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LEGISLATIVE ACTION

Senate

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House

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Floor: 11/F/2R

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04/22/2021 12:12 PM

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Senator Cruz moved the following:

Senate Amendment (with title amendment)

Delete lines 919 - 921

and insert:

Section 21. Section 101.65, Florida Statutes, is amended to read:

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



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13 READ THESE INSTRUCTIONS CAREFULLY
14 BEFORE MARKING BALLOT.
15

16 1. VERY IMPORTANT. In order to ensure that your vote-by-
17 mail ballot will be counted, it should be completed and returned
18 as soon as possible so that it can reach the supervisor of
19 elections of the county in which your precinct is located no
20 later than 7 p.m. on the day of the election. However, if you
21 are an overseas voter casting a ballot in a presidential
22 preference primary or general election, your vote-by-mail ballot
23 must be postmarked or dated no later than the date of the
24 election and received by the supervisor of elections of the
25 county in which you are registered to vote no later than 10 days
26 after the date of the election. Note that the later you return
27 your ballot, the less time you will have to cure any signature
28 deficiencies, which is authorized until 5 p.m. on the 2nd day
29 after the election.

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

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

37 4. Place your marked ballot in the enclosed secrecy
38 envelope.

39 5. Insert the secrecy envelope into the enclosed mailing
40 envelope which is addressed to the supervisor.



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

43 7. VERY IMPORTANT. In order for your vote-by-mail ballot to
44 be counted, you must sign your name on the line above (Voter's
45 Signature). A vote-by-mail ballot will be considered illegal and
46 not be counted if the signature on the voter's certificate does
47 not match the signature on record. The signature on file at the
48 time the supervisor of elections in the county in which your
49 precinct is located receives your vote-by-mail ballot is the
50 signature that will be used to verify your signature on the
51 voter's certificate. If you need to update your signature for
52 this election, send your signature update on a voter
53 registration application to your supervisor of elections so that
54 it is received before your vote-by-mail ballot is received.

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

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

64 10. FELONY NOTICE. It is a felony under Florida law to
65 accept any gift, payment, or gratuity in exchange for your vote
66 for a candidate. It is also a felony under Florida law to vote
67 in an election using a false identity or false address, or under
68 any other circumstances making your ballot false or fraudulent.

69 Section 22. Subsection (2) of section 101.6921, Florida



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Statutes, is amended to read:

101.6921 Delivery of special vote-by-mail ballot to certain first-time voters.—

(2) The supervisor shall enclose with each vote-by-mail ballot three envelopes: a secrecy envelope, into which the absent elector will enclose his or her marked ballot; an envelope containing the Voter's Certificate, into which the absent elector shall place the secrecy envelope; and a postage paid mailing envelope, which shall be addressed to the supervisor and into which the absent elector will place the envelope containing the Voter's Certificate and a copy of the required identification.

Section 23. Subsection (2) of section 101.6923, Florida Statutes, is amended to read:

101.6923 Special vote-by-mail ballot instructions for certain first-time voters.—

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

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

1. In order to ensure that your vote-by-mail ballot will be counted, it should be completed and returned as soon as possible so that it can reach the supervisor of elections of the county in which your precinct is located no later than 7 p.m. on the date of the election. However, if you are an overseas voter



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casting a ballot in a presidential preference primary or general election, your vote-by-mail ballot must be postmarked or dated no later than the date of the election and received by the supervisor of elections of the county in which you are registered to vote no later than 10 days after the date of the election.

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

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

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

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

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

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

c. A vote-by-mail ballot will be considered illegal and will not be counted if the signature on the Voter's Certificate does not match the signature on record. The signature on file at the start of the canvass of the vote-by-mail ballots is the signature that will be used to verify your signature on the



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Voter's Certificate. If you need to update your signature for this election, send your signature update on a voter registration application to your supervisor of elections so that it is received before your vote-by-mail ballot is received.

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

a. Identification which must include your name and photograph: United States passport; debit or credit card; military identification; student identification; retirement center identification; neighborhood association identification; public assistance identification; veteran health identification card issued by the United States Department of Veterans Affairs; a Florida license to carry a concealed weapon or firearm; or an employee identification card issued by any branch, department, agency, or entity of the Federal Government, the state, a county, or a municipality; or

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

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

a. You are 65 years of age or older.

b. You have a temporary or permanent physical disability.

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

d. You are a member of the Merchant Marine who, by reason



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of service in the Merchant Marine, will be absent from the county on election day.

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

f. You are currently residing outside the United States.

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

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

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

Section 24. Subsection (1) of section 101.64, Florida Statutes, is amended, and subsection (6) is added to that section, to read:

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

(1) The supervisor shall enclose with each vote-by-mail ballot two envelopes: a secrecy envelope, into which the absent elector shall enclose his or her marked ballot; and a postage paid mailing envelope, into which the absent elector shall then place the secrecy envelope, which shall be addressed to the



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supervisor and also bear on the back side a certificate in
substantially the following form:

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

VOTER'S CERTIFICATE

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

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

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

And the title is amended as follows:

Delete line 101
and insert:
exceptions; amending ss. 101.65, 101.6921, and
101.6923, F.S.; requiring the supervisor of elections
to enclose a postage paid mailing envelope with each



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215 vote-by-mail ballot; conforming provisions to changes
216 made by the act; amending s. 101.64, F.S.; requiring
217 the supervisor of elections to enclose a postage paid
218 mailing envelope with each vote-by-mail ballot;
219 prohibiting the