | act; amending s. 104.051, F.S.; providing a penalty
1206 | for certain supervisors who willfully violate the
1207 | Florida Election Code; providing effective dates.

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