

By Senator Posey

24-1632-07

1 A bill to be entitled
2 An act relating to elections; creating s.
3 98.0551, F.S.; describing the types of list
4 maintenance forms and the content and
5 consequences of each; amending s. 98.065, F.S.;
6 revising procedures for supervisors of
7 elections in cases in which a voter has changed
8 his or her address; amending s. 98.075, F.S.;
9 providing for removal of a voter's name from
10 the voter registration file when the supervisor
11 is presented with a certified copy of the
12 voter's death certificate or has personal
13 knowledge of the voter's death; amending s.
14 99.061, F.S.; changing the qualifying period
15 for candidates for state, certain multicounty
16 district, and county offices; amending s.
17 99.063, F.S.; changing the time by which a
18 candidate for Governor must designate a running
19 mate; amending s. 100.061, F.S.; changing the
20 time at which primary elections must be held;
21 amending s. 100.191, F.S.; requiring that
22 special elections be canvassed at the same time
23 as are general elections; amending s. 101.045,
24 F.S.; prescribing conditions under which a
25 request for an absentee ballot may constitute
26 notification of a voter's change of address;
27 providing duties of the supervisor in that
28 circumstance; amending s. 101.048, F.S.;
29 changing the time by which a voter who has cast
30 a provisional ballot must submit evidence
31 supporting his or her eligibility to vote;

1 | amending s. 101.051, F.S.; prescribing a limit
2 | on the number of electors to whom a person may
3 | provide assistance during any election;
4 | amending s. 101.56062, F.S.; prescribing an
5 | additional requirement for audio ballots;
6 | amending s. 101.62, F.S.; prescribing those
7 | elections to which a request for an absentee
8 | ballot applies; revising the time for mailing
9 | an absentee ballot for the general election to
10 | overseas electors; changing the time for
11 | personal delivery of an absentee ballot to a
12 | designee; amending s. 101.657, F.S.;
13 | authorizing supervisors to designate
14 | alternative early voting sites; requiring that
15 | notice of such designation be given to the
16 | Department of State and providing powers and
17 | duties of the department; providing that
18 | counties may choose not to participate in early
19 | voting in elections called by the board of
20 | county commissioners; amending s. 101.68, F.S.;
21 | changing the time for canvassing absentee
22 | ballots; amending s. 102.014, F.S.; revising
23 | standards for the poll worker training program;
24 | requiring that the supervisor's certification
25 | of whether poll workers have completed the
26 | training program must state whether the
27 | completion was before the poll worker worked
28 | during the election cycle; amending s. 102.112,
29 | F.S.; requiring that a county canvassing board
30 | must compare, not reconcile, the number of
31 | persons who voted with the number of ballots

1 counted; changing the time by which returns
2 must be filed; amending s. 102.141, F.S.;
3 changing the time for a canvassing board to
4 file returns with the Department of State;
5 repealing s. 104.29, F.S., relating to a
6 prohibition against inspectors refusing to
7 allow watchers while ballots are being counted;
8 amending s. 106.143, F.S.; authorizing the
9 abbreviation of the phrase "Political
10 advertisement paid" as "Pol. Adv. Pd.";
11 providing effective dates.

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

Section 1. Section 98.0551, Florida Statutes, is created to read:

98.0551 Registration list maintenance forms.--The department shall prescribe registration list maintenance forms to be used by the supervisors, which must include:

(1) An address confirmation request that must contain:

(a) The voter's name and address of legal residence as shown on the voter registration record.

(b) A request that the supervisor be informed if either the name or address of legal residence of the voter is incorrect.

(2) An address change notice, which must be sent by forwardable mail and must include a postage prepaid, preaddressed return form with which the voter may verify or correct his or her address information.

1 (3) An address confirmation final notice, which must
2 be sent by forwardable mail and must contain a postage
3 prepaid, preaddressed return form and a statement that:

4 (a) If the voter has not changed his or her address of
5 legal residence or has changed his or her address of legal
6 residence within the state, the voter should return the return
7 form within 30 days after the date of the notice.

8 (b) If the return form is not returned and the voter
9 does not offer to vote by the second general election
10 thereafter, the voter's name will be removed from the voter
11 registration books.

12 (c) If the voter has changed his or her address of
13 legal residence to a location outside the state:

14 1. The voter should return the return form, which will
15 serve as a request to be removed from the registration books;
16 and

17 2. The voter will be provided with information on how
18 to register in the new jurisdiction in order to be eligible to
19 vote.

20 Section 2. Subsection (4) of section 98.065, Florida
21 Statutes, is amended to read:

22 98.065 Registration list maintenance programs.--

23 (4)(a) If the supervisor receives change-of-address
24 information pursuant to the activities conducted in subsection
25 (2), from jury notices signed by the voter and returned to the
26 courts, from the Department of Highway Safety and Motor
27 Vehicles, or from other sources, which information indicates
28 that the legal address of a registered voter might have
29 changed within the state, the supervisor must change the
30 registration records to show the new address and must send the
31 voter an address-change notice by forwardable mail, including

1 a postage prepaid, preaddressed return form with which the
2 voter may verify or correct the address information. ~~shall~~
3 ~~send by forwardable return if undeliverable mail an address~~
4 ~~confirmation notice to the address at which the voter was last~~
5 ~~registered. A supervisor may also send an address confirmation~~
6 ~~notice to any voter who the supervisor has reason to believe~~
7 ~~has moved from his or her legal residence.~~

8 (b) If the supervisor of elections receives change of
9 address information pursuant to the activities described in
10 subsection (2) from jury notices signed by the voter and
11 returned to the courts or from other sources, which
12 information indicates that the legal address of a voter might
13 have changed to outside the state, the supervisor shall send
14 an address confirmation final notice and remove the voter from
15 the statewide voter registration system. ~~The address~~
16 ~~confirmation notice shall contain a postage prepaid,~~
17 ~~preaddressed return form on which:~~

18 1. ~~If the voter has changed his or her address of~~
19 ~~legal residence to a location outside the state, the voter~~
20 ~~shall mark that the voter's legal residence has changed to a~~
21 ~~location outside the state. The form shall also include~~
22 ~~information on how to register in the new state in order to be~~
23 ~~eligible to vote. The form must be returned within 30 days~~
24 ~~after the date of the notice. The completed form shall~~
25 ~~constitute a request to be removed from the statewide voter~~
26 ~~registration system.~~

27 2. ~~If the voter has changed his or her address of~~
28 ~~legal residence to a location inside the state, the voter~~
29 ~~shall set forth the updated or corrected address and submit~~
30 ~~the return form within 30 days after the date of the notice.~~
31 ~~The completed form shall constitute a request to update the~~

1 ~~statewide voter registration system with the updated or~~
2 ~~corrected address information.~~

3 ~~3. If the voter has not changed his or her address of~~
4 ~~legal residence as printed on the address confirmation notice,~~
5 ~~the voter shall confirm that his or her address of legal~~
6 ~~residence has not changed and submit the form within 30 days~~
7 ~~after the date of the notice.~~

8 (c) The supervisor must designate as inactive all
9 voters who have been sent an address confirmation final notice
10 and who have not returned the postage prepaid, preaddressed
11 return form within 30 days or for which an address
12 confirmation final notice has been returned as undeliverable.
13 Names on the inactive list may not be used to calculate the
14 number of signatures needed on any petition. A voter on the
15 inactive list may be restored to the active list of voters
16 upon the voter updating his or her registration, requesting an
17 absentee ballot, or appearing to vote. However, if the voter
18 does not update his or her voter registration information,
19 request an absentee ballot, or vote by the second general
20 election after being placed on the inactive list, the voter's
21 name shall be removed from the statewide voter registration
22 system and the voter shall be required to reregister to have
23 his or her name restored to the statewide voter registration
24 system.

25 Section 3. Subsection (3) of section 98.075, Florida
26 Statutes, is amended to read:

27 98.075 Registration records maintenance activities;
28 ineligibility determinations.--

29 (3) DECEASED PERSONS.--The department shall identify
30 those registered voters who are deceased by comparing
31 information on the lists of deceased persons received from the

1 Department of Health as provided in s. 98.093. Upon receipt of
2 such information through the statewide voter registration
3 system, the supervisor shall remove the name of the registered
4 voter. Additionally, if the supervisor is presented with a
5 certified copy of a death certificate issued from a bona fide
6 governmental agency or has personal knowledge of the voter's
7 death, the supervisor shall remove the name of the deceased
8 voter from the voter registration file.

9 Section 4. Subsections (1) and (2) of section 99.061,
10 Florida Statutes, are amended to read:

11 99.061 Method of qualifying for nomination or election
12 to federal, state, county, or district office.--

13 (1) The provisions of any special act to the contrary
14 notwithstanding, each person seeking to qualify for nomination
15 or election to a federal, state, or multicounty district
16 office, other than election to a judicial office as defined in
17 chapter 105 or the office of school board member, shall file
18 his or her qualification papers with, and pay the qualifying
19 fee, which shall consist of the filing fee and election
20 assessment, and party assessment, if any has been levied, to,
21 the Department of State, or qualify by the petition process
22 pursuant to s. 99.095 with the Department of State, at any
23 time after noon of the 1st day for qualifying, which shall be
24 as follows: the 120th day prior to the primary election, but
25 not later than noon of the 116th day prior to the date of the
26 primary election, for persons seeking to qualify for
27 nomination or election to federal office or to the office of
28 the state attorney or the public defender; and noon of the
29 64th ~~50th~~ day prior to the primary election, but not later
30 than noon of the 60th ~~46th~~ day prior to the date of the
31 primary election, for persons seeking to qualify for

1 nomination or election to a state or multicounty district
2 office, other than the office of the state attorney or the
3 public defender.

4 (2) The provisions of any special act to the contrary
5 notwithstanding, each person seeking to qualify for nomination
6 or election to a county office, or district or special
7 district office not covered by subsection (1), shall file his
8 or her qualification papers with, and pay the qualifying fee,
9 which shall consist of the filing fee and election assessment,
10 and party assessment, if any has been levied, to, the
11 supervisor of elections of the county, or shall qualify by the
12 petition process pursuant to s. 99.095 with the supervisor of
13 elections, at any time after noon of the 1st day for
14 qualifying, which shall be the 64th ~~50th~~ day prior to the
15 primary election or special district election, but not later
16 than noon of the 60th ~~46th~~ day prior to the date of the
17 primary election or special district election. However, if a
18 special district election is held at the same time as the
19 general election, qualifying shall be the 64th ~~50th~~ day prior
20 to the primary election, but not later than noon of the 60th
21 ~~46th~~ day prior to the date of the primary election. Within 30
22 days after the closing of qualifying time, the supervisor of
23 elections shall remit to the secretary of the state executive
24 committee of the political party to which the candidate
25 belongs the amount of the filing fee, two-thirds of which
26 shall be used to promote the candidacy of candidates for
27 county offices and the candidacy of members of the
28 Legislature.

29 Section 5. Subsections (1) and (2) of section 99.063,
30 Florida Statutes, are amended to read:

1 99.063 Candidates for Governor and Lieutenant
2 Governor.--

3 (1) No later than 5 p.m. of the 10th ~~9th~~ day following
4 the primary election, each candidate for Governor shall
5 designate a Lieutenant Governor as a running mate. Such
6 designation must be made in writing to the Department of
7 State.

8 (2) No later than 5 p.m. of the 10th ~~9th~~ day following
9 the primary election, each designated candidate for Lieutenant
10 Governor shall file with the Department of State:

11 (a) The candidate's oath required by s. 99.021, which
12 must contain the name of the candidate as it is to appear on
13 the ballot; the office sought; and the signature of the
14 candidate, duly acknowledged.

15 (b) The loyalty oath required by s. 876.05, signed by
16 the candidate and duly acknowledged.

17 (c) If the office sought is partisan, the written
18 statement of political party affiliation required by s.
19 99.021(1)(b).

20 (d) The full and public disclosure of financial
21 interests pursuant to s. 8, Art. II of the State Constitution.
22 A public officer who has filed the full and public disclosure
23 with the Commission on Ethics prior to qualifying for office
24 may file a copy of that disclosure at the time of qualifying.

25 Section 6. Section 100.061, Florida Statutes, is
26 amended to read:

27 100.061 Primary election.--In each year in which a
28 general election is held, a primary election for nomination of
29 candidates of political parties shall be held on the Tuesday
30 10 ~~9~~ weeks prior to the general election. The candidate
31 receiving the highest number of votes cast in each contest in

1 the primary election shall be declared nominated for such
2 office. If two or more candidates receive an equal and highest
3 number of votes for the same office, such candidates shall
4 draw lots to determine which candidate is nominated.

5 Section 7. Section 100.191, Florida Statutes, is
6 amended to read:

7 100.191 General election laws applicable to special
8 elections; returns.--All laws that are applicable to general
9 elections are applicable to special elections or special
10 primary elections to fill a vacancy in office or nomination,
11 ~~except that the canvass of returns by the county canvassing~~
12 ~~board of each county in which a special election is held shall~~
13 ~~be made on the day following the election, and the certificate~~
14 ~~of the result of the canvass shall be immediately forwarded to~~
15 ~~the Department of State.~~ The Elections Canvassing Commission
16 shall immediately, upon receipt of returns from the county in
17 which a special election is held, proceed to canvass the
18 returns and determine and declare the result thereof.

19 Section 8. Section 101.045, Florida Statutes, is
20 amended to read:

21 101.045 Electors must be registered in precinct;
22 provisions for residence or name change.--

23 (1) No person shall be permitted to vote in any
24 election precinct or district other than the one in which the
25 person has his or her legal residence and in which the person
26 is registered. However, a person temporarily residing outside
27 the county shall be registered in the precinct in which the
28 main office of the supervisor, as designated by the
29 supervisor, is located when the person has no permanent
30 address in the county and it is the person's intention to
31 remain a resident of Florida and of the county in which he or

1 she is registered to vote. Such persons who are registered in
2 the precinct in which the main office of the supervisor, as
3 designated by the supervisor, is located and who are residing
4 outside the county with no permanent address in the county
5 shall not be registered electors of a municipality and
6 therefore shall not be permitted to vote in any municipal
7 election.

8 (2)(a) An elector who moves from the precinct in which
9 the elector is registered may be permitted to vote in the
10 precinct to which he or she has moved his or her legal
11 residence, provided such elector completes an affirmation in
12 substantially the following form:

13
14 Change of Legal Residence of Registered
15 Voter
16

17 Under penalties for false swearing, I, ...(Name of voter)...,
18 swear (or affirm) that the former address of my legal
19 residence was ...(Address of legal residence)... in the
20 municipality of, in County, Florida, and I was
21 registered to vote in the precinct of County,
22 Florida; that I have not voted in the precinct of my former
23 registration in this election; that I now reside at
24 ...(Address of legal residence)... in the Municipality of
25, in County, Florida, and am therefore eligible to
26 vote in the precinct of County, Florida; and I
27 further swear (or affirm) that I am otherwise legally
28 registered and entitled to vote.

29
30 ...(Signature of voter whose address of legal residence has
31 changed)...

1
2 **(b)** A request for an absentee ballot pursuant to s.
3 101.62 which indicates that the elector has had a change of
4 legal residence from that reflected in the supervisor's record
5 is sufficient notice to the supervisor of a change of the
6 voter's legal residence. Upon receipt of such request for an
7 absentee ballot from an elector who has changed his or her
8 legal residence, the supervisor shall provide the elector with
9 the proper ballot for the precinct in which the elector has
10 established his or her legal residence.

11 ~~(c)~~~~(b)~~ An elector whose name changes because of
12 marriage or other legal process may be permitted to vote,
13 provided such elector completes an affirmation in
14 substantially the following form:

15
16 Change of Name of Registered
17 Voter
18

19 Under penalties for false swearing, I, ...(New name of
20 voter)..., swear (or affirm) that my name has been changed
21 because of marriage or other legal process. My former name and
22 address of legal residence appear on the registration records
23 of precinct as follows:

24 Name.....
25 Address.....
26 Municipality.....
27 County.....
28 Florida, Zip.....
29 My present name and address of legal residence are as follows:
30 Name.....
31 Address.....

1 Municipality.....
2 County.....
3 Florida, Zip.....

4 and I further swear (or affirm) that I am otherwise legally
5 registered and entitled to vote.

6
7 ...(Signature of voter whose name has changed)...

8
9 (d)~~(e)~~ Such affirmation, when completed and presented
10 at the precinct in which such elector is entitled to vote, and
11 upon verification of the elector's registration, shall entitle
12 such elector to vote as provided in this subsection. If the
13 elector's eligibility to vote cannot be determined, he or she
14 shall be entitled to vote a provisional ballot, subject to the
15 requirements and procedures in s. 101.048. Upon receipt of an
16 affirmation certifying a change in address of legal residence
17 or name, the supervisor shall as soon as practicable make the
18 necessary changes in the statewide voter registration system
19 to indicate the change in address of legal residence or name
20 of such elector.

21 (e)~~(d)~~ Instead of the affirmation contained in
22 paragraph (a) or paragraph (c)~~(b)~~, an elector may complete a
23 voter registration application that indicates the change of
24 name or change of address of legal residence.

25 Section 9. Subsection (1) of section 101.048, Florida
26 Statutes, is amended to read:

27 101.048 Provisional ballots.--

28 (1) At all elections, a voter claiming to be properly
29 registered in the state and eligible to vote at the precinct
30 in the election but whose eligibility cannot be determined, a
31 person whom an election official asserts is not eligible, and

1 other persons specified in the code shall be entitled to vote
2 a provisional ballot. Once voted, the provisional ballot shall
3 be placed in a secrecy envelope and thereafter sealed in a
4 provisional ballot envelope. The provisional ballot shall be
5 deposited in a ballot box. All provisional ballots shall
6 remain sealed in their envelopes for return to the supervisor
7 of elections. The department shall prescribe the form of the
8 provisional ballot envelope. A person casting a provisional
9 ballot shall have the right to present written evidence
10 supporting his or her eligibility to vote to the supervisor of
11 elections by not later than 5 p.m. on the second ~~third~~ day
12 following the election.

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

15 101.051 Electors seeking assistance in casting
16 ballots; oath to be executed; forms to be furnished.--

17 (2) It is unlawful for any person to be in the voting
18 booth with any elector except as provided in subsection (1). A
19 person at a polling place or early voting site, or within 100
20 feet of the entrance of a polling place or early voting site,
21 may not solicit any elector in an effort to provide assistance
22 to vote pursuant to subsection (1). A person may not provide
23 assistance to more than two electors during any election. Any
24 person who violates this subsection commits a misdemeanor of
25 the first degree, punishable as provided in s. 775.082 or s.
26 775.083.

27 Section 11. Effective January 1, 2010, paragraph (n)
28 of subsection (1) of section 101.56062, Florida Statutes, is
29 amended to read:

30 101.56062 Standards for accessible voting systems.--
31

1 (1) Notwithstanding anything in this chapter to the
2 contrary, each voting system certified by the Department of
3 State for use in local, state, and federal elections must
4 include the capability to install accessible voter interface
5 devices in the system configuration which will allow the
6 system to meet the following minimum standards:

7 (n) Any audio ballot must provide the voter with the
8 following functionalities:

9 1. After the initial instructions that the system
10 requires election officials to provide to each voter, the
11 voter should be able to independently operate the voter
12 interface through the final step of casting a ballot without
13 assistance.

14 2. The voter must be able to determine the races that
15 he or she is allowed to vote in and to determine which
16 candidates are available in each race.

17 3. The voter must be able to determine how many
18 candidates may be selected in each race.

19 4. The voter must be able to have confidence that the
20 physical or vocal inputs given to the system have selected the
21 candidates that he or she intended to select.

22 5. The voter must be able to review the candidate
23 selections that he or she has made.

24 6. Prior to the act of casting the ballot, the voter
25 must be able to change any selections previously made and
26 confirm a new selection.

27 7. The system must communicate to the voter the fact
28 that the voter has failed to vote in a race or has failed to
29 vote the number of allowable candidates in any race and
30 require the voter to confirm his or her intent to undervote
31 before casting the ballot. The system must be able to

1 accommodate multiple languages for those jurisdictions
2 required to comply with s. 203 of the Voting Rights Act.

3 8. The system must prevent the voter from overvoting
4 any race.

5 9. The voter must be able to input a candidate's name
6 in each race that allows a write-in candidate.

7 10. The voter must be able to review his or her
8 write-in input to the interface, edit that input, and confirm
9 that the edits meet the voter's intent.

10 11. There must be a clear, identifiable action that
11 the voter takes to "cast" the ballot. The system must make
12 clear to the voter how to take this action so that the voter
13 has minimal risk of taking the action accidentally but, when
14 the voter intends to cast the ballot, the action can be easily
15 performed.

16 12. Once the ballot is cast, the system must confirm
17 to the voter that the action has occurred and that the voter's
18 process of voting is complete.

19 13. Once the ballot is cast, the system must preclude
20 the voter from modifying the ballot cast or voting or casting
21 another ballot.

22
23 The functionalities required in this paragraph for
24 certification may be satisfied by either the voting device or
25 by the entire voting system.

26 Section 12. Paragraph (a) of subsection (1) and
27 subsection (4) of section 101.62, Florida Statutes, are
28 amended to read:

29 101.62 Request for absentee ballots.--

30 (1)(a) The supervisor may accept a request for an
31 absentee ballot from an elector in person or in writing.

1 Except as provided in s. 101.694, one request shall be deemed
2 sufficient to receive an absentee ballot for all elections
3 ~~which are held within a calendar year~~, unless the elector or
4 the elector's designee indicates at the time the request is
5 made the elections for which the elector desires to receive an
6 absentee ballot. Such request may be considered canceled when
7 any first-class mail sent by the supervisor to the elector is
8 returned as undeliverable.

9 (4)(a) To each absent qualified elector overseas who
10 has requested an absentee ballot, the supervisor of elections
11 shall mail an absentee ballot not fewer than 35 days before
12 the primary or 45 days before the general election.

13 (b) The supervisor shall provide an absentee ballot to
14 each elector by whom a request for that ballot has been made
15 by one of the following means:

16 1. By nonforwardable, return-if-undeliverable mail to
17 the elector's current mailing address on file with the
18 supervisor, unless the elector specifies in the request that:

19 a. The elector is absent from the county and does not
20 plan to return before the day of the election;

21 b. The elector is temporarily unable to occupy the
22 residence because of hurricane, tornado, flood, fire, or other
23 emergency or natural disaster; or

24 c. The elector is in a hospital, assisted-living
25 facility, nursing home, short-term medical or rehabilitation
26 facility, or correctional facility,

27
28 in which case the supervisor shall mail the ballot by
29 nonforwardable, return-if-undeliverable mail to any other
30 address the elector specifies in the request.

31

1 2. By forwardable mail to voters who are entitled to
2 vote by absentee ballot under the Uniformed and Overseas
3 Citizens Absentee Voting Act.

4 3. By personal delivery before 7 p.m. on election day
5 to the elector, upon presentation of the identification
6 required in s. 101.043 ~~s. 101.657~~.

7 4. By delivery to a designee on election day or up to
8 5 4 days prior to the day of an election. Any elector may
9 designate in writing a person to pick up the ballot for the
10 elector; however, the person designated may not pick up more
11 than two absentee ballots per election, other than the
12 designee's own ballot, except that additional ballots may be
13 picked up for members of the designee's immediate family. For
14 purposes of this section, "immediate family" means the
15 designee's spouse or the parent, child, grandparent, or
16 sibling of the designee or of the designee's spouse. The
17 designee shall provide to the supervisor the written
18 authorization by the elector and a picture identification of
19 the designee and must complete an affidavit. The designee
20 shall state in the affidavit that the designee is authorized
21 by the elector to pick up that ballot and shall indicate if
22 the elector is a member of the designee's immediate family
23 and, if so, the relationship. The department shall prescribe
24 the form of the affidavit. If the supervisor is satisfied that
25 the designee is authorized to pick up the ballot and that the
26 signature of the elector on the written authorization matches
27 the signature of the elector on file, the supervisor shall
28 give the ballot to that designee for delivery to the elector.

29 Section 13. Subsection (1) of section 101.657, Florida
30 Statutes, is amended to read:

31 101.657 Early voting.--

1 (1)(a) As a convenience to the voter, the supervisor
2 of elections shall allow an elector to vote early in the main
3 or branch office of the supervisor. The supervisor shall mark,
4 code, indicate on, or otherwise track the voter's precinct for
5 each early voted ballot. In order for a branch office to be
6 used for early voting, it shall be a permanent facility of the
7 supervisor and shall have been designated and used as such for
8 at least 1 year prior to the election. The supervisor may also
9 designate any city hall or permanent public library facility
10 as early voting sites; however, if so designated, the sites
11 must be geographically located so as to provide all voters in
12 the county an equal opportunity to cast a ballot, insofar as
13 is practicable. The results or tabulation of votes cast during
14 early voting may not be made before the close of the polls on
15 election day. Results shall be reported by precinct.

16 (b) The supervisor shall designate each early voting
17 site by no later than the 30th day prior to an election and
18 shall designate an early voting area, as defined in s. 97.021,
19 at each early voting site.

20 (c) In addition to the designations under paragraphs
21 (a) and (b), the supervisor may designate alternative sites or
22 locations within the county. If so designated, the sites must
23 be geographically located so as to provide all voters in the
24 county an equal opportunity to cast a ballot, insofar as is
25 practicable. Notice of any alternative site designated shall
26 be submitted to the Department of State no later than 180 days
27 before the first statewide election for which the site will be
28 used for early voting. The Department of State has 30 days
29 after receiving such notice to receive public comment on the
30 proposed site. The Department of State shall review and may
31 approve the sites, but if the department has not approved or

1 disapproved the designated sites within 60 days after
2 receiving such notice, the sites shall be deemed approved as
3 early voting sites.

4 ~~(d)(e)~~ All early voting sites in a county shall be
5 open on the same days for the same amount of time and shall
6 allow any person in line at the closing of an early voting
7 site to vote.

8 ~~(e)(d)~~ Early voting shall begin on the 15th day before
9 an election and end on the 2nd day before an election. For
10 purposes of a special election held pursuant to s. 100.101,
11 early voting shall begin on the 8th day before an election and
12 end on the 2nd day before an election. Early voting shall be
13 provided for 8 hours per weekday and 8 hours in the aggregate
14 each weekend at each site during the applicable periods. Early
15 voting sites shall open no sooner than 7 a.m. and close no
16 later than 7 p.m. on each applicable day.

17 ~~(f)(e)~~ Notwithstanding the requirements of s.
18 100.3605, municipalities may provide early voting in municipal
19 elections that are not held in conjunction with county or
20 state elections. If a municipality provides early voting, it
21 may designate as many sites as necessary and shall conduct its
22 activities in accordance with ~~the provisions of~~ paragraphs
23 ~~(a)-(d)(a)-(e)~~. The supervisor is not required to conduct
24 early voting if it is provided pursuant to this subsection.

25 ~~(g)(f)~~ Notwithstanding the requirements of s. 189.405,
26 special districts may provide early voting in any district
27 election not held in conjunction with county or state
28 elections. If a special district provides early voting, it may
29 designate as many sites as necessary and shall conduct its
30 activities in accordance with ~~the provisions of~~ paragraphs
31

1 ~~(a)-(d)(a)-(c)~~. The supervisor is not required to conduct
2 early voting if it is provided pursuant to this subsection.

3 (h) Notwithstanding the elections specified in s.
4 100.101, a board of county commissioners may choose not to
5 conduct early voting for any election called by the board of
6 county commissioners.

7 Section 14. Paragraph (a) of subsection (2) of section
8 101.68, Florida Statutes, is amended to read:

9 101.68 Canvassing of absentee ballot.--

10 (2)(a) The county canvassing board may begin the
11 canvassing of absentee ballots at 7 a.m. on the sixth ~~fourth~~
12 day before the election, but not later than noon on the day
13 following the election. In addition, for any county using
14 electronic tabulating equipment, the processing of absentee
15 ballots through such tabulating equipment may begin at 7 a.m.
16 on the sixth ~~fourth~~ day before the election. However,
17 notwithstanding any such authorization to begin canvassing or
18 otherwise processing absentee ballots early, no result shall
19 be released until after the closing of the polls in that
20 county on election day. Any supervisor of elections, deputy
21 supervisor of elections, canvassing board member, election
22 board member, or election employee who releases the results of
23 a canvassing or processing of absentee ballots prior to the
24 closing of the polls in that county on election day commits a
25 felony of the third degree, punishable as provided in s.
26 775.082, s. 775.083, or s. 775.084.

27 Section 15. Subsection (7) of section 102.014, Florida
28 Statutes, is amended to read:

29 102.014 Poll worker recruitment and training.--

30 (7) The Department of State shall develop a mandatory,
31 statewide, and uniform program for training poll workers on

1 | issues of etiquette and sensitivity with respect to voters
2 | having a disability. ~~The program must consist of approximately~~
3 | ~~1 hour of the required number of hours set forth in paragraph~~
4 | ~~(4)(a)~~. The program must be conducted locally by each
5 | supervisor of elections, who shall periodically certify to the
6 | Department of State whether each poll worker has completed the
7 | program before working during the election cycle. The
8 | supervisor of elections shall contract with a recognized
9 | disability-related organization, such as a center for
10 | independent living, family network on disabilities, deaf
11 | service bureau, or other such organization, to develop and
12 | assist with training the trainers in the disability
13 | sensitivity programs. The program must include actual
14 | demonstrations of obstacles confronted by disabled persons
15 | during the voting process, including obtaining access to the
16 | polling place, traveling through the polling area, and using
17 | the voting system.

18 | Section 16. Subsections (1) and (2) of section
19 | 102.112, Florida Statutes, are amended to read:

20 | 102.112 Deadline for submission of county returns to
21 | the Department of State.--

22 | (1) The county canvassing board or a majority thereof
23 | shall file the county returns for the election of a federal or
24 | state officer with the Department of State immediately after
25 | certification of the election results. The returns must
26 | contain a certification by the canvassing board that the board
27 | has compared ~~reconciled~~ the number of persons who voted with
28 | the number of ballots counted and that the certification
29 | includes all valid votes cast in the election.

30 | (2) Returns must be filed by 5 p.m. on the 10th ~~7th~~
31 | day following a primary election and by 5 p.m. on the 12th

1 | ~~11th~~ day following the general election. However, the
2 | Department of State may correct typographical errors,
3 | including the transposition of numbers, in any returns
4 | submitted to the Department of State pursuant to s.
5 | 102.111(1).

6 | Section 17. Subsection (4) and paragraph (c) of
7 | subsection (6) of section 102.141, Florida Statutes, are
8 | amended to read:

9 | 102.141 County canvassing board; duties.--

10 | (4) The canvassing board shall submit on forms or in
11 | formats provided by the division unofficial returns to the
12 | Department of State for each federal, statewide, state, or
13 | multicounty office or ballot measure no later than noon on the
14 | fourth ~~third~~ day after any primary, ~~election and no later than~~
15 | ~~noon on the fifth day after any~~ general, ~~or other~~ election.
16 | Such returns shall include the canvass of all ballots as
17 | required by subsection (2), ~~except for provisional ballots,~~
18 | ~~which returns shall be reported at the time required for~~
19 | ~~official returns pursuant to s. 102.112(2).~~

20 | (6) If the unofficial returns reflect that a candidate
21 | for any office was defeated or eliminated by one-half of a
22 | percent or less of the votes cast for such office, that a
23 | candidate for retention to a judicial office was retained or
24 | not retained by one-half of a percent or less of the votes
25 | cast on the question of retention, or that a measure appearing
26 | on the ballot was approved or rejected by one-half of a
27 | percent or less of the votes cast on such measure, the board
28 | responsible for certifying the results of the vote on such
29 | race or measure shall order a recount of the votes cast with
30 | respect to such office or measure. The Elections Canvassing
31 | Commission is the board responsible for ordering federal,

1 state, and multicounty recounts. A recount need not be ordered
2 with respect to the returns for any office, however, if the
3 candidate or candidates defeated or eliminated from contention
4 for such office by one-half of a percent or less of the votes
5 cast for such office request in writing that a recount not be
6 made.

7 (c) The canvassing board shall submit on forms or in
8 formats provided by the division a second set of unofficial
9 returns to the Department of State for each federal,
10 statewide, state, or multicounty office or ballot measure no
11 later than 3 p.m. on the 7th ~~fifth~~ day after any primary
12 election and no later than 3 p.m. on the 9th ~~eighth~~ day after
13 any general election in which a recount was conducted pursuant
14 to this subsection. If the canvassing board is unable to
15 complete the recount prescribed in this subsection by the
16 deadline, the second set of unofficial returns submitted by
17 the canvassing board shall be identical to the initial
18 unofficial returns and the submission shall also include a
19 detailed explanation of why it was unable to timely complete
20 the recount. However, the canvassing board shall complete the
21 recount prescribed in this subsection, along with any manual
22 recount prescribed in s. 102.166, and certify election returns
23 in accordance with the requirements of this chapter.

24 Section 18. Section 104.29, Florida Statutes, is
25 repealed.

26 Section 19. Paragraph (a) of subsection (1) of section
27 106.143, Florida Statutes, is amended to read:

28 106.143 Political advertisements circulated prior to
29 election; requirements.--

30 (1)(a) Any political advertisement that is paid for by
31 a candidate and that is published, displayed, or circulated

1 prior to, or on the day of, any election must prominently
2 state: "Political advertisement paid for and approved by
3 ...(name of candidate)..., ...(party affiliation)..., for
4 ...(office sought)...." The phrase "Political advertisement
5 paid" may be abbreviated "Pol. Adv. Pd."
6

7 This subsection does not apply to campaign messages used by a
8 candidate and the candidate's supporters if those messages are
9 designed to be worn by a person.

10 Section 20. Except as otherwise expressly provided in
11 this act, this act shall take effect upon becoming a law.

12 *****
13 *****

14 SENATE SUMMARY

15 Revises a number of statutes dealing with elections,
16 including changes of address, absentee ballots, the time
17 for performing various functions, powers and duties of
18 supervisors of elections and county canvassing boards,
19 and the time of the primary election. (See bill for
20 details.)
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