

**FOR CONSIDERATION** By the Committee on Ethics and Elections

582-01692F-15

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1                   A bill to be entitled  
2       An act relating to elections; amending s. 97.0535,  
3       F.S.; revising forms of acceptable identification for  
4       certain voter registration applicants; amending s.  
5       98.077, F.S.; revising the time by which updates of  
6       voter signatures must be received by the supervisor of  
7       elections; removing the requirement that a voter  
8       signature on file at the start of the canvassing of  
9       absentee ballots be used for signature verification on  
10      absentee and provisional ballot certificates; amending  
11      s. 101.001, F.S.; revising requirements for precinct  
12      boundaries as of a specified date; amending s.  
13      101.043, F.S.; revising authorized methods for  
14      identifying an elector at a polling place; amending s.  
15      101.20, F.S.; authorizing a sample ballot to be mailed  
16      to certain electors in lieu of publication; amending  
17      s. 101.6102, F.S.; authorizing cities to conduct  
18      certain elections by mail if approved by the governing  
19      body and supervisor of elections; amending s. 101.62,  
20      F.S.; revising the time by which the supervisor must  
21      make certain absentee ballot information available;  
22      amending s. 101.65, F.S.; conforming a provision to  
23      changes made by the act; amending s. 101.657, F.S.;  
24      requiring the supervisor to designate early voting  
25      sites in certain special elections; amending ss.  
26      101.68 and 101.6923, F.S.; conforming provisions to  
27      changes made by the act; amending ss. 189.04 and  
28      190.006, F.S.; requiring certain special district and  
29      community development district elections to be held at

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30 a primary election; providing effective dates.

31  
32 Be It Enacted by the Legislature of the State of Florida:

33  
34  
35 Section 1. Paragraph (a) of subsection (3) of section  
36 97.0535, Florida Statutes, is amended to read:

37 97.0535 Special requirements for certain applicants.—

38 (3) (a) The following forms of identification shall be  
39 considered current and valid if they contain the name and  
40 photograph of the applicant and have not expired:

41 1. United States passport or passport card.

42 2. Debit or credit card.

43 3. Military identification.

44 4. Student identification.

45 5. Retirement center identification.

46 6. Neighborhood association identification.

47 7. Public assistance identification.

48 8. United States Department of Veterans Affairs veteran  
49 health identification card.

50 9. A license to carry a concealed weapon or firearm issued  
51 pursuant to s. 790.06.

52 Section 2. Subsection (4) of section 98.077, Florida  
53 Statutes, is amended to read:

54 98.077 Update of voter signature.—

55 (4) All signature updates for use in verifying absentee and  
56 provisional ballots must be received by the appropriate  
57 supervisor of elections no later than 5 p.m. on the day before  
58 an election ~~the start of the canvassing of absentee ballots by~~

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59 ~~the canvassing board. The signature on file at the start of the~~  
60 ~~canvass of the absentee ballots is the signature that shall be~~  
61 ~~used in verifying the signature on the absentee and provisional~~  
62 ~~ballot certificates.~~

63 Section 3. Effective January 1, 2021, paragraph (e) of  
64 subsection (3) of section 101.001, Florida Statutes, is amended  
65 to read:

66 101.001 Precincts and polling places; boundaries.—

67 (3)

68 (e) A ~~Any~~ precinct established or altered under ~~the~~  
69 ~~provisions of~~ this section shall consist of areas bounded on all  
70 sides only by census block boundaries from the most recent  
71 United States Census. If the census block boundaries split or  
72 conflict with the ~~another political boundary listed below,~~ the  
73 boundary listed below may be used:

74 ~~1. Governmental unit boundaries reported in the most recent~~  
75 ~~Boundary and Annexation Survey published by the United States~~  
76 ~~Census Bureau;~~

77 ~~2. Visible features that are readily distinguishable upon~~  
78 ~~the ground, such as streets, railroads, tracks, streams, and~~  
79 ~~lakes, and that are indicated upon current census maps, official~~  
80 ~~Department of Transportation maps, official municipal maps,~~  
81 ~~official county maps, or a combination of such maps;~~

82 ~~3. Boundaries of public parks, public school grounds, or~~  
83 ~~churches; or~~

84 ~~4. boundaries of counties, incorporated municipalities, or~~  
85 ~~other political subdivisions, such boundaries may be used~~  
86 ~~provided that they meet criteria established by the United~~  
87 ~~States Census Bureau for block boundaries.~~

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88 Section 4. Paragraph (a) of subsection (1) of section  
89 101.043, Florida Statutes, is amended to read:

90 101.043 Identification required at polls.—

91 (1)(a) The precinct register, as prescribed in s. 98.461,  
92 shall be used at the polls for the purpose of identifying the  
93 elector at the polls before allowing him or her to vote. The  
94 clerk or inspector shall require each elector, upon entering the  
95 polling place, to present one of the following current and valid  
96 picture identifications:

97 1. Florida driver license.

98 2. Florida identification card issued by the Department of  
99 Highway Safety and Motor Vehicles.

100 3. United States passport or passport card.

101 4. Debit or credit card.

102 5. Military identification.

103 6. Student identification.

104 7. Retirement center identification.

105 8. Neighborhood association identification.

106 9. Public assistance identification.

107 10. United States Department of Veterans Affairs veteran  
108 health identification card.

109 11. A license to carry a concealed weapon or firearm issued  
110 pursuant to s. 790.06.

111 Section 5. Subsection (2) of section 101.20, Florida  
112 Statutes, is amended to read:

113 101.20 Publication of ballot form; sample ballots.—

114 (2) Upon completion of the list of qualified candidates, a  
115 sample ballot shall be published by the supervisor of elections  
116 in a newspaper of general circulation in the county, before the

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117 day of election. A supervisor may send a sample ballot to each  
118 registered elector by e-mail at least 7 days before an election  
119 if an e-mail address has been provided and the elector has opted  
120 to receive a sample ballot by electronic delivery. If an e-mail  
121 address has not been provided, or if the elector has not opted  
122 for electronic delivery, a sample ballot may be mailed to each  
123 registered elector or to each household in which there is a  
124 registered elector in lieu of publication at least 7 days before  
125 an election.

126 Section 6. Paragraph (c) is added to subsection (1) of  
127 section 101.6102, Florida Statutes, to read:

128 101.6102 Mail ballot elections; limitations.—

129 (1)

130 (c) Notwithstanding subsection (2), cities may conduct  
131 candidate elections by mail if approved by the governing body  
132 and the supervisor of elections.

133 Section 7. Subsection (3) of section 101.62, Florida  
134 Statutes, is amended to read:

135 101.62 Request for absentee ballots.—

136 (3) For each request for an absentee ballot received, the  
137 supervisor shall record the date the request was made, the date  
138 the absentee ballot was delivered to the voter or the voter's  
139 designee or the date the absentee ballot was delivered to the  
140 post office or other carrier, the date the ballot was received  
141 by the supervisor, the absence of the voter's signature on the  
142 voter's certificate, if applicable, and such other information  
143 he or she may deem necessary. This information shall be provided  
144 in electronic format as provided by rule adopted by the  
145 division. The information shall be updated and made available no

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146 later than noon ~~8 a.m.~~ of each day, including weekends,  
147 beginning 60 days before the primary until 15 days after the  
148 general election and shall be contemporaneously provided to the  
149 division. This information shall be confidential and exempt from  
150 s. 119.07(1) and shall be made available to or reproduced only  
151 for the voter requesting the ballot, a canvassing board, an  
152 election official, a political party or official thereof, a  
153 candidate who has filed qualification papers and is opposed in  
154 an upcoming election, and registered political committees for  
155 political purposes only.

156 Section 8. Section 101.65, Florida Statutes, is amended to  
157 read:

158 101.65 Instructions to absent electors.—The supervisor  
159 shall enclose with each absentee ballot separate printed  
160 instructions in substantially the following form:

161  
162 READ THESE INSTRUCTIONS CAREFULLY  
163 BEFORE MARKING BALLOT.

164 1. VERY IMPORTANT. In order to ensure that your absentee  
165 ballot will be counted, it should be completed and returned as  
166 soon as possible so that it can reach the supervisor of  
167 elections of the county in which your precinct is located no  
168 later than 7 p.m. on the day of the election. However, if you  
169 are an overseas voter casting a ballot in a presidential  
170 preference primary or general election, your absentee ballot  
171 must be postmarked or dated no later than the date of the  
172 election and received by the supervisor of elections of the  
173 county in which you are registered to vote no later than 10 days  
174 after the date of the election.

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

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

182           4. Place your marked ballot in the enclosed secrecy  
183 envelope.

184           5. Insert the secrecy envelope into the enclosed mailing  
185 envelope which is addressed to the supervisor.

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

188           7. VERY IMPORTANT. In order for your absentee ballot to be  
189 counted, you must sign your name on the line above (Voter's  
190 Signature). An absentee ballot will be considered illegal and  
191 not be counted if the signature on the voter's certificate does  
192 not match the signature on record. The signature on file at the  
193 start of the canvass of the absentee ballots is the signature  
194 that will be used to verify your signature on the voter's  
195 certificate. If you need to update your signature for this  
196 election, send your signature update on a voter registration  
197 application to your supervisor of elections so that it is  
198 received no later than 5 p.m. on the day before an election ~~the~~  
199 ~~start of the canvassing of absentee ballots, which occurs no~~  
200 ~~earlier than the 15th day before election day.~~

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

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

206 10. FELONY NOTICE. It is a felony under Florida law to  
207 accept any gift, payment, or gratuity in exchange for your vote  
208 for a candidate. It is also a felony under Florida law to vote  
209 in an election using a false identity or false address, or under  
210 any other circumstances making your ballot false or fraudulent.

211 Section 9. Paragraph (b) of subsection (1) of section  
212 101.657, Florida Statutes, is amended to read:

213 101.657 Early voting.—

214 (1)

215 (b) The supervisor shall designate each early voting site  
216 by no later than the 30th day before ~~prior to~~ an election and  
217 shall designate an early voting area, as defined in s. 97.021,  
218 at each early voting site. The supervisor shall designate, as  
219 necessary, the early voting sites in a special election held in  
220 a county. The supervisor shall provide to the division no later  
221 than the 30th day before an election the address of each early  
222 voting site and the hours that early voting will occur at each  
223 site.

224 Section 10. Paragraph (d) of subsection (4) of section  
225 101.68, Florida Statutes, is amended, and subsection (5) is  
226 added to that section, to read:

227 101.68 Canvassing of absentee ballot.—

228 (4)

229 (d) Instructions must accompany the absentee ballot  
230 affidavit in substantially the following form:

231

232 READ THESE INSTRUCTIONS CAREFULLY BEFORE COMPLETING THE

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233 AFFIDAVIT. FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR  
234 BALLOT NOT TO COUNT.

235

236 1. In order to ensure that your absentee ballot will be  
237 counted, your affidavit should be completed and returned as soon  
238 as possible so that it can reach the supervisor of elections of  
239 the county in which your precinct is located no later than 5  
240 p.m. on the ~~2nd~~ day before the election.

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

243 3. You must make a copy of one of the following forms of  
244 identification:

245 a. Identification that includes your name and photograph:  
246 United States passport or passport card; debit or credit card;  
247 military identification; student identification; retirement  
248 center identification; neighborhood association identification;  
249 ~~or~~ public assistance identification; United States Department of  
250 Veterans Affairs veteran health identification card; or license  
251 to carry a concealed weapon or firearm issued pursuant to s.  
252 790.06; or

253 b. Identification that shows your name and current  
254 residence address: current utility bill, bank statement,  
255 government check, paycheck, or government document (excluding  
256 voter identification card).

257 4. Place the envelope bearing the affidavit into a mailing  
258 envelope addressed to the supervisor. Insert a copy of your  
259 identification in the mailing envelope. Mail, deliver, or have  
260 delivered the completed affidavit along with the copy of your  
261 identification to your county supervisor of elections. Be sure

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262 there is sufficient postage if mailed and that the supervisor's  
263 address is correct.

264 5. Alternatively, you may fax or e-mail your completed  
265 affidavit and a copy of your identification to the supervisor of  
266 elections. If e-mailing, please provide these documents as  
267 attachments.

268 (5) The supervisor shall allow an elector who has submitted  
269 an absentee ballot to update his or her signature until 5 p.m.  
270 on the day before an election if the ballot has not been  
271 canvassed by the canvassing board.

272 Section 11. Subsection (2) of section 101.6923, Florida  
273 Statutes, is amended to read:

274 101.6923 Special absentee ballot instructions for certain  
275 first-time voters.-

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

279  
280 READ THESE INSTRUCTIONS CAREFULLY BEFORE MARKING YOUR BALLOT.  
281 FAILURE TO FOLLOW THESE INSTRUCTIONS MAY CAUSE YOUR BALLOT NOT  
282 TO COUNT.

283  
284 1. In order to ensure that your absentee ballot will be  
285 counted, it should be completed and returned as soon as possible  
286 so that it can reach the supervisor of elections of the county  
287 in which your precinct is located no later than 7 p.m. on the  
288 date of the election. However, if you are an overseas voter  
289 casting a ballot in a presidential preference primary or general  
290 election, your absentee ballot must be postmarked or dated no

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291 later than the date of the election and received by the  
292 supervisor of elections of the county in which you are  
293 registered to vote no later than 10 days after the date of the  
294 election.

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

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

302 4. Place your marked ballot in the enclosed secrecy  
303 envelope and seal the envelope.

304 5. Insert the secrecy envelope into the enclosed envelope  
305 bearing the Voter's Certificate. Seal the envelope and  
306 completely fill out the Voter's Certificate on the back of the  
307 envelope.

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

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

313 c. An absentee ballot will be considered illegal and will  
314 not be counted if the signature on the Voter's Certificate does  
315 not match the signature on record. The signature on file at the  
316 start of the canvass of the absentee ballots is the signature  
317 that will be used to verify your signature on the Voter's  
318 Certificate. If you need to update your signature for this  
319 election, send your signature update on a voter registration

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320 application to your supervisor of elections so that it is  
321 received no later than 5 p.m. on the day before an election ~~the~~  
322 ~~start of canvassing of absentee ballots, which occurs no earlier~~  
323 ~~than the 15th day before election day.~~

324 6. Unless you meet one of the exemptions in Item 7., you  
325 must make a copy of one of the following forms of  
326 identification:

327 a. Identification which must include your name and  
328 photograph: United States passport or passport card; debit or  
329 credit card; military identification; student identification;  
330 retirement center identification; neighborhood association  
331 identification; ~~or~~ public assistance identification; United  
332 States Department of Veterans Affairs veteran health  
333 identification card; or license to carry a concealed weapon or  
334 firearm issued pursuant to s. 790.06; or

335 b. Identification that ~~which~~ shows your name and current  
336 residence address: current utility bill, bank statement,  
337 government check, paycheck, or government document (excluding  
338 voter identification card).

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

- 341 a. You are 65 years of age or older.
- 342 b. You have a temporary or permanent physical disability.
- 343 c. You are a member of a uniformed service on active duty  
344 who, by reason of such active duty, will be absent from the  
345 county on election day.
- 346 d. You are a member of the Merchant Marine who, by reason  
347 of service in the Merchant Marine, will be absent from the  
348 county on election day.

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

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

354 8. Place the envelope bearing the Voter's Certificate into  
355 the mailing envelope addressed to the supervisor. Insert a copy  
356 of your identification in the mailing envelope. DO NOT PUT YOUR  
357 IDENTIFICATION INSIDE THE SECRECY ENVELOPE WITH THE BALLOT OR  
358 INSIDE THE ENVELOPE WHICH BEARS THE VOTER'S CERTIFICATE OR YOUR  
359 BALLOT WILL NOT COUNT.

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

362 10. FELONY NOTICE. It is a felony under Florida law to  
363 accept any gift, payment, or gratuity in exchange for your vote  
364 for a candidate. It is also a felony under Florida law to vote  
365 in an election using a false identity or false address, or under  
366 any other circumstances making your ballot false or fraudulent.

367 Section 12. Present subsection (6) of section 189.04,  
368 Florida Statutes, is redesignated as subsection (7), and a new  
369 subsection (6) is added to that section, to read:

370 189.04 Elections; general requirements and procedures.—

371 (6) Candidates for an election conducted in accordance with  
372 the Florida Election Code pursuant to this section must appear  
373 on the ballot at the primary election conducted by the  
374 supervisor or supervisors of elections of the county or counties  
375 in which the district is located.

376 Section 13. Paragraph (a) of subsection (3) of section  
377 190.006, Florida Statutes, is amended to read:

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378 190.006 Board of supervisors; members and meetings.—

379 (3) (a) 1. If the board proposes to exercise the ad valorem  
380 taxing power authorized by s. 190.021, the district board shall  
381 call an election at which the members of the board of  
382 supervisors will be elected. Such election shall be held in  
383 conjunction with a primary ~~or general~~ election unless the  
384 district bears the cost of a special election. Each member shall  
385 be elected by the qualified electors of the district for a term  
386 of 4 years, except that, at the first such election, three  
387 members shall be elected for a period of 4 years and two members  
388 shall be elected for a period of 2 years. All elected board  
389 members must be qualified electors of the district.

390 2.a. Regardless of whether a district has proposed to levy  
391 ad valorem taxes, commencing 6 years after the initial  
392 appointment of members or, for a district exceeding 5,000 acres  
393 in area or for a compact, urban, mixed-use district, 10 years  
394 after the initial appointment of members, the position of each  
395 member whose term has expired shall be filled by a qualified  
396 elector of the district, elected by the qualified electors of  
397 the district. However, for those districts established after  
398 June 21, 1991, and for those existing districts established  
399 after December 31, 1983, which have less than 50 qualified  
400 electors on June 21, 1991, sub-subparagraphs b. and d. shall  
401 apply. If, in the 6th year after the initial appointment of  
402 members, or 10 years after such initial appointment for  
403 districts exceeding 5,000 acres in area or for a compact, urban,  
404 mixed-use district, there are not at least 250 qualified  
405 electors in the district, or for a district exceeding 5,000  
406 acres or for a compact, urban, mixed-use district, there are not

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407 at least 500 qualified electors, members of the board shall  
408 continue to be elected by landowners.

409 b. After the 6th or 10th year, once a district reaches 250  
410 or 500 qualified electors, respectively, then the positions of  
411 two board members whose terms are expiring shall be filled by  
412 qualified electors of the district, elected by the qualified  
413 electors of the district for 4-year terms. The remaining board  
414 member whose term is expiring shall be elected for a 4-year term  
415 by the landowners and is not required to be a qualified elector.  
416 Thereafter, as terms expire, board members shall be qualified  
417 electors elected by qualified electors of the district for a  
418 term of 4 years.

419 c. Once a district qualifies to have any of its board  
420 members elected by the qualified electors of the district, the  
421 initial and all subsequent elections by the qualified electors  
422 of the district shall be held at the primary election preceding  
423 the general election in November. The board shall adopt a  
424 resolution if necessary to implement this requirement when the  
425 board determines the number of qualified electors as required by  
426 sub-subparagraph d. ~~7~~ to extend or reduce the terms of current  
427 board members.

428 d. On or before June 1 of each year, the board shall  
429 determine the number of qualified electors in the district as of  
430 the immediately preceding April 15. The board shall use and rely  
431 upon the official records maintained by the supervisor of  
432 elections and property appraiser or tax collector in each county  
433 in making this determination. Such determination shall be made  
434 at a properly noticed meeting of the board and shall become a  
435 part of the official minutes of the district.

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436           Section 14. Except as otherwise expressly provided in this  
437 act, this act shall take effect July 1, 2015.