



488226

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/11/2015	.	
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	.	

The Committee on Ethics and Elections (Smith) recommended the following:

Senate Amendment (with title amendment)

Delete lines 16 - 139
and insert:

(2) (a) The county canvassing board may begin the canvassing of absentee ballots after successfully testing the electronic tabulating equipment as required by this chapter ~~at 7 a.m. on the 15th day before the election,~~ but not later than noon on the day following the election. ~~In addition, for any county using electronic tabulating equipment, the processing of absentee~~



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11 ~~ballots through such tabulating equipment may begin at 7 a.m. on~~
12 ~~the 15th day before the election.~~ However, notwithstanding any
13 such authorization to begin canvassing or otherwise processing
14 absentee ballots early, no result shall be released until after
15 the closing of the polls in that county on election day. Any
16 supervisor of elections, deputy supervisor of elections,
17 canvassing board member, election board member, or election
18 employee who releases the results of a canvassing or processing
19 of absentee ballots before ~~prior to~~ the closing of the polls in
20 that county on election day commits a felony of the third
21 degree, punishable as provided in s. 775.082, s. 775.083, or s.
22 775.084.

23 Section 2. Section 101.65, Florida Statutes, is amended to
24 read:

25 101.65 Instructions to absent electors.—The supervisor
26 shall enclose with each absentee ballot separate printed
27 instructions in substantially the following form:

28
29 READ THESE INSTRUCTIONS CAREFULLY
30 BEFORE MARKING BALLOT.

31 1. VERY IMPORTANT. In order to ensure that your absentee
32 ballot will be counted, it should be completed and returned as
33 soon as possible so that it can reach the supervisor of
34 elections of the county in which your precinct is located no
35 later than 7 p.m. on the day of the election. However, if you
36 are an overseas voter casting a ballot in a presidential
37 preference primary or general election, your absentee ballot
38 must be postmarked or dated no later than the date of the
39 election and received by the supervisor of elections of the



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40 county in which you are registered to vote no later than 10 days
41 after the date of the election.

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

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

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

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

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

55 7. VERY IMPORTANT. In order for your absentee ballot to be
56 counted, you must sign your name on the line above (Voter's
57 Signature). An absentee ballot will be considered illegal and
58 not be counted if the signature on the voter's certificate does
59 not match the signature on record. The signature on file at the
60 start of the canvass of the absentee ballots is the signature
61 that will be used to verify your signature on the voter's
62 certificate. If you need to update your signature for this
63 election, send your signature update on a voter registration
64 application to your supervisor of elections so that it is
65 received no later than the start of the canvassing of absentee
66 ballots, which can occur as early as the 25th ~~occurs no earlier~~
67 ~~than the 15th~~ day before election day.

68 8. VERY IMPORTANT. If you are an overseas voter, you must



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69 include the date you signed the Voter's Certificate on the line
70 above (Date) or your ballot may not be counted.

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

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

78 Section 3. Subsection (2) of section 101.6923, Florida
79 Statutes, is amended to read:

80 101.6923 Special absentee ballot instructions for certain
81 first-time voters.—

82 (2) A voter covered by this section shall be provided with
83 printed instructions with his or her absentee ballot in
84 substantially the following form:

85

86 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR
87 BALLOT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE
88 YOUR BALLOT NOT TO COUNT.

89

90 1. In order to ensure that your absentee ballot will be
91 counted, it should be completed and returned as soon as possible
92 so that it can reach the supervisor of elections of the county
93 in which your precinct is located no later than 7 p.m. on the
94 date of the election. However, if you are an overseas voter
95 casting a ballot in a presidential preference primary or general
96 election, your absentee ballot must be postmarked or dated no
97 later than the date of the election and received by the



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98 supervisor of elections of the county in which you are
99 registered to vote no later than 10 days after the date of the
100 election.

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

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

108 4. Place your marked ballot in the enclosed secrecy
109 envelope and seal the envelope.

110 5. Insert the secrecy envelope into the enclosed envelope
111 bearing the Voter's Certificate. Seal the envelope and
112 completely fill out the Voter's Certificate on the back of the
113 envelope.

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

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

119 c. An absentee ballot will be considered illegal and will
120 not be counted if the signature on the Voter's Certificate does
121 not match the signature on record. The signature on file at the
122 start of the canvass of the absentee ballots is the signature
123 that will be used to verify your signature on the Voter's
124 Certificate. If you need to update your signature for this
125 election, send your signature update on a voter registration
126 application to your supervisor of elections so that it is



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127 received no later than the start of canvassing of absentee
128 ballots, which can occur as early as the 25th ~~occurs no earlier~~
129 ~~than the 15th~~ day before election day.

130

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

132 And the title is amended as follows:

133 Delete lines 3 - 5

134 and insert:

135 amending s. 101.68, F.S.; authorizing the county
136 canvassing board to begin the canvassing of absentee
137 ballots after successfully completing testing of the
138 electronic tabulating equipment; removing obsolete
139 language; amending ss. 101.65 and 101.6923,